

Planning Board Wetlands Subcommittee

Meeting Minutes 9/3/10

Attending: Rob Houseman, Director of Planning and Development; Kathy Barnard, Planning Board; Chris Franson, Planning Board; Randy Tetreault, Conservation Commission; Dan Coons, Conservation Commission

The meeting was called to order at 8:05 AM.

The Committee reviewed previous applications regarding single family homes in a wetlands buffer.

Randy reported on conversations with the State DES. The State is working on a model ordinance regarding wetlands buffers. However, it is not expected to be completed for a while. One possibility is to have someone present ideas on Wetlands to the Planning Board.

The 9/3/10 draft of the wetlands model ordinance was reviewed. Some changes made at previous meetings were not yet included, so those were clarified (such as the definition of impervious).

The group discussed the terms setback and buffer. There was some confusion as to what would be allowed in a setback without a Variance.

- These terms will be clarified, and the Uses and Activities chart will be modified to reflect the clarified terms.

Discussion took place regarding pre 2003 lots. When the Shorelands Protection act went into effect, there was little grandfathering. The committee discussed whether a similar procedure should be used for pre 2003 lots. For example, there could be a minimum square footage in order to try to maintain maximum setback from wetlands. If there is a lot line adjustment, the applicant could keep the prior boundary setbacks. However, they would have to comply with all other current regulations (such as wetlands). A lot merger is different statutorily.

Ideas for how to define what kind of single family home can be built on a pre 2003 lot were discussed. These included a fixed home size, a home size based on the lot size, and a home size based on the percent of the lot with wetlands. Since every lot is unique, there need to be standards for reasonableness. Under innovative land use regulations, there is not necessarily a relief process. It was agreed that a Special Use Permit was the preferred relief mechanism.

It was agreed to use a footprint (rather than square footage based on the proposed house size) to determine the allowed size of a single family home for a pre 2003 Special Use. The size of the allowed footprint was determined to be 1800 square feet. This would allow a typical home to

be two 1200 square foot floors plus a 600 square foot garage. The replacement of home with an existing footprint greater than 1800 square feet would use the existing footprint.

- The 1800 square foot footprint is also in combination with the best use of the wetlands.

Under VII Special Uses, the following changes were made:

- In A, the construction of a single family home *including additions and tear downs*.
- Add part of current B (3) to A to read "Design construction and maintenance methods will be such as to minimize detrimental impact upon the wetland."
- Add iii to include wording about improvements to filtration such as rain gardens, natural vegetative buffers and best management practices for the treatment of storm runoff.

The question was again raised as to whether all pre 2003 lot should come before the Planning Board instead of the Technical Review Committee. It was decided to look at the number of applications that come to the TRC and ask the full Planning Board for input.

Next Meeting: Fri. 9/17/10 at 8:00 AM in the Wolfeboro Library meeting room.

Meeting adjourned at 9:27 AM

Submitted by:

Chris Franson

9/6/10