

**WOLFEBORO PLANNING BOARD
REGULAR MEETING
February 9, 2010
MINUTES**

Members Present: Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Chris Franson, Jennifer Haskell, Richard O'Donnell, Fae Moore, Members, Steve Buck, Alternate.

Members Absent: Kristi Ginter, Selectman's Representative, Dave Alessandrone, Alternate.

Staff Present: Rob Houseman, Director of Planning & Development, Lee Ann Keathley, Secretary.

Chairman Barnard opened the meeting at 7:00 PM.

Consideration of Minutes

December 8, 2009

It was moved by Chris Franson and seconded by Stacie Jo Pope to approve the December 8, 2009 Wolfeboro Planning Board minutes as submitted. All members voted in favor. The motion passed.

December 15, 2009

Corrections:

Page 2, Wetlands Ordinance, 10th paragraph; strike the last sentence.

It was moved by Stacie Jo Pope and seconded by Chris Franson to approve the December 15, 2009 Wolfeboro Planning Board minutes as amended. Kathy Barnard, Stacie Jo Pope, Chris Franson, Jennifer Haskell, Fae Moore voted in favor. Richard O'Donnell abstained. The motion passed.

January 5, 2010

Corrections:

Page 1, 7th paragraph; strike "Bridget" & replace with "Mr."

Page 1, 9th paragraph; change "issued" to "issue"

It was moved by Chris Franson and seconded by Stacie Jo Pope to approve the January 5, 2010 Wolfeboro Planning Board minutes as amended. Kathy Barnard, Stacie Jo Pope, Chris Franson, Jennifer Haskell, Fae Moore voted in favor. Richard O'Donnell abstained. The motion passed.

January 19, 2010

It was moved by Chris Franson and seconded by Stacie Jo Pope to approve the January 19, 2010 Wolfeboro Planning Board minutes as submitted. Kathy Barnard, Stacie Jo Pope, Chris Franson, Jennifer Haskell, Fae Moore voted in favor. Richard O'Donnell abstained. The motion passed.

Informational Items

Rob Houseman reviewed such; noting David Glazier has appealed the Planning Board's decision. Referencing the Paul Zimmerman correspondence, he stated NH DES requested additional information and the Conservation Commission has reviewed and provided comment on the State's Dredge & Fill application.

Kathy Barnard verified Mr. Zimmerman's State application relative to a 52-seat restaurant has not been reviewed by the Planning Board.

Jim Rines stated Mr. Zimmerman is aware that a Special Use Permit and Site Plan Review approval is necessary.

Public Comment

None.

Subcommittee Reports

- TRC
12/9/09; Nonbinding review for a reconfiguration of nonconforming lots on Burrows Lane.
2/3/10; 2 Special Use Permit applications reviewed and approved (687 South Main Street for an addition to an existing single family dwelling & 68 Christian Ridge Road for a driveway crossing for access).
- Master Plan Implementation Committee
No report.
- CIPC
No report.
- Smart Growth
No report.

ACTION ITEMS

David Glazier

Request for release of confidential information

TM #116-5-1

Rob Houseman stated Roger Murray III, on behalf of his client David Glazier, has requested the Board release and provide a copy of Town Counsel opinion which had been discussed at the Board's 12/1/09 meeting. He stated he does not recommend such due to pending litigation.

It was moved by Chris Franson and seconded by Stacie Jo Pope to deny Roger Murray's request for Town Counsel opinion discussed at the Planning Board's 12/1/10 meeting. All members voted in favor. The motion passed.

Christopher & Shannon Tibbetts

Lot Merger

TM #190-5, 190-5-1

It was moved by Chris Franson and seconded by Fae Moore to approve the Christopher & Shannon Tibbetts Lot Merger, Tax Map #190-5, 190-5-1. All members voted in favor. The motion passed.

SCHEDULED APPOINTMENTS

Joseph Bradley
Site Plan Review
Agent: Jim Rines, White Mountain Survey Co., Inc.
Tax Map #260-66
Case #: 201004

Rob Houseman reviewed the Planner Review for February 9, 2010; noting the applicant is seeking approval to convert a barn to a seasonal artisan studio/gallery/classroom. He stated the proposed use is not permitted in the zoning districts however, the applicant has received the necessary Use Variance to proceed to site plan review. He stated the applicant has not provided a cost estimate and has not submitted information relative to a sign. He stated the following permits remain outstanding; NH DOT Driveway Permit, NH DES Subsurface Disposal System approval. He stated the applicant has requested a waiver from Section 9.03.

Jim Rines stated there would be a porch light (color corrected, shielded cut off & down directed) with no other external lighting proposed, located the snow storage area on the plan and submitted the State septic approval; noting the applicant proposes to shift the leach field so that it does not fall within the 250' of the shoreland setback. He stated that until the applicant installs the new leach field, a portable toilet would be on site and the applicant would hook up to Town water. He stated the well on site has been abandoned. He stated the applicant intends to use the existing sign and possibly place a sign on the building; noting such would conform to the sign ordinance. He submitted a cost estimate and requested the NH DOT Driveway Permit approval be placed as a condition of approval. In regard to storm drainage, he stated there is a fractional increase; noting a gravel area was added which causes less than a 2/10th increase in a 25 year storm event. He stated to put in a detention area would require additional disturbance.

Richard O'Donnell questioned the potential for erosion of drive cuts downstream.

Jim Rines replied no, the runoff is insignificant.

Richard O'Donnell questioned the material of the driveway. He stated there is a potential to have 15 people on site and questioned whether there is additional parking available; noting concern for parking on South Main Street.

Jim Rines replied gravel driveway, paved apron. He stated the number of people noted in the ZBA decision was not offered by the applicant rather, it was a number determined by the ZBA. He stated the parking calculations are driven by zoning and the applicant complies with such. He stated parking is not allowed on the street; noting additional areas on the site available for parking.

Kathy Barnard stated the gallery and classroom would not be operated at the same time.

Richard O'Donnell questioned whether the portable toilet would be handicap accessible.

Jim Rines replied yes.

Chris Franson questioned water usage until the septic system is built.

Jim Rines stated the existing system would be used.

Stacie Jo Pope verified there is no running water in the barn at this time and that the well is not operational.

Steve Buck questioned whether such is a health issue if there is no running water.

Rob Houseman stated the building code element relative to the portable toilet is not the prevue of the Board; noting the portable toilet is a functional permissible alternative.

It was moved by Jennifer Haskell and seconded by Richard O'Donnell to grant waiver Section 9.03. All members voted in favor. The motion passed.

It was moved by Jennifer Haskell and seconded by Richard O'Donnell to accept the application as complete. All members voted in favor. The motion passed.

Chairman Barnard opened the public hearing.

Penelope Curtis stated she is in favor of the application.

Richard O'Donnell stated he is excited for the renewal of the South Wolfeboro community however, expressed concern relative to traffic issues.

Kathy Barnard stated the applicant has agreed not to operate the gallery and classroom at the same time.

There being no further questions or comments, Chairman Barnard closed the public hearing.

Rob Houseman reviewed the following recommended conditions of approval;

1. The following plans, as amended to the date of approval, are hereby incorporated into this approval;
Plan 1: Site Plan for Joseph E. Bradley III, 630 South Main Street, Wolfeboro, New Hampshire, Dated January 13, 2010, Prepared by James F. Rines, PE, LLS, White Mountain Survey Co., Inc., PO Box 440, Ossipee, NH 03864.
Plan 2: Drainage Calculation Plans prepared for Joseph E. Bradley III, 630 South Main Street, Wolfeboro, New Hampshire, Dated January 13, 2010, Prepared by James F. Rines, PE, LLS, White Mountain Survey Co., Inc., PO Box 440, Ossipee, NH 03864.
Plan 3: Effluent Disposal System Plan & Details for 630 South Main Street, Wolfeboro, New Hampshire, Dated January 13, 2010, Prepared by James F. Rines, PE, LLS, White Mountain Survey Co., Inc., PO Box 440, Ossipee, NH 03864 (noting modification of relocation of effluent system).
2. The applicant shall post a financial security in the amount of \$2,967.00.
3. The applicant's engineer shall submit a letter certifying compliance with the American's With Disabilities Act.
4. Adopt by reference a self imposed condition that the classroom and gallery would not be operated concurrently.
5. The following permits and/or approvals, and any conditions attached thereto, are adopted by reference to this approval:
 - a. NH DOT Driveway Permit
 - b. NH DES Subsurface Disposal Permit
 - c. ZBA Use Variance approval
6. The applicant shall be responsible for the payment of all recording fees.

It was moved by Chris Franson and seconded by Richard O'Donnell to approve the Joseph Bradley III Site Plan Review application, Case #201004, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

Barbara S. Naramore 2008 Revocable Trust
Subdivision (creation of 3 condominium units)
Agent: Jim Rines, White Mountain Survey Co., Inc.
Tax Map #203-69
Case #201005

Rob Houseman reviewed the Planner Review for February 9, 2010 by stating the applicant proposes to create 3 additional condominium units; Unit 1 to consist of the office building, Unit 2 to consist of the fish market and Unit 3 to consist of the Wolfe Trap Restaurant. He stated in 1998 the Board merged the office/fish market lot with the Wolfe Trap Restaurant lot; noting the purpose of such was to provide for the necessary additional parking to accommodate additional use, including the outdoor seating areas. He stated in addition to creating 3 condominium units, the plans reflect the existing condominium docks as Unit 4.

Randy Walker stated there are no substantial changes to the site; noting there is no additional parking or deletion of parking proposed.

Jim Rines stated that because there are no physical changes to the site and no changes in use, the applicant is requesting waivers for the need to submit topo, soils and wetlands so the plan may be legible as possible and incorporate the information contained in other Town files by reference. He stated the site is serviced by Town water and sewer therefore, the waiver requests are reasonable.

It was moved by Chris Franson and seconded by Stacie Jo Pope to grant waivers for topo, soils and wetlands to be depicted on the plan. All members voted in favor. The motion passed.

It was moved by Chris Franson and seconded by Fae Moore to accept the application as complete. All members voted in favor. The motion passed.

Chairman Barnard opened the public hearing.

There being no questions or comments, Chairman Barnard closed the public hearing.

Rob Houseman reviewed the following recommended conditions of approval;

1. The following plan, as amended to the date of approval, is hereby incorporated into this approval;
Plan 1: As-Built Plan of Wolfetown Condominiums I and II, for the Barbara S. Naramore 2008 Revocable Trust, Barbara Naramore, Trustee, Bay Street, Wolfeboro, New Hampshire, Plan prepared by James F. Rines, White Mountain Survey Co., Inc., PO Box 440, Ossipee, NH 03864, Dated January 13, 2010.
Plan 2: As-Built Plan of Wolfetown Condominiums I and II, for the Barbara S. Naramore 2008 Revocable Trust, Barbara Naramore, Trustee, Bay Street, Wolfeboro, New Hampshire, Plan prepared by James F. Rines, White Mountain Survey Co., Inc., PO Box 440, Ossipee, NH 03864, Dated January 13, 2010.
2. The applicant shall submit Mylar plans for recording at the Carroll County Registry of Deeds.
3. The applicant shall be responsible for the payment of all recording fees.
4. The applicant shall submit a recorded copy of the condominium documents for the Town records.

It was moved by Chris Franson and seconded by Stacie Jo Pope to approve the Barbara S. Naramore 2008 Revocable Trust Subdivision application, Case #201005, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

WORK SESSION

The Board reviewed the 2010 Work Program.

Kathy Barnard stated the Rules of Procedure were revised in 1991; noting Town Counsel recommended the Board review such.

Rob Houseman recommended the Board adopt statutory changes that have occurred relative to such.

Natural Resources Chapter Public Forum scheduled for April 2010.

It was moved by Jennifer Haskell and seconded by Chris Franson to adjourn the February 9, 2010 Wolfeboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 8:41 PM.

Respectfully Submitted,
Lee Ann Keathley

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