

**WOLFEBORO PLANNING BOARD
WORK SESSION
April 20, 2010
MINUTES**

Members Present: Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Chuck Storm, Selectman's Representative, Chris Franson, Jennifer Haskell, Dave DeVries, Richard O'Donnell, Members, Steve Buck, Alternate.

Member Absent: Dave Alessandrone, Alternate.

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

Chairman Barnard opened the meeting at 7:00 PM.

➤ **Subcommittee Appointments**

TRC: Kathy Barnard

CIP: Jennifer Haskell, Stacie Jo Pope

Master Plan Implementation: Stacie Jo Pope

Parking: Jennifer Haskell, Stacie Jo Pope, Dave DeVries

Conservation Subdivision: N/A

➤ **Appointment of Alternate**

Kathy Barnard stated the Board received a request for appointment as an Alternate from Fae Moore.

It was moved by Jennifer Haskell and seconded by Richard O'Donnell to appoint Fae Moore as Alternate to the Wolfeboro Planning Board. All members voted in favor. The motion passed.

➤ **Discussion of Alternate position**

Kathy Barnard stated the ZBA discussed the issue and decided to no longer have the alternate(s) sit at the table; noting they felt it was more appropriate and in line with State statute to have the alternate(s) sit in the audience / with the public.

Chris Franson stated the Local Government Center publication clarifies the role and position of an alternate.

Stacie Jo Pope stated if the alternate is voicing their opinion on a matter as a citizen rather than a member of the Board, that such should be clearly stated. She stated she feels strongly that alternates should sit in the audience; noting it is better that alternates are not viewed as using their position on the Board.

Chris Franson agreed with Ms. Pope.

Kathy Barnard stated when the Board meets at a work session that alternates are allowed to participate in the discussion.

Chris Franson questioned the role of an alternate when appointed to a case that is continued and the member returns at the subsequent hearing.

Jennifer Haskell stated case law regarding such is clear; noting that if a member didn't hear the entire case then that member cannot sit on the case.

Following further discussion, the Board agreed that an alternate appointed in the absence of a member for a case shall sit for the entire case provided the alternate is present.

Rob Houseman stated the statute has some latitude and gives guidance to the issue and recommended such be incorporated into the Board's Rules of Procedure.

Richard O'Donnell recommended the alternates have a designated area in the audience.

➤ **Boundary Line Adjustment regulatory changes / condition of approval**

Rob Houseman reviewed David Wiley's memo, dated 3/30/10, and recommended a standard condition of approval for a boundary line adjustment application that requires the applicant to file a deed be incorporated. He stated Town Counsel is of the opinion a deed is not required for lot mergers.

➤ **Multi-family Dwellings**

Rob Houseman stated a statutory change occurred in 2008 that changed the definition of multifamily dwelling related to workforce housing; noting said change included a minimum standard of 5 units within zoning districts. He stated the Central Business District allows for 6 units however, all other districts restrict the units to four units per building. He stated the statute treats all districts the same; noting the multiplier is an acreage requirement based on lot size. He stated it could be argued the Town does not currently comply. He stated there is no provision for cottage accessories and expressed concern for the conversion of an unattached accessory structure to a condominium; noting such cannot be prohibited. He noted the following issues related to such; mass, building sign, design standard and separate meter.

Following further discussion, the Board requested the following;

- Further review and proposed language to include cottage accessory and carriage houses
- 175-144.E; to reflect 175-145.F
- 175-144.E; change four to five
- 175-145.F; delete date, change language to speak to existing structure and not by building size

➤ **Impact Fees**

Rob Houseman stated the Town adopted an Impact Fee Ordinance which allows the Planning Board to set Impact Fees. He stated an impact fee is enabling legislation to assess the fee for future growth and development.

The Board reviewed School Impact Fees and Tables 7, 8, 9 & 10 related to such (tables found in the document prepared by BCM Planning Inc. titled Basis of Assessment for Public School Impact Fee).

Richard O'Donnell questioned the number of towns that have impact fees.

Rob Houseman replied 75 out of 236.

Stacie Jo Pope questioned road impact fees.

Rob Houseman stated that when the road analysis is complete there will be a fee assessed to all new construction similar to schools and placed into an account for road improvements. He noted the need to evaluate current road conditions and eliminate cost for deficiencies. He stated the fee is assessed at the time a building permit issued and charged at the time an occupancy permit is issued.

Chris Franson questioned waivers for workforce housing.

Rob Houseman stated the Impact Fee Committee evaluated such and were opposed to waivers; noting they did not want the ordinance to become a political tool and grant waivers that create issues. He recommended discussing the waiver issue.

Chuck Storm stated he wants the 55+ exemption included.

Following further discussion, the Board agreed to the following;

- Use Table 9
- Create fee schedule

➤ **Wetlands Ordinance**

Rob Houseman stated the draft ordinance removes the definitions from the Wetlands Ordinance and includes the definitions in the definitions section of the Town's Zoning Ordinance, defines wetlands scientist, eliminates non-regulatory provisions contained in the ordinance, provides an alternative approach to create some flexibility with additions to existing structures and addressing wetlands size and value, eliminates Special Use Permits for additions up to 25% of the dwelling if the proposed addition meets certain criteria, attempts to establish measurable compliance standards and eliminates the subjectivity found in the old ordinance and eliminates the references to hydric soils. He reviewed the proposed changes to the ordinance.

Chris Franson questioned who would determine what an intermittent stream is.

Rob Houseman replied a Certified Wetlands Scientist.

Following further discussion, the Board agreed to the following;

- Strike Section 175-7.A.a).
- Strike Section 175-7.A.b)
- Include pre-2003 lots into purpose and intent in order to provide rationale regarding such

It was moved by Jennifer Haskell and seconded by Chris Franson to adjourn the April 20, 2010 Wolfeboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 8:56 PM.

Respectfully Submitted,

Lee Ann Keathley

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