

WOLFEBORO PLANNING BOARD
September 7, 2010
MINUTES

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

Member Absent: Steve Buck, 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

August 3, 2010

Corrections:

Page 9, 5th paragraph; strike "Michael O'Connell" & replace with "Jack McCluster"

It was moved by Chris Franson and seconded by Stacie Jo Pope to approve the August 3, 2010 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.

August 17, 2010

It was moved by Chris Franson and seconded by Stacie Jo Pope to approve the August 17, 2010 Wolfeboro Planning Board minutes as submitted. All members voted in favor. The motion passed.

Informational Items

Rob Houseman reviewed such.

Public Comment

Jerome Holden stated he attended the 9/1/10 BOS meeting and the BOS stated they do not have the power to extend the moratorium however, would honor whatever the Planning Board decided. He requested the Planning Board extend the moratorium until the 2011 Town Meeting vote. He stated Marge Webster was in favor of extending the moratorium to 12/31/10 however, the BOS voted against such. He requested banners be permitted 21 days in a calendar year and referencing the 50' right-of-way in the C2 Route 28 District, he recommended that such be set back for signs and larger signs be permitted. He reviewed the history of banners at Pickering Corner.

Barbara Bridges requested the moratorium on A-frame signs be extended to either 12/31/10 or Town Meeting; noting the busy business season is through the Christmas holiday and it is important for the Town businesses to have the moratorium extended.

Jennifer Haskell questioned whether the BOS provided insight as to where the Planning Board has the authority to extend the moratorium.

Jerome Holden replied no.

Chris Ahlgren stated nothing in the ordinance speaks to a minimum size for signs and requested better public access that speaks to previous ordinances. He stated temporary sign banners should be allowed for other businesses and not just nonprofit organizations.

David DeVries questioned an appropriate time frame for banners to be hung.

Chris Ahlgren replied a couple of weeks. He stated recommended the allowance for an entrance sign over the door to direct traffic; noting to have such is helpful to the general public.

Subcommittee Reports

- TRC
8/4/10; Approved a Special Use Permit application located at 26 Lakeview Drive and Minor Site Plan Review for Trites Kinville Power Equipment located at 635 Center Street.
9/1/10; Nonbinding review for Paul Zimmerman, 7 Pine Street, for a restaurant and a boundary line adjustment located at 560 South Main Street.

- Master Plan Implementation Committee
No report.

- CIPC
No report.

- Wetlands Ordinance
Committee continues to meet; next meeting scheduled for 9/17/10.

- Parking Committee
Committee continues to meet; next meeting scheduled for 9/13/10.

Action Items

All Saint's Episcopal Church
Release of Financial Security
TM #231-87
Case #200718

It was moved by Chris Franson and seconded by Jennifer Haskell to grant the release of financial security, in the form of a letter of credit, in the amount of \$63,619.00, for All Saint's Episcopal Church, Case #200718. All members voted in favor. The motion passed.

Douglas & Virginia Phillips
Lot Merger
TM #12-1, 5-5

It was moved by Jennifer Haskell and seconded by David DeVries to approve the Douglas & Virginia Phillips Lot Merger, TM #12-1 and TM #5-5. All members voted in favor. The motion passed.

Kimberly Bridle & Dianna Serrano
Lot Merger
TM #201-30 & 31

It was moved by Jennifer Haskell and seconded by David DeVries to approve the Kimberly Bridle & Dianna Serrano Lot Merger, TM #201-30 & 31. All members voted in favor. The motion passed.

Scheduled Appointments

Mary C. Marden 2002 Trust
Boundary Line Adjustment
Agent: Randolph Tetreault, Norway Plains Associates, Inc.
Tax Map #178-2 & 3
Case #201027

Rob Houseman stated the applicant has requested a continuance of the application to October 5, 2010.

It was moved by Chris Franson and seconded by Stacie Jo Pope to continue the Mary C. Marden 2002 Trust Boundary Line Adjustment application, Case #201027, to October 5, 2010. All members voted in favor. The motion passed.

RCC Atlantic, Inc. c/o Verizon Wireless
Site Plan Review
Agent: Carl Gehring
Tax Map #244-63
Case #201015

Kathy Barnard stated she sat on the Zoning Board of Adjustment application for the applicant and questioned whether the Board has an issue with her sitting on the application as a member of the Planning Board.

The Board replied no.

Rob Houseman reviewed the Planner Review for September 7, 2010; noting the applicant proposes to construct an 11'6"x20' equipment shelter, matching the existing RCC/Verizon Wireless shelter in color and texture, within the current fenced equipment enclosure. He stated the applicant has received a Variance approval issued for the building setback and the building separation. In regard to lighting, he stated a safety/access light on a switch is proposed. He stated the applicant is seeking a waiver of the security for improvements in addition to the following waivers; Section 175-163 (B) RF Data, Section 175-165 (B)(3) Equipment Shelter Appearance, Section 175-165 (B)(3) Landscape Buffer, Section 7.03 (d)(4) Topography and Section 8 & 11 Financial Security.

Carl Gehring reviewed the application submittal noting the site is developed and a suitable location with no need for removal of vegetation. Referencing the waiver request for Section 175-163 (B) RF Data, he stated such is not needed as the section references construction of a new tower and such had been requested at the time of the original submittal and development of the site.

It was moved by Jennifer Haskell and seconded by Chris Franson the granting of a waiver for Section 175-163 (B) RF Data was not necessary. All members voted in favor. The motion passed.

It was moved by Stacie Jo Pope and seconded by Chris Franson to grant a waiver for Sections 175-165 (B)(3) Equipment Shelter Appearance, Section 175-165 (B)(3) Landscape Buffer, Section 7.03 (d)(4) Topography and Section 8 & 11 Financial Security. All members voted in favor. The motion passed.

It was moved by Jennifer Haskell and Stacie Jo Pope to accept the application as complete. All members voted in favor. The motion passed.

Chairman Barnard opened the public hearing.

Kathy Barnard questioned the use of a generator.

Carl Gehring stated there is a need to exercise a test of the generator once per week; noting such could be programmed on a timer.

Chris Franson recommended such not occur during school hours.

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: T-1 Title Sheet, Verizon Wireless, 16 McManus Road, Wolfeboro, NH, Plan prepared by Daniel Hamm, NH PE, Hudson Design Group, LLC, 3 Windsor Street, Haverhill, MA 01830, April 5, 2010.
Plan 2: Existing Site Features and Boundary Line Adjustment between lands of Town of Wolfeboro and Governor Wentworth Regional School District, located in Wolfeboro, New Hampshire, Prepared for the Hudson Design Group, LLC, Prepared by HE Bergeron Engineers, Inc., PO Box 440, North Conway, NH 03860, Dated May 13, 2009.
Plan 2: C1, Site Plan, Verizon Wireless, 16 McManus Road, Wolfeboro, NH, Plan prepared by Daniel Hamm, NH PE, Hudson Design Group, LLC, 3 Windsor Street, Haverhill, MA 01830, April 5, 2010.
Plan 3: A-1, Compound Plan and Elevation, Verizon Wireless, 16 McManus Road, Wolfeboro, NH, Plan prepared by Daniel Hamm, NH PE, Hudson Design Group, LLC, 3 Windsor Street, Haverhill, MA 01830, April 5, 2010.
Plan 4: A-2, Details, Verizon Wireless, 16 McManus Road, Wolfeboro, NH, Plan prepared by Daniel Hamm, NH PE, Hudson Design Group, LLC, 3 Windsor Street, Haverhill, MA 01830, April 5, 2010.
Plan 5: S-1, Shelter Foundation Details, Verizon Wireless, 16 McManus Road, Wolfeboro, NH, Plan prepared by Daniel Hamm, NH PE, Hudson Design Group, LLC, 3 Windsor Street, Haverhill, MA 01830, April 5, 2010.
Plan 6: E-1, Electrical Plan, Notes & Details, Verizon Wireless, 16 McManus Road, Wolfeboro, NH, Plan prepared by Daniel Hamm, NH PE, Hudson Design Group, LLC, 3 Windsor Street, Haverhill, MA 01830, April 5, 2010.
Plan 7: E-2, Electrical Details, Verizon Wireless, 16 McManus Road, Wolfeboro, NH, Plan prepared by Daniel Hamm, NH PE, Hudson Design Group, LLC, 3 Windsor Street, Haverhill, MA 01830, April 5, 2010.
2. The applicant's engineer of record shall certify full compliance with site plan prior to the issuance of a Certificate of Occupancy.
3. No construction or site work for the amended site plan may be undertaken until the pre-construction meeting with Town Staff has taken place.

4. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
5. The applicant shall pay all recording fees.
6. The following approval, and any conditions attached thereto, is adopted by reference to this approval:
 - a. ZBA Variance approval, Case #08-V-10

It was moved by Jennifer Haskell and seconded by Chuck Storm to approve the RCC Atlantic, Inc. / Verizon Wireless Site Plan Review application, Case #201015, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

WORK SESSION

- **Sign Ordinance**

Jennifer Haskell stated the issues raised by the public are important; noting the A-frame and banner issues need to be addressed.

Kathy Barnard stated the Wolfeboro Area Chamber of Commerce is hosting a meeting on the sign issue on 9/28/10.

Chuck Storm stated the Sign Ordinance is in the pervue of the Planning Board and enforcement of such is in the pervue of the BOS. He stated he believes the enforcement is uneven; noting the BOS previously received 2-3 letters per week regarding enforcement of the ordinance. He stated enforcement needs to be fair. He stated there has been an outpouring of the business community for clarity and relief from the Sign Ordinance.

David DeVries questioned whether there are provisions for placement of signs and whether A-frame signs could become an issue for handicap people.

Jennifer Haskell stated the townspeople want the issue addressed regardless of whether it was previously prohibited. She stated the Board needs to address the issue however, questioned the Board's scope of authority regarding the extension of the moratorium.

Steve Buck noted liability issues if a person trips over a sign.

Chuck Storm stated whoever puts up a sign is the responsible party; noting ADA rules for sidewalk signs exist.

Richard O'Donnell questioned whether every business would have the right to put an A-frame sign on the sidewalk, specifically questioning offices.

Rob Houseman stated the zoning regulations for private property does not allow for off premise signs. He stated if the signs are allowed in the public right-of-way, such would be the business of the BOS. He stated a clear determination of scope and limit of zoning by Town Counsel. He questioned what the community collectively wants the Downtown to look like and reviewed the Master Plan in relation to such. He stated there is a need to make the existing code understandable.

Referencing a kiosk or way finding sign, Chris Franson stated that each group implies it is another group's responsibility. She questioned whether there is an opportunity through the BOS to get a kiosk?

Chuck Storm stated it is a monetary issue.

Chris Franson stated that if all the merchants are stating that a kiosk or way finding signs are key, then such is where the Town should invest their money.

Stacie Jo Pope questioned which budget would the funds for such be placed.

Rob Houseman stated the plan came from the 2004 Transportation Study for the Master Plan; noting the approximate cost at that time was estimated at \$54,000. He stated it has been proposed in the budget however, had been removed and a second attempt was made however, such was voted down. He recommended the funds be placed in the Public Works budget as it relates to public facilities (noting such would be a capital outlay item for way finding signs). He stated he would meet with the Town Manager and Dave Ford to request consideration of placement of funds in the budget for way finding signs.

Jennifer Haskell recommended the Board draft a letter of support relating to such.

Rob Houseman stated he would determine an accurate cost estimate and provide the Master Plan recommendations relative to such.

It was moved by Jennifer Haskell and seconded by Chuck Storm to recommend the implementation of the 2004 Master Plan Transportation Study, specifically the way finding sign component, based on public concern brought to the Planning Board. All members voted in favor. The motion passed.

In regard to the request to extend the moratorium, Jennifer Haskell stated if the Board extended the moratorium, the Board would be stepping into the role of the Selectmen; noting the Planning Board doesn't have the power to do such. She stated the Planning Board needs to focus on changing the ordinance and the BOS can vote again to extend the moratorium.

Kathy Barnard stated she is interested in addressing changes to the ordinance following the Chamber of Commerce's meeting on 9/28/10.

- **Zoning Enforcement Policy**

Rob Houseman stated he has been requested to develop a Zoning Enforcement Policy by the BOS; noting Chairman Barnard requested review and comment by the Planning Board. He reviewed the proposed Zoning Enforcement Policy.

Jennifer Haskell stated the policy speaks to proactive and reactive enforcement however, there is no language relative to education of enforcement.

Rob Houseman reviewed the Charette process in 1993.

The Board reviewed the policy and recommended consideration by the BOS.

It was moved by Jennifer Haskell and seconded by David DeVries to adjourn the September 17, 2010 Wolfeboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 9:17 PM.

Respectfully Submitted,

Lee Ann Keathley

Lee Ann Keathley