

**WOLFEBORO PLANNING BOARD**  
**January 3, 2012**  
**MINUTES**

**Members Present:** Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Jennifer Haskell, Chris Franson, Members, Steve Buck, Alternate.

**Members Absent:** Chuck Storm, Selectmen's Representative, Richard O'Donnell, Dave DeVries, Members, Fae Moore, Dave Alessandroni, Alternates.

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

*Chairman Barnard opened the meeting at 7:00 PM at the Wolfeboro Public Library.*

**Consideration of Minutes**

**December 6, 2011**

**Corrections:** Page 3, Warthen/MacBrien, 4<sup>th</sup> paragraph; insert "no" following "however"

***It was moved by Jennifer Haskell and seconded by Stacie Jo Pope to approve the December 6, 2011 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.***

**December 13, 2011**

**Corrections:** Page 2, 8<sup>th</sup> paragraph; strike "she feels" & insert "the public comments indicated"  
Page 3, 3<sup>rd</sup> paragraph, 1<sup>st</sup> line; strike "at" & replace with "that", 4<sup>th</sup> paragraph; strike "opened"  
& replace with "closed"

***It was moved by Jennifer Haskell and seconded by Stacie Jo Pope to approve the December 13, 2011 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.***

**Informational Items**

Rob Houseman reviewed such.

**Public Comment**

None.

**Subcommittee Reports**

- **TRC**  
Kathy Barnard stated the TRC reviewed a Special Use Permit (nonbinding) for property located on North Main Street and Waumbeck Road.

## Action Item

### **Eastern Lakes Region Housing Coalition Release of Financial Security Case #201019**

Kathy Barnard recused herself.

Rob Houseman stated a release of financial security in the amount of \$232,752.00 has been requested by the applicant; noting the request includes a calculation of the 10% performance security. He stated the performance security is intended to be held for one year after the completion of the project to ensure that the improvements were installed as designed and approved. Therefore, he stated he recommends the release of financial security in the amount of \$211,593.00.

**It was moved by Chris Franson and seconded by Jennifer Haskell to approve the partial release of the financial security for Eastern Lakes Region Housing Coalition, Case #201019, in the amount of \$211,593.00; amount to be retained being \$157,840.90. All members voted in favor. The motion passed.**

## Scheduled Appointments

**Paul Askew/John Askew  
Special Use Permit  
Agent: Bryan Berlind, Land Technical Services Corp.  
Tax Map #173-3  
Case #201117**

Rob Houseman reviewed the Planner Review for January 3, 2012, stating the applicant is seeking a Special Use Permit for encroachment into the wetlands setback, buffer zone and wetlands to permit the construction of a single family dwelling on an existing lot of record. He stated the road construction or side slope grading creates the permanent wetlands and buffer impacts. He stated the Health Inspector, Code Enforcement Officer and Conservation Commission have reviewed the application and have no objections to the proposed application. He stated the applicant met with the TRC and provided plans that show the following; a deflection berm on the east side of the driveway (design prevents concentrated flow from discharging directly into the wetlands), an infiltration basin with a level lip spreader on the western side of the driveway, an enlarged stone lined culvert with headers and a plunge pool and a revegetation plan for the old roadway that is designed to stabilize the road bed and prevent it from eroding into the wetlands and stream. He further stated the lot exceeds the threshold requirement for the existing lot tier of the ordinance because the lot exceeds 3 acres in size.

Bryan Berlind stated the proposal is the least impacting and the site location is as close to the road as possible. He stated the property was surveyed by Greg Howard and the septic system and Dredge & Fill permit previously approved has been renewed. He stated the previously approved Special Use Permit has expired. He further stated the proposal includes the following five Best Management Practices; silt fence at the down gradient edge of construction, least disturbance by proposing the construction of a 24x33 ranch or cape style house, 2 car garage with a connecting 8' breezeway, drip infiltration trench to collect runoff, planting of high bush blueberries at the edge of disturbance and all ground disturbance be regraded and revegetated. He stated there are no steep slopes to the wetlands therefore, erosion and velocity of runoff is not an issue. In

response to VIII.B.(1), (2), (3), he stated the property meets the goal as the best and least impacted location; noting the lot is 75-80% wetlands, the land is made productive by the proposal and through use of the five BMP's, the applicant has implemented methods to minimize impact to the wetlands. Referencing page 3 of the Planner Review, letters A-G, Mr. Berlind stated the proposal does not destroy wetlands or provide a significant change to the wetlands (3800 SF impact), there is no proposed change to the stream flow patterns and the areas that cross the home site will be revegetated once construction is completed, the ecological balance and wildlife habitat is maintained, the proposal does not require nor is the applicant requesting municipal funding (noting the site is established) and the proposal best protects the natural resources because it is the least impacting (permanent impact is 220 SF).

Bryan Berlind requested a copy of the Conservation Commission's memo.

Rob Houseman provided such.

Referencing Audrey Cline's memo, dated 12/30/11, Kathy Barnard expressed concern for intrusion into the front setback related to front steps/landing area; noting the structure is proposed on the 30' setback.

Bryan Berlind stated the front steps could be inserted. Referencing Ms. Cline's request for clarification regarding the daylight basement, he stated the back of the home would be located as to walk out of the house at grade.

Kathy Barnard requested Mr. Berlind to address the concerns of the Conservation Commission.

Bryan Berlind stated the infiltration trench and BMP's proposed addresses the concerns of the Commission; noting the grading and yard area around the house is 15'.

Chris Franson questioned how the applicant intends to plant a lawn if it is located in the wetlands buffer.

Bryan Berlind stated the applicant has requested disturbance of the buffer by 15'. He stated it is obvious that it is a challenged lot however, the applicant is trying to create productive use of the land.

**It was moved by Stacie Jo Pope and seconded by Chris Franson to accept the application as complete. All members voted in favor. The motion passed.**

*Chairman Barnard opened the public hearing.*

Kathy Barnard stated that in order to approve the application, the Board needs to make a finding that the proposal is consistent with the ordinance and minimizes impacts to the wetlands and wetlands buffer based on the testimony of the applicant's agent.

Jennifer Haskell stated the following reasons why the proposal is consistent with the ordinance and minimizes impacts to the wetlands and wetlands buffer; there would be more impact to the wetlands if the house was placed in a location other than proposed, the lot cannot be used unless the house is placed in the proposed site location, use and implementation of the five BMP's, there is no change to the stream flow, use of wetland plantings and indigenous vegetation and plantings and restoration efforts following construction.

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

Rob Houseman reviewed the following conditions of approval;

1. The following plan, as amended by the Planning Board approval, is incorporated into the approval:  
**Plan 1:** Proposed Site Plan for Wolfeboro Special Use Permit Prepared for Paul Askew and John Askew, North Main Street/Waumbeck Road, Wolfeboro, New Hampshire, Tax Map 173-3, Prepared by Bryan D. Berlind, LLS, CPSWPPP, Wetlands Delineated by Gregory W. Howard, Certified Wetlands Scientist, Land Technical Services Corp., PO Box 60, 6 Old Route 28, Ossipee, NH 03864, Dated November 2011.
2. Payment of all recording fees.
3. The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan.
4. An inspection by the Town shall be required of siltation devices prior to construction.
5. This approval is subject to receipt of a NH DES Wetlands permit and any conditions attached thereto.
6. This approval is subject to receipt of a NH DES Septic permit and NH DOT driveway permit and any conditions attached thereto.
7. Care shall be taken to protect the vegetation and work should be done in the dry season; there will be no traverse of construction equipment nor will any materials be placed in the wetland area beyond the areas of temporary impact.
8. Following construction, the applicant shall plant a vegetated buffer utilizing native vegetation.
9. The applicant shall comply with setback requirements; there shall be no intrusion into the front setback.
10. The applicant shall be required to monument the edge of wetlands in compliance with 175-9.1 *Wetlands Boundary Monumentation*. This includes:
  - i. Wetlands shall be delineated by a State of New Hampshire Certified Wetlands Scientist. Markers should be placed at 50' +/- intervals along the total wetland boundary following its general contour.
  - ii. Care shall be taken to insure that markers are placed with the appropriate spacing at points closest to any proposed or existing structure located on the property.
  - iii. The cost shall be borne by the applicant / developer or their successors in interest.

**It was moved by Jennifer Haskell and seconded by Stacie Jo Pope to approve the Paul & John Askew Special Use Permit, Case #201117, subject to the recommended conditions of approval and the findings stated above. All members voted in favor. The motion passed.**

**Christopher & Nancy Runnals  
Subdivision  
Tax Map #143-12  
Case #201119**

*Chairman Barnard stated the Christopher & Nancy Runnals application has been continued to February 14, 2012.*

**280 South Main Street, LLC (Lake Motel)**  
**Site Plan Review**  
**Agent: Daniel O'Lone, Berry Surveying and Engineering**  
**Tax Map #231-82**  
**Case #201201**

Rob Houseman reviewed the Planner Review for January 3, 2012, stating the applicant received site plan approval on March 1, 2011 to raze the existing motel buildings and reconstruct the motel as a two story motel. He stated subsequently, the owner has decided to modify the site plan based on ADA and phasing requirements; noting the new proposal includes a two phase, three building project. He stated Phase 1 includes removing a portion of the existing main motel unit in order to construct the first of three buildings and Phase 2 would be the balance of the project. In regard to landscaping, the redesigned site plan includes new parking lots that trigger the need for landscape trees, one tree for every eight parking spaces and each parking space must be within 30 feet of a tree. He stated the applicant has submitted a site plan that includes lighting layout and requested the applicant submit a cut sheet. He stated HE Bergeron noted concern regarding spillage onto an abutting property; noting said property is the Peterson's Bed and Breakfast and is in common ownership with the motel. He stated a cost estimate, in the amount of \$120,004.00 has been provided. He requested the applicant to speak to building height, potential impact on view shed of abutters. He noted the following outstanding permits; NH DOT Driveway Permit and NH DES Dredge & Fill Permit. He distributed a letter from David Billingsley, dated 1/3/12, stating he has determined that the building scope as presented will comply with ADA standards.

Randy Walker distributed revised plans to reflect HE Bergeron's recommended changes. He stated following the original site plan approval, the owner discovered an elevator was required to be ADA compliant due to the size of the building; noting such was cost prohibitive. He stated the owner has reconfigured the square footage of the building and decreased such; noting there would be 10 units in Building A, 12 units in Building B and 14 units in Building C. He stated there are no changes to lighting, sidewalks or the entrance. He noted the following changes; additional trees proposed on plan 11, per the parking requirements 3 additional trees were added, added a catch basin and lighting changes per HE Bergeron's comments and moved the dumpster further from setback. He proposed the following phasing schedule: Phase 1 to include Step 1: Tear down 8 units on the southeasterly end of the main building and temporarily convert 2 units, one into a storage room and the other into an employee room (leaving 26 rentable units) and Step 2: Construct southeast building (Building A) which contains 10 units (creating 36 rentable units). Phase 2 to include Step 1: Tear down remaining portion of the main building (leaving 22 rentable units, 12 in the "L" building and 10 in Building A) and Step 2: Construct the remaining two buildings (Building B, middle building and Building C, northwest building). Prior to the issuance of a Certificate of Occupancy for Building B and C, the "L" building shall be torn down. Upon completion of the tear down and the restoration of said site, then and only then shall a Certificate of Occupancy be issued for Building B and Building C.

Kathy Barnard reviewed the revised plans.

Randy Walker stated the applicant received the NH DOT permit; noting such was submitted to Mr. Houseman. He requested HE Bergeron's recommendation for the catch basin design to be revised to a yard drain style inlet and be included as a condition of approval. He stated the Peterson's have no objection regarding the potential spillage onto their abutting lot; noting the lighting shuts off at 10 PM. He stated the driveway lights are on throughout the night for safety purposes.

Chris Franson questioned lighting on the units.

Randy Walker stated the lighting on the units would be the same as proposed in the 2011 approved application.

Steve Buck verified the lighting would be dark sky compliant.

Chris Franson stated she feels the lighting is a significant concern, specifically the height of the buildings, the addition of one building and the impact of such.

Randy Walker stated there are no changes from the previous proposal in regard to the impact on the view shed. He stated there are no proposed changes to signage. He stated the NH DES Dredge & Fill permit has been received however, the owner needs to submit an amended application; noting an amended application needs to be filed for Site Specific as well.

Daniel O'Lone stated the proposal meets the height requirements and reviewed the elevations and pitch of the buildings; noting the buildings were designed with a 5-12 pitch in order to meet compliance. He stated the center building is 27' in height and the other buildings are 25' in height. He stated that despite the proposed buildings being taller than the originally approved height of the buildings, the site was lowered 3' therefore meets requirements.

Kathy Barnard questioned the landscaping plan.

Daniel O'Lone stated the revisions to the landscaping plan are in compliance with the ordinance.

Chris Franson expressed concern regarding the use of fertilizer and impact on the lake.

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

*Chairman Barnard opened the public hearing.*

Steve Defossez, abutter, expressed concern regarding runoff onto his lot; noting currently there are significant wetlands on both lots. He also expressed concern regarding an intent to convert the units to condominiums; noting 30 units would make the lake unusable. He stated he supports the existing use.

Randy Walker stated there is no intent to convert the units into condominiums and the motel would be continued to be run as such. He stated a drainage swale is proposed to be constructed.

Steve Buck noted a decrease in impervious surface.

Kathy Barnard questioned whether kitchenettes are proposed in the units.

Dave Peterson replied yes.

Steve Defossez stated having kitchenettes in the units has the capability of a co-op with 30 different owners and sees such as a different use than the current use.

Jennifer Haskell stated the Board can be mindful of a future use however, can only address the proposal before the Board.

Steve Defossez stated the proposed use is substantially different from the grandfathered use; noting concern for conversion from seasonal rooms to year round use and questioned whether such is permitted.

Rob Houseman reviewed the drainage analysis; noting peak discharge of storm events are reduced. In regard to the conversion of units, he stated the State of NH views condominium conversion as a change in ownership and not a change in land use. In regard to seasonal versus year round use, he stated such is an operating issue; noting year round units exist today. He stated the applicant has the ability to put in kitchenettes in the units; noting such does not change the use by the Town's definition.

Dave Peterson stated the kitchenettes include a mini refrigerator, microwave and counter. He stated four suites will be available (five suites exist now) which include a living room, one bedroom and kitchen. He stated the property needs to be updated and there is no intent to convert the units to condominiums.

Kathy Barnard questioned what happens with the previous approval.

Rob Houseman stated this approval supercedes the previous approval.

Steve Buck questioned the turning radius of the driveway; verified there is no physical divider so that large vehicles can make the turn. In regard to lighting, he verified such would be cut off fixtures.

In regard to the design of the buildings, Dave Peterson stated he feels an additional dormer should be added.

Steve Buck questioned the potential of having 36 jet skis.

Jennifer Haskell stated that if an application for conversion is brought before the Board, the Board could then address such at that time.

Randy Walker stated the applicant does not intend to change the docking plan.

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

Kathy Barnard stated the proposal is a vast improvement to the site and noted the Board previously determined it is an existing nonconforming use and reconfiguration consistent with the ordinance.

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: Cover Sheet, Site Plan**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.  
**Plan 2: Existing Conditions Sheet**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.  
**Plan 3: Overall Site Plan**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.  
**Plan 4: Detailed Site Plan**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 5: Detail Site Plan**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 6: Grading Plan**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 7: Grading Plan**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 8: Driveway Site Distance Plan and Profile**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 9: Driveway Site Distance Plan and Profile**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 10: Utilities Design Plan**, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 11: Site Plan**, Landscaping Plan, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 12: Site Plan**, Landscaping Plan, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 13: Site Plan**, Lighting Plan, Land of 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 14: Sediment and Erosion Control, Construction Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 15: Construction Details** For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 16: Construction Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 17: Construction Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 18: Construction Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 19: Construction Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.



**Plan 20: Sewer Construction Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 21: Water Construction Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 22: Drainage Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825,. Dated December 1, 2011

**Plan 23: Drainage Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

**Plan 24: Landscaping Details**, For 280 South Main Street, LLC, South Main Street (a/k/a Route 28), Wolfeboro, NH, Tax Map 231, Lot 82, Prepared by Kenneth Berry, LLS, Berry Surveying and Engineering, 148 Crown Point Road, Barrington, NH 03825, Dated December 1, 2011.

2. Conditional approval, as a condition precedent, subject to administrative compliance.
3. The applicant shall be required to enter into a construction observation agreement with the Town's consulting engineer, HE Bergeron, for site work.
4. The applicant shall be responsible for the cost of the construction observation agreement.
5. The applicant shall post a financial security, as outlined in Item #12 of the Planner Review dated 1/3/12, for the purpose of securing the required onsite improvements.
6. The following permits and/or approvals, and any conditions attached thereto, are adopted by reference to this approval:
  - a. NHDOT Driveway Permit
  - b. NHDES Wetlands Permit
  - c. NHDES Site Specific Permit
7. The applicant's engineer shall submit a final letter certifying compliance with the American's With Disabilities Act.
8. This approval and recording of the January 3, 2012 Notice of Decision supersedes the previously recorded Notice of Decision for March 1, 2011.
9. The lighting plan shall be amended to comply fully with the Town's lighting ordinance.
10. The Phasing Plan, as submitted by the applicant on 1/3/12 be adopted by reference. Phase 1 to include Step 1: Tear down 8 units on the southeasterly end of the main building and temporarily convert 2 units, one into a storage room and the other into an employee room (leaving 26 rentable units) and Step 2: Construct southeast building (Building A) which contains 10 units (creating 36 rentable units). Phase 2 to include Step 1: Tear down remaining portion of the main building (leaving 22 rentable units, 12 in the "L" building and 10 in Building A) and Step 2: Construct the remaining two buildings (Building B, middle building and Building C, northwest building). Prior to the issuance of a Certificate of Occupancy for Building B and C, the "L" building shall be torn down. Upon completion of the tear down and the restoration of said site, then and only then shall a Certificate of Occupancy be issued for Building B and Building C.
11. The grading, drainage and erosion control issues as noted in HE Bergeron's letter, dated January 3, 2012, shall be revised in compliance with said letter.
12. 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.

13. Payment of recording fees in the amount of \$32.44 made payable to the Carroll County Registry of Deeds is required prior to the recording of the Notice of Decision.

**It was moved by Jennifer Haskell and seconded by Stacie Jo Pope to approve the 280 South Main Street, LLC (Lake Motel) Site Plan Review application, Case #201201, subject to the recommended conditions of approval. The motion passed.**

### **Work Session**

- **Group Home Overlay District Ordinance**

Kathy Barnard stated Chuck Storm and Richard O'Donnell submitted comments stating they feel the ordinance should be moved forward. She stated the Board requested final review by Attorney Ratigan; noting his opinion is that the proposed ordinance is consistent with both State and Federal regulations.

Following discussion, it was the consensus of the Board to proceed to a second public hearing.

Jennifer Haskell stated the public needs a full understanding at how the Board has been advised.

**It was moved by Jennifer Haskell and seconded by Chris Franson to release Attorney Ratigan's letter with redaction, dated December 29, 2011. All members voted in favor. The motion passed.**

Dick Hamilton verified the Board would distribute Attorney Ratigan's letter.

**It was moved by Stacie Jo Pope and seconded by Chris Franson to adjourn the January 3, 2012 Wolfeboro Planning Board meeting. All members voted in favor.**

*Wetlands Conservation Overlay District and Group Home Overlay District public hearings scheduled for 1/17/12.*

*There being no further business, the meeting adjourned at 9:54 PM.*

Respectfully Submitted,

*Lee Ann Keathley*

Lee Ann Keathley