

## WOLFEBORO PLANNING BOARD

October 2, 2012

### MINUTES

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

**Members Absent:** Dave DeVries, Members, Dave Alessandroni, Fae Moore, 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**

**September 4, 2012**

##### **Corrections:**

Page 5, 2<sup>nd</sup> paragraph; strike "back outing" and replace with "backing out"

**It was moved by Chuck Storm and seconded by Vaune Dugan to approve the September 4, 2012 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.**

**September 18, 2012**

##### **Corrections:**

Page 1, Steep Slope Protection header; strike such & replace with "Ridgeline Protection"

**It was moved by Chuck Storm and seconded by Vaune Dugan to approve the September 18, 2012 Wolfeboro Planning Board minutes as amended. Chris Franson, Vaune Dugan, John Thurston, Chuck Storm, Kathy Barnard voted in favor. Stacie Jo Pope abstained. The motion passed.**

#### **Information Items**

Kathy Barnard reviewed such.

#### **Public Comment**

None.

#### **Subcommittee Reports**

##### **TRC**

9/5/12: Reviewed Special Use Permits for Helen Stock, WSK Inc./Fawcett and Ronald Locke/McCracken Family Trust.

9/12/12: Reviewed subdivision and boundary line adjustment for Locke/McCracken Family Trust.

##### **CIP**

The Committee concluded meetings on 10/2/12. Public hearing scheduled for 10/16/12.

##### **Master Plan Implementation**

No report.

##### **Shoreland Protection Ordinance**

Committee met on 9/21/12 which included a site visit to the Montrone property on Sewall Road. Next meeting scheduled for 10/19/12.

## **Scheduled Appointments**

**WSK Inc./Walter & Susan Fawcett**  
**Special Use Permit**  
**Agent: Peter Cooperdock, Fernstone Associates**  
**Tax Map #45-6, 24 & 25**  
**Case #201211**

Chairman Barnard stated the WSK Inc./Walter & Susan Fawcett Special Use Permit application has been continued, at the request of the applicant, to December 4, 2012.

**It was moved by Chuck Storm and seconded by Stacie Jo Pope to continue the WSK Inc./Walter & Susan Fawcett Special Use Permit application, Case #201211, to December 4, 2012. All members voted in favor. The motion passed.**

**Ronald C. Locke/McCracken Family Trust**  
**Special Use Permit**  
**Agent: Peter Cooperdock, Fernstone Associates**  
**Tax Map #159-17**  
**Case #201212**

**McCracken Family Trust/Ronald & Louise Locke**  
**Boundary Line Adjustment & Subdivision**  
**Agent: Eric Roseen**  
**Tax Map #159-16 & 17**  
**Case #201213**

Rob Houseman reviewed the Planner Reviews dated October 2, 2012. With regard to the Special Use Permit application, he stated the applicant (McCracken Family Trust) proposes to encroach into the wetlands setback, buffer zone and wetlands to permit the construction of a driveway crossing to access an upland building envelope on proposed lot 3. He stated the driveway construction and or side slope grading creates permanent wetlands and wetlands buffer impacts. He stated the Health Inspector, Code Enforcement Officer and Conservation Commission have reviewed the proposal and have no objections to. With regard to the Boundary Line Adjustment and Subdivision application, he stated the applicant proposes a boundary line adjustment between two lots and a two-lot subdivision. He stated following the boundary line adjustment, Lot 1 becomes 6.97 acres in size therefore, does not trigger review for compliance with the Conservation Subdivision regulations. He stated the plans do not reflect the status of the flood hazard boundaries. He stated the resulting mapping demonstrates that the new lot (1.70 acres) exceeds the minimum lot size requirements established by the Wolfeboro Subdivision Regulations.

Referencing the Special Use Permit application, Peter Cooperdock stated the proposal impacts 200 SF of poorly drained wetland; noting the wetland is a remnant of filling for Waumbeck Road. He oriented the Board to the location of the culverts on the property. He stated the purpose of the proposal is to provide access to a buildable area including the following; remove topsoil in the area of the wetland, place culvert at existing grade, cap with crushed gravel and place fill on top. He stated test pits have been dug to ensure it's a buildable lot; noting the leach field is adequate to support a 4 bedroom house. He stated the septic system has not been designed. He stated erosion control measures would be installed surrounding the area of impact and maintained until vegetation is stabilized.

Chris Franson requested Mr. Cooperdock to speak to no alternative location for development is available.

Peter Cooperdock stated there is no way to access the buildable area (island of upland) without impact to the wetland area; noting the buildable area is completely surrounded by wetlands. Referencing the plan, he showed the area of impact as being the narrowest strip of land to access the buildable area. He stated the

area is now a forested wetland; noting the wetland is poorly drained with no standing water. He stated there are no fish, some vegetation and some potential for sedimentation (purpose of erosion control measures). He stated the downstream abutters are a quite a distance from the property.

Kathy Barnard questioned whether Best Management Practices would be utilized and if such has been addressed.

Peter Cooperdock replied yes.

Kathy Barnard asked if the applicant has received Wetland Bureau approval.

Peter Cooperdock stated the application has been submitted however, it has not been approved.

John Thurston questioned how a septic system would work properly if hard pan exists.

Peter Cooperdock stated the test pit revealed a water table of 24 inches; noting an Enviro-septic system requires 24" above the water table therefore, the proposed system would be at grade.

Vaune Dugan asked if the applicant is trying to avoid compliance with the Conservation Subdivision regulations by proposing the boundary line adjustment.

**It was moved by Chris Franson and seconded by John Thurston to accept the Ronald C. Locke and McCracken Family Trust Special Use Permit application as complete. All members voted in favor. The motion passed.**

**It was moved by Vaune Dugan and seconded by Chuck Storm to accept the McCracken Family Trust and Ronald & Louise Locke Subdivision and Boundary Line Adjustment application as complete. All members voted in favor. The motion passed.**

Chairman Barnard opened the public hearing.

Tom Grady, 495 North Main Street, questioned the location of the building envelope.

Rob Houseman oriented Mr. Grady to such.

Chris Franson questioned the road frontage of each lot.

Eric Roseen replied Lot 3 has 265' of road frontage, Lot 1 has 225' of frontage and Lot 2 has two areas of frontage, 150' and 140'.

Chris Franson questioned flood hazard.

Eric Roseen referenced Note #3 on the plan.

John Thurston questioned the rationale for the pork chop configuration.

Eric Roseen stated it was the family's preference for the McCracken Family Trust, Lot 2, to obtain the balance of the back lot.

Kathy Barnard asked if the applicant is willing to agree to a condition that no additional subdivision occur.

Bruce McCracken stated the original intent was to subdivide the rear portion of the lot however, there is no access to such; noting wetlands impede access from Waumbeck Road.

Chris Franson noted that if the applicant states there will be no future subdivision of the property, the Board can proceed however, if the applicant does not agree to such the Board then has to proceed with review for compliance with the Conservation Subdivision regulations.

Rob Houseman explained to the applicant that he, as Staff, reviewed the proposal and determined the application is exempt from the Conservation Subdivision regulations and the Board is now trying to determine whether Staff has erred in that decision. He stated the frontage for the lot on Waumbeck Road gives the illusion of potential use and access to the lot; noting the horseshoe area is the issue.

The Board agreed to review the criteria for exemption and continue the application.

**It was moved by Stacie Jo Pope and seconded by Chris Franson to continue the Ronald C. Locke/McCracken Family Trust Special Use Permit application and McCracken Family Trust and Ronald & Louise Locke Subdivision and Boundary Line Adjustment application to December 4, 2012. All members voted in favor. The motion passed.**

## **Work Session**

### **A. 2012 Work Plan**

#### **➤ Center Street Zoning**

Kathy Barnard stated the draft Center Street Rezoning Ordinance Review from FB Environmental Associates recommends storm water management, LID and impervious surfaces and suggested the Board consider such. She stated input is needed from the EDC, Conservation Commission, Chamber of Commerce and abutters and expressed concern regarding the time constraints with regard to the 2013 Town Warrant.

Chris Franson agrees however, expressed frustration at the amount of time the consultants took to present the draft. She stated the existing permitted uses have more impact than what the Board has discussed proposing.

Kathy Barnard stated she feels the recommendations from the consultant should be taken into consideration.

Rob Houseman stated Low Impact Design (LID) is a regulation that are adopted in the Site Plan Review and Subdivision Regulations; noting such are not subject to time constraints relative to Town Meeting. He stated the two C2 Districts that exist along the Route 28 corridor have permitted uses that have detrimental impact to the area.

Vaune Dugan stated she is more inclined to make changes to the district and propose additional language at a later date.

Chris Franson questioned lot coverage.

Rob Houseman stated lot coverage speaks to definition and should be inclusive of all zoning and recommended changing the definition; recommending such should be done without regard to zoning changes in the districts.

Chris Franson questioned whether the type of storm being referred to should be defined and whether an operation maintenance plan should be added to the Site Plan Regulations.

The Board discussed such.

Chris Franson questioned whether an incentive should be given to those who reduce parking for properties that abut the trail.

Vaune Dugan disagreed with such.

The Board agreed to the following;

- Change definition of lot coverage for all districts
- Move forward with changes to zoning in all districts within the Route 28 corridor; highlight areas in the report and amend existing language
- Consider changes relative to lot coverage, impervious surface (as it relates to lot coverage), Low Impact Design and Stormwater Management

➤ **674:41; Lots With No Frontage On A Private Way Not Shown On A Planning Board Approved Subdivision**

Kathy Barnard stated the ZBA met on 10/1/12 and discussed such; noting the ZBA is looking for more from the Planning Board. She reviewed the following recommendations submitted by the ZBA and herself;

- Add purpose statement
- Comment on consistency with Master Plan
- Clarification re: vacant undeveloped lots
- Be specific re: single family dwellings
- Lot size compliance with zoning districts; consideration of having a minimum lot size
- Connect easements/rights-of-way

Rob Houseman stated the ZBA expressed concern regarding large parcels in North Wolfeboro.

Kathy Barnard stated the ZBA wants to exclude some lots.

Rob Houseman stated it is the desire of the ZBA to consider revocation or partial revocation of paper subdivisions. He stated the Planning Board has the authority to revoke approvals. He recommended against a minimum threshold standard.

**It was moved by Chris Franson and seconded by Chuck Storm to adjourn the October 2, 2012 Wolfeboro Planning Board meeting. All members voted in favor.**

*There being no further business, the meeting adjourned at 9:12 PM.*

Respectfully Submitted,

*Lee Ann Keathley*

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