

TOWN OF CENTER HARBOR
PLANNING BOARD
Meeting
Tuesday, May 7, 2019
7 p.m.

Chair Charles Hanson called the meeting to order at 7:00 p.m. Board members present Vice Chair Peter Loudon, Selectmen's Rep Harry Viens, Secretary Bill Ricciardi, Member David Reilly, Kelli Kemery, Mark Hildebrand, Alternate Member Winnifred Boynton, Rachel Xavier and Clerk Aimee Manfredi-Sanschagrin. In the audience, Code Enforcement Officer Ken Ballance, David Krumsiek, David Harrington and Steve Bardus.

Voting Members: Charles Hanson, Peter Loudon, Harry Viens, Bill Ricciardi, David Reilly, Kelli Kemery and Mark Hildebrand.

I. MINUTES:

Peter Loudon motioned to approve the minutes of April 2, 2019 as submitted. Seconded by Bill Ricciardi. Minutes pass unanimously.

II. PERMITS:

Board reviewed permits (Pooler and Langevin) no discussion.

III. OTHER

Informal Discussion: Chair announces that nothing the Board discusses during this informal session is binding this is informational conversation only.

David Krumsiek introduces himself and David Harrington as the new property owners of 328 Whittier Highway. David Krumsiek provides the Board with an overview on possible options for the location. Originally their intent was turn the property into an Airbnb but in the process of renovating the property, they thought perhaps there may be a better option for the location. In reviewing the by-laws they thought a better use of the property may be a restaurant or similar concept. Before they pursue anything and spend the extra money to change their original intent, they wanted to come speak with the Board to see if a restaurant or something similar would be suitable or of interest to the Town. This would take a residential use to a commercial use.

Kurt Clason is the contractor and has provided some plans on what they are thinking. Documents are submitted to the Board for review.

Chairman asks if they have docks at the property. David Harrington states no the property does not have waterfront access. The docks you see on Wharf road are for the boathouses at the end. David Krumsiek states there is land in-between this property and the water and that is owned by Winnepesaukee Flagship. David Krumsiek continues that he was speaking with the Planning Clerk about changing the access to the property and asking for a curb cut from Wharf Rd which is in Moultonborough. We asked the Town of Moultonborough if that would be an option and they seemed ok with it. David Harrington states it's confusing because the address is Whittier Highway but there is no access from Whittier Highway so we are investigating other options. David Krumsiek says to be clear, it won't break our heart if you say no we will just go back to our original plan but we wanted to at least explore this option and get your thoughts.

Kelli Kemery asks if they would be taking the existing dwelling and renovating it or tearing it down. David Harrington states they are just renovating the property. Kelli asks about parking at

the location. The property owners state the parking will require more research but they were thinking of turning the lawn area in the front of the house into the parking area. The parking spaces, if within the setbacks of the property, would allow 11 spots in the front and 4 in the back. If we don't have to stay within the setbacks then we could get more spots. David Harrington adds that it would depend what the setback is to route 25 and looking at the other businesses that are in Town it doesn't appear to be a setback. Chair states do not go by other businesses in town and their parking.

David Harrington adds that the structure would stay the same just renovated and the detached garage would stay but they were working with Ken in regards to fire codes. It was discussed that it would be better if the main structure and garage were attached by a breezeway of some kind so they could perhaps put the kitchen area in the garage and the breezeway would provide service into the restaurant.

Winnifred Boynton asks if they are incorporating the second floor how many people would they anticipate seating? David Harrington responds it depends on the parking spots, the parking spots would dictate the amount of seats. David continues, I think our sole purpose here tonight is to gauge the temperature of the Board and whether or not we should go down this road or go back to our original plan. Based on your reception or dissatisfaction we would make our decisions from there.

Steve Bardus adds that he likes the idea of adding another restaurant in town and that Wharf Rd already has a traffic light to allow vehicles out of Wharf Rd onto Whittier Highway. David Harrington adds to the statement about the traffic light. His thought would be if there were 20-25 parking spots and if the function of the facility would be a "light-fare" restaurant, turn over would be every 45 minutes +/- so he doesn't believe it would put a burden on the road or the light.

This use is allowed by Special Exception. If the property owners decide to move forward an application for Special Exception will be filed with the ZBA. If the ZBA approves the use, a site plan application would be required by the Planning Board.

Peter Loudon asks Ken if there is a reason the parking area cannot come up to the road. Ken responds absolutely there is. The town says "anything in, on or above the ground 10 sf or greater "shall" be and "will" be considered structure therefore, must full under the structure setbacks". Pavement would require a 15' setback from the side lines. They may be able to get an exemption off of route 25. In regards to them looking at other properties around town, you have to consider some of these properties where there before zoning was adopted in 1976. They can always ask the ZBA for relief.

David Herrington responds their intent would be to ask for relief because the viability of the business relies on the parking. Everything else we can comply with but the parking will dictate whether or not we move forward with this as an option. Chair states as Ken would agree, parking is the biggest issue we have to deal with when proposals such as this come up. We have had issues in recent years so whatever you come up with has to be solid in terms of the proposal. Mark Hildebrand adds how easy it would be for people to park at Heaths Supermarket and just walk across the street which they shouldn't be doing but how do you stop that. David Harrington, I agree with you we need to have the parking issue addressed before we proceed. Chair adds the proposal sounds reasonable but there are no guarantees.

Bill Ricciardi asks if the property is on town sewer which the property is. The informal discussion ends at 7:37.

Follow up discussion Town Ordinances: Chair updates the Board on a discussion with Code Enforcement Officer and PB Clerk in regards to updating the Town Ordinances. The Board of Selectmen are in the process of sending out letters to all businesses in town regarding the sign ordinance. The letter will outline compliance and ask the businesses (those that are not in compliance) to bring the signage for their business into compliance within 90 days and if they do not, the Board of Selectmen will start enforcing the sign ordinance by way of fines. Chair asks Selectmen's Rep Harry Viens if that is accurate information, Harry confirms it is.

Chair continues that the sign ordinance, when developed the last time was a challenging process. It might be prudent for us to focus on the sign ordinance and the first step would be to have a public meeting. Harry states they would notice the business owners, publish in the newspaper, post on the website. Bill Ricciardi asks if it would make sense to have a preliminary meeting to go over some of the things we should expect at the hearing. Chair states we could discuss at our next meeting if everyone would take some time to review and make notes regarding our current ordinance then we can have a discussion. There are definitely some things we may want to improve. Let's take the next few weeks and delve into the sign ordinance and if you have any questions about how it's to be interpreted feel free to call Ken. When we meet in June we can have a discussion and then at that meeting we could schedule the public meeting for input.

Chair thinks August would be a good time to have the public input session because that's when we have a lot of the property owners in town. Harry said at their Selectmen meeting they would give the business owners a 90 day grace period to allow them to come into compliance. Chair, we would get input in August at our regular Planning Board meeting. This meeting will be for all citizens, it is easy to focus this conversation on just the business people and that's a piece of it but it's certainly just as much an interest to the people that drive by the businesses and that live in town.

June 4th would be our meeting to have a discussion about what we've read in the ordinance and then potentially have the public input meeting on August 6th. Bill Ricciardi asks if we have enough time to do this before we need to have hearings for Town Meeting. Chair responds yes, the Board has until December to hold their first public hearing on proposed ordinance changes.

Previous meeting: Kelli Kemery missed the last meeting and was asking for more information on what had been discussed regarding the aging population. Harry Viens provided a brief recap on what was discussed at the last PB meeting.

IV. ADJOURNMENT

Meeting adjourned at 7:54 p.m. Next meeting scheduled for June 4th, 2019 @ 7:00p.m.
Respectfully submitted by Aimee Manfredi-Sanschagrin.