

**WOLFEBORO PLANNING BOARD**  
**October 16, 2012**  
**MINUTES**

**Members Present:** Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Chuck Storm, Selectmen's Representative, Chris Franson, John Thurston, Vaune Dugan, Members.

**Members Absent:** Dave DeVries, Member, Fae Moore, Dave Alessandroni, Alternates.

**ZBA Members Present:** Alan Harding, Chairman, Suzanne Ryan, Vice-Chairman, Steve McGuire, Clerk, David Booth, Kathy Barnard, Members, Mike Hodder, Fred Tedeschi, 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.*

**RSA 674:41 Option; Lots With No Frontage On A Private Way Not Shown On A Planning Board Approved Subdivision ~~ Joint Meeting with the Zoning Board of Adjustment**

Alan Harding thanked the Planning Board for the invitation to discuss the issue and work together for the needs of the citizens.

Rob Houseman stated Town Counsel has opined that the Planning Board does not have the authority to give guidance to the ZBA relative to the issue. However, the Planning Board has the authority to review the statute relative to such and adopt a regulation to exempt lots. He stated both the Planning Board and Zoning Board of Adjustment are in agreement that the statute is less than clear on the issue. He stated the proposed ordinance was developed with the assistance of Town Counsel.

David Booth verified the proposed ordinance does away with ZBA requirement to work under 674:41.

Rob Houseman stated the proposed ordinance eliminates applications under 674:41 however, does not eliminate Class VI roads.

Mike Hodder stated a benefit to the proposal is that the ZBA would then have legislative authority and a set of known standards applicable to every case.

Suzanne Ryan stated she does not wish to go forward with the proposed ordinance at this time; noting such is too broad a brush with regard to hillside and lakefront lots. She expressed concern for lowering the threshold. She stated the ZBA cannot deny an application if the requirements are met. She stated a closer look needs to be taken. She recommended the criteria in the proposed ordinance be placed in the ZBA application. She stated the proposed ordinance allows for more density.

Vaune Dugan asked how the criteria could be added to the application without the authority to do such.

Suzanne Ryan stated the ZBA has the authority to amend the application. She asked what is being gained if the ZBA is currently placing conditions on the approval.

Rob Houseman verified that Ms. Ryan is requesting the criteria be inserted as part of the ZBA application process rather than proceeding with the proposed ordinance. He noted that if the conditions of the Special Exception are not met, the ZBA cannot approve the application.

David Booth verified the ZBA would have no flexibility.

Rob Houseman stated, under the proposed ordinance, the lots would be exempt and in order to receive a building permit the criteria would have to be met.

Mike Hodder stated the proposed ordinance removes all uncertainty and debate with regard to the interpretation of 674:41; noting there is no case law that currently exists. He stated the proposed ordinance provides guidance to the ZBA.

Steve McGuire stated he agrees with the ordinance however, wished the ordinance had more detail.

Fred Tedeschi stated he shares Ms. Ryan's concerns and feels parts of the Town should be treated differently. Referencing page 1, 2<sup>nd</sup> paragraph, 6<sup>th</sup> line, he questioned whether the size of the lot should be restricted.

Kathy Barnard replied yes.

Fred Tedeschi stated he struggles with the structure of #3.

Rob Houseman questioned the desire of the ZBA; to have oversight of conditions or continue using the process currently occurring.

Chris Franson stated she is sensing from the ZBA a need for additional criteria since different standards apply to specific lots. She stated if the Board is going to proceed with the ordinance, additional conditions relative to lot size are needed.

Alan Harding stated he feels the ZBA should further discuss the issue with Town Counsel as to what direction to take; noting there could be constitutional issues.

Mike Hodder stated the Town of Ossipee has an ordinance and recommended the Planning Board review such.

Rob Houseman stated access ways should be distinguished from long driveways through the criteria.

John Thurston stated all lot owners are taxpayers and the ZBA and Planning Board needs to represent them.

Steve McGuire stated currently, nothing can be done with the land without ZBA approval.

Suzanne Ryan stated there is no need for urgency and feels development is a negative. She stated the Planning Board is involved in the issue due to the ZBA's dilemma.

*The Planning Board and ZBA agreed to further review the ordinance individually.*

## **Public Hearing ~ 2013-2022 Capital Improvements Program**

Rob Houseman reviewed the 2013-2022 Capital Improvements Program.

Kathy Barnard stated the Capital Improvements Program Committee toured the facilities of the Public Works Department; noting the Committee toured the facilities of the Parks & Recreation Department the year prior. She stated a frustration of the Committee is that it appears there is minimal interaction between the departments with regard to coordinating needs. She stated the Community Center and Electric building are currently not in the plan and therefore, the Committee recommends a Municipal Facilities Plan.

*Chairman Barnard opened the public hearing.*

Vaune Dugan stated every building should have a maintenance schedule for repair and up keep.

Chuck Storm stated the BOS is aware of the issue and is determined to have an Asset Management Plan.

Chris Franson thanked the members of the Board who volunteered on the Committee.

Vaune Dugan recommended adding a statement for the public relative to the cost if a building is not maintained.

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

**It was moved by Chuck Storm and seconded by Vaune Dugan to adopt the 2013-2022 Capital Improvements Program. All members voted in favor. The motion passed.**

## **Scheduled Appointment**

**Helen Stock**

**Special Use Permit**

**Agent: Peter Cooperdock, Fernstone Associates**

**TM #155-6**

**Case #201210**

Kathy Barnard stated the applicant has requested a continuance to December 4, 2012.

## **Work Session**

### **➤ Lot Coverage**

Rob Houseman reviewed the lot coverage definition from Meredith, Concord, Durham and Hanover and reviewed the following proposed definition; *The footprint of all buildings on a lot expressed as a percentage of the total lot area, excluding parking spaces, sidewalks and driveways.*

Kathy Barnard recommended the definition be put into all zoning districts.

Vaune Dugan recommended reviewing each zoning district and percentage of each district.

John Thurston and Kathy Barnard agreed.

Following further discussion, the Board recommended the following;

- Move forward with definition
- Develop a chart with existing coverage requirements for buildings
- Evaluate specific lots to review feasibility
- Compare Durham's definition to the State's definition
- Provide examples of potential impact
- Provide lot coverage calculations from Meredith, Hanover & New Durham

➤ **Center Street Zoning**

Vaune Dugan stated she recalls the consensus of the Board to look at the entire corridor with a focus on water quality issues rather than spot zone.

Kathy Barnard stated she does not believe the Board can review everything and propose changes in time for the 2013 warrant.

Chris Franson stated the Board should push for such and recommended changes to permitted uses.

Stacie Jo Pope recommended moving forward and incorporating the recommendations of the study in the proposed ordinance.

Rob Houseman verified the consensus of the Board is to push forward without regard to Town Meeting, study the impact of lot coverage in the Center Street zoning districts and review the 3/30/12 draft.

**It was moved by Chuck Storm and seconded by Chris Franson to adjourn the October 16, 2012 Wolfeboro Planning Board meeting. All members voted in favor.**

*There being no further business, the meeting adjourned at 9:11 PM.*

Respectfully Submitted,

*Lee Ann Keathley*

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