

TOWN OF CENTER HARBOR  
PLANNING BOARD  
Zoom Meeting  
Tuesday, March 16, 2021 @ 6 p.m.

**Chairman Charles Hanson calls the meeting to order at 6 p.m. Chair announced the meeting was being recorded and provides the protocol of the meeting in accordance with the Governor's emergency order regarding public meetings. (a complete copy of the protocol is contained in this set of minutes)**

Chair states the meeting will start by taking a roll call attendance by Clerk Manfredi.

**Clerk provides the roll call attendance:**

**Roll Call:** Chairman, Charles Hanson, present Jennifer Hanson entered room shortly after meeting started.  
Secretary, Bill Ricciardi, in attendance with no one else in the room.  
Member, Rachel Xavier, in attendance no one else in the room.  
Member, Kelli Kemery, in attendance with no one else in the room.  
Alternate Member, David Nelson, in attendance with no one else in the room.

**Voting Members:** Charles Hanson, Bill Ricciardi, Kelli Kemery, Rachel Xavier and David Nelson.

**I. MINUTES:**

Chair asks for a motion on the March 2, 2021 minutes. Bill Ricciardi motions to accept the March 2, 2021 minutes as written. David Nelson seconds the motion. All were in favor.

**Roll Call Vote by Clerk:**

**Chairman, Charles Hanson, yes**  
**Secretary, Bill Ricciardi, yes**  
**Member, Kelli Kemery, yes**

**Member Rachel Xavier, yes**  
**Alternate Member, David Nelson, yes**

**II. HEARING – SUBDIVISION OF LAND JILDA B. BARKER 2003 TRUST MAP 218 LOT 003**

(Continued from March 2, 2021) The proposal is to subdivide a portion of land from map 218 lot 003 located at 132 Whittier Highway to create a new lot (218-003.1). Map 218 lot 003 currently consists of approximately 20.79 acres which on approval of this subdivision will decrease to 15.79 acres. The remaining 5.32 acres will be contained in the new lot.

Chair updates the Board the he and the Clerk had a discussion with Susan Slack our LRPC Circuit Rider (budget for circuit rider passed March 2021 Town Meeting). It seems there are 4 options available. The issue really involves the access to the 3<sup>rd</sup> parcel. Our regulation says when you go above two lots you need a road to create this lot 3. The options are:

1. Take the existing driveway and build the entrance from route 25 to the new lot up to road standards.

2. Have an independent driveway for the new lot off of route 25.
3. Grant an easement for the existing large parcel to cross over that with their own driveway to get to the entrance so they would share only the entrance point. In essence come in off of 25 and take an immediate right which would access this new lot.
4. Request a Variance throughout Subdivision Regulations.

Chair continues, I spoke to Dave Dolan and gave him these options so he could discuss with his clients and let us know which of these options they would like to pursue. Chair turns the hearing over to David Dolan. David Dolan, shares the site plan for the Board to review. David Dolan states they are trying to minimize the impact to the land and wetlands crossings that may be needed. The best option he believes would be option 1 which is to take the existing driveway and then create a new driveway off that to access lot 1. David Dolan shows the location of where the driveway would branch off which ends up being 1400' from route 25. This option would be the least impactful to the landscape understanding it would need to be brought up to the level of subdivision regulations for a road. Unless I'm a little unclear about an option of a Variance. David Dolan continues, is it a Variance through the Subdivision Regulations or a Variance through the Zoning Board? Chair, I'm referring to the Variance option in our Subdivision Regulations. Chair continues, we just did this for the Kline subdivision where we shrank the allowable ROW from 50' down to 30'.

David Dolan, in this case we do have a 50' easement but we would be looking to discuss what would be acceptable to the Board for access as needed. The width of improvement. I believe in Kline they went to an 8' roadway with 1' shoulders on each side. Then what would be allowed for any future subdivision on a substandard size road.

Chair, David Dolan and I spoke and we think a site visit would be beneficial. Chair asks the Board if they would be in agreement, members state yes. Chair continues the hearing to April 6<sup>th</sup> starting with Site Walk at the location @ 4:30. There will be no discussion amongst Board members at the site visit, the purpose of the site walk is to get a visual of the property and ask questions of David Dolan. Once we complete the site walk, we can all head back home and jump on the Zoom call at 6 p.m. Chair states there will be more details provided regarding the site walk once we get closer to the April 6<sup>th</sup> date. David Dolan wanted to mention that when the Board does take their site walk to pay attention to the tree line along the driveway, there would be some very large trees that would have to be removed to widen the access. David Dolan estimated about 40 trees over 12" in diameter and some of them were sizable pines.

### **III. PERMITS:**

No input from the Board

### **IV. OTHER BUSINESS:**

**Subdivision Regulations** – Our regs state we are to review our Subdivision Regulations on an annual basis. I would ask that the Board, over the next few weeks read through the Subdivision Regulations and think about whether there are things we should be adjusting or changing coming into Town Meeting into 2022. Clerk, Subdivision Regulations do not require Town Meeting approval they required notice of a public hearing to make changes.

**Kline update DES** – Chair mentions the Board received a copy of a letter sent to the Town from DES. Chair also mentions he received a call from Carl Johnson yesterday asking what the Board was going to do. Chair responded the Board was not going to do anything until we hear from Mr. Kline. Carl Johnson said his plan was to get an approval from DES and then come back to the Board for a modification to the subdivision which is what we had somewhat anticipated because we knew that DES was a moving target. So that is plan on that. **(Kline portion of minutes transcribed by Sheila Mohan).**

Hearing no other questions or comments the Chair adjourns the meeting at 6:42 p.m.

**IV. ADJOURNMENT:**

Next PB Meeting is scheduled for site walk located at 132 Whittier Highway, details will be provided as we get closer to the April 6<sup>th</sup> date. Hearing will resume via zoom on April 6 at 6 p.m.

## A Checklist To Ensure Meetings Are Compliant With The Right-to-Know Law During The State Of Emergency

As Chair of the Center Harbor Planning Board I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

*a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:*

We are utilizing the ZOOM platform for this electronic meeting.<sup>1</sup> All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by visiting the Town's website [www.centerharbornh.org/planning-board](http://www.centerharbornh.org/planning-board) and following the directions as outlined.

*b) Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Center Harbor Planning Board at: [www.centerharbornh.org/planning-board](http://www.centerharbornh.org/planning-board)

*c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call 603-481-1485

*d) Adjourning the meeting if the public is unable to access the meeting:*

**In the event the public is unable to access the meeting by telephone, the meeting will adjourn and be rescheduled. Said adjournment would only be in the case of a complete system/platform failure NOT for individual user issues.**

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

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<sup>1</sup> Many public bodies are utilizing video teleconferencing technology, such as Zoom, to ensure the electronic meeting comply with the Right-to-Know law and any applicable due process requirements. In certain circumstances, a regular business meeting of a public body may be conducted utilizing audio-only technology. If you have any questions about the appropriateness of the technology utilized to conduct your meeting, please consult your agency counsel or the Attorney General's Office.

