

WOLFEBORO PLANNING BOARD

January 8, 2013

MINUTES

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

Members Absent: Dave DeVries, Member, Fae Moore, Alternate.

Staff Present: Rob Houseman, Director of Planning & Development, Amelia Capone-Muccio, Secretary.

Chairman Barnard opened the meeting at 7:00 PM at the Wolfeboro Town Hall meeting room.
Chairman Barnard appointed Dave Alessandroni, Alternate, to sit in for Dave DeVries, Member.

Consideration of Minutes

December 4, 2012

It was moved by Stacie Jo Pope and seconded by Chris Franson to approve the December 4, 2012 Wolfeboro Planning Board minutes as submitted. All in favor, the motion passed.

December 18, 2012

It was moved by Chris Franson and seconded by Stacie Jo Pope to approve the December 18, 2012 Wolfeboro Planning Board minutes as submitted. Chuck Storm- abstained all others in favor, the motion passed.

Shoreland Protection Ordinance

Kathy Barnard noted the minutes have been submitted for review.

Dave Allesandroni noted a typo on page one, fifth line, the word "hearty" to "hardy".

Meeting Schedule

Kathy Barnard questioned if the Board was agreeable to change their next meeting date to January 22nd to allow more time for staff to provide information for the discussion items.

The Board agreed.

Public Comment

None.

Subcommittee Reports

TRC

Kathy Barnard stated that East Coast Fitness is moving their location to 1 Bay Street (the former hardware store) and at this time will only be making interior changes.

Action Items

WSK Inc. /Walter & Susan Fawcett

Haines Hill Road/ 113 & 123 Penn Air Road

TM #45-6, 24 & 25 Case #201211

Special Use Permit, Public Hearing continued from 12/4/12

Kathy Barnard stated that this is a continued public hearing from December 4, 2012 for a Special Use Permit and that the ordinance outlines what needs to be submitted for a permit, but the Board felt not enough information was submitted for approval.

Rob Houseman stated that revised plans have been submitted showing the entire area and the two culverts. He noted that the agent has brought the permit from NH DES for the pond with him this evening. He stated the applicant's agent would speak to the modified issues and the Planning Board needs to review if these are less impacting modifications.

Kathy Barnard questioned if they have received anything from the Conservation Commission since September 26th.

Mr. Houseman stated he would check.

Peter Cooperdock (applicant's agent) joined the Board for discussion and reviewed the revised plans. He also addressed the following concerns:

- Provided the NH DES permit for the pond and provided a copy.
- A letter from the Fire Department dated January 2, 2013 regarding the pond and access to the properties.
- He provided pictures of the access from Haines Hill Road and noted that access was not intended to be used beyond construction and to be retained as a trail to the barn.
- He reviewed the map and photos to explain that by using the access off lot 4 it would be a greater impact to the wetlands than what is proposed.

Stacie Jo Pope clarified that the alternative location has a higher impact to the wetlands than what is used now.

Mr. Cooperdock replied yes.

Chris Franson noted that the Conservation Commission objected to one of the crossings.

Mr. Cooperdock replied yes and they suggested using the Haines Hill access as they reviewed the area in August when it was dry, but at this time of year there is water there. He stated to use that access point the engineer concluded larger culverts would be needed.

Vaune Dugan questioned the landing strip location and how Mr. Marshall plans to get there.

Mr. Cooperdock reviewed such on the map showing where the landing strip ends and the intent is to use a golf cart type vehicle.

Vaune Dugan questioned the second access.

Mr. Cooperdock replied that they did not want to give the impression it is a driveway access, but it can still be used for Fire/Emergency vehicle access. He explained it is not closed, but it is not a road.

Chris Franson questioned a flood event and that it seems like an area that would be a spillway at the crossing.

Mr. Cooperdock replied it was reviewed by the engineer and determined to handle a 100-year storm.

John Thurston questioned the difference in the impact of the crossings as the first one is 1,700 square feet and the second is 1,100 square feet.

Mr. Cooperdock replied that the first one is 70 feet long and a higher elevation and the second is 65 feet long and a flatter area.

Mr. Thurston questioned the top surface and wouldn't it carry material away.

Mr. Cooperdock replied that there will always be some wash, but is designed for a 24-year storm.

Kathy Barnard requested him to review his list.

Mr. Cooperdock reviewed the requirements for application outlined in his memo for Assessment of Impact report.

John Thurston stated he did a site visit today with the Town Planner and provided some photos of the area. He saw a cement well tile on the property.

Mr. Cooperdock replied that it is a dug well that they did not get a permit for and asked them to remove it.

Dave Marshall stated that such was done during construction to water the grass and he would remove it.

Vaune Dugan questioned the septic designs as she doesn't see any fields.

Mr. Cooperdock pointed them out on the map and that they would most likely be in front of or adjacent to the house to maintain the 50 foot setback.

Kathy Barnard questioned if there are any other comments.

Bruce Terkleson stated he is in favor of this project and seems to be the best way to get the vehicles to the homes.

Chris Franson noted that the pictures show several vehicles on the runway.

Mr. Terkleson replied once the driveway is approved they won't be there.

John Zanchi stated the Conservation Commission questioned the lower crossing and it appears that what is proposed is a significantly lower impact and appears to meet the standards.

John Thurston reviewed his photos of the crossings and it appears to him the first one has less impact than the second one and that it was clear a vehicle had used the Haines Hill Road access showing it is clear that could be used as a travel way.

Paul Zanis of 306 Haines Hill Road stated that it was not passable until the road froze and that was a construction road not intended to be used as a permanent access.

Bruce Terkleson stated that it is not safe to have vehicles driving near the runway.

John Zanchi noted that in his inspection of that area in the summer it was wet and muddy it would make sense that it is passable after it was frozen.

Mr. Houseman reviewed the following conditions of approval:

The following plans, as amended to the date of approval, are hereby incorporated into this approval:

1. Plan 1. Special Use Permit Plan for Walter & Susan Fawcett and WSK, Inc., Penn Air Estates, Wolfeboro NH, Prepared by Peter Cooperdock, Fernstone Associates, Certified Wetlands Scientist, Certified Soil Scientists, PO Box 97, Tamworth, NH 03886, Date August 27, 2012, Engineering prepared by Jeffry Lewis, Professional Engineer, North Point Engineering, 5 Sheep David Drive, Suite F, Pembroke, NH 03275.
2. The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan.
3. An inspection by the Town shall be required of siltation devices prior to construction.
4. The applicant shall be responsible for all recording fees.
5. The applicant shall be required to monument the edge of the Wetlands in compliance with § 175-10.2 Wetlands Boundary Monumentation.
6. All conditions by NH DES be adopted by reference.

Kathy Barnard questioned how the Board wanted to move forward with the dry well.

Mr. Houseman suggested treating that condition separately as a code violation.

Vaune Dugan replied she agrees such is a code issue.

Chris Franson noted that it has been hard to get accurate information and getting this information gives her the feeling all the information has not been above board.

Mr. Houseman noted the Fawcett's have always been direct and forward that Haines Hill access was only a temporary access.

Kathy Barnard stated it appears all the information has been provided and project appears consistent with the ordinance on minimized impact to the wetlands. She noted Haines Hill Road information is not as detailed as they would like, but lot 4 appears to have less of an impact and removes the concern of the Conservation Commission.

Vaune Dugan noted it was not just the wetlands it was health and safety as it was clear the Fire Department did not want planes and vehicles mixing.

Kathy Barnard stated she appreciates all the work Mr. Thurston did in the site visit.

Mr. Thurston replied he still feels that the Haines Hill Road access would be a better option and that he doesn't feel they have accurate information for Haines Hill Road.

Stacie Jo Pope stated that she was surprised at the wetlands information, but it is clear it is less of an impact than a whole driveway as well as the safety factor.

Chris Franson questioned the driveway locations.

Mr. Houseman pointed them out on the plan.

Kathy Barnard questioned the access of a golf cart or golf cart type vehicle and if such should be a condition.

It was moved by Vaune Dugan and seconded by Chuck Storm to approve Special Permit Application for WSK Inc./Walter & Susan Fawcett, Haines Hill Road/ 113 & 123 Penn Air Road, TM #45-6, 24 & 25. John Thurston-opposed all others in favor. The motion passed.

**Craig Sutherland
Special Use Permit, Formal Submission/ Public Hearing
Agent: Jim Ryan, White Mountain Survey
Tax Map #258-3 & 4 3 Melody Island
Case #201301**

Rob Houseman referred to the Planner Review for 1/8/2013 stating the applicant proposes to build a boathouse and if such is approved they will combine the two lots. He also noted the objection of the Conservation Commission dated January 7, 2013 that boathouse is not the least impacting method for boat storage.

Kathy Barnard questioned the wetlands setback.

Mr. Houseman replied the boathouse needs a special use permit.

Jim Ryan provided the supplemental information requested regarding the special use permit.

Kathy Barnard questioned if they would be back for the boundary line adjustment.

Mr. Ryan replied no as it would be a voluntary lot merger. He reviewed the plan with the Board and noted they have received the wetlands permit to meet the new boathouse requirements. He reviewed the concern of the location and explained based on the requirements they have no alternative location other than what is proposed.

Vaune Dugan questioned 81 feet being the nearest point and if they could move it 30 feet.

Mr. Ryan replied that it is a steep slope area and they can't do that per the State requirements.

Kathy Barnard questioned the concern of the Conservation Commission.

Mr. Ryan replied that the least impact would be to do nothing, but such is not fair. He stated the owners have owned the property for 10 years and have docking structures now and feel an opened system is not ideal and they need some protection.

Vaune Dugan questioned a Shore land Protection Permit from the State.

Mr. Ryan replied such is not required, they require compliance with criteria of 36 points and the town's ordinance doesn't require replanting.

Mr. Houseman replied that the Shore Land Application is the next step.

Mr. Ryan replied they have not submitted yet and are going through the process.

John Thurston questioned the silt fencing and each day the liner is cleaned.

Mr. Ryan replied yes, he discussed it with those who install it and once they do it the first time it leaches in slower.

Mr. Thurston questioned sandbags or portadam.

Mr. Ryan explained the portadam is impervious and flexible and has weights on the bottom and floats on the top.

It was moved by Stacie Jo Pope and seconded by Chuck Storm to accept the application as complete. Kathy Barnard, Stacie Jo Pope, Chuck Storm, Vaune Dugan, Dave Alessandroni, Chris Franson, John Thurston voted in favor. The motion passed.

Chairman Barnard opened the public hearing.

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

Rob Houseman reviewed the following conditions of approval;

1. The following plans, as amended by the date of this approval, are hereby incorporated into this approval:
Plan 1: Proposed Dug-In Boathouse Plan and Sections for Craig R. Sutherland, 3 Melody Island, Wolfeboro NH, Tax Map 258, Lot 3 and 4, prepared by James Rines, PE, White Mountain Survey Co., Inc., PO Box 440, Ossipee, NH 03864, dated March 27, 2012, revised through November 13, 2012.
2. The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan.
3. An inspection by the Town shall be required of siltation devices prior to construction.
4. This approval is subject to NH DES Wetlands permit and any conditions attached thereto.
5. The applicant shall be responsible for all recording fees.
6. The applicant shall be required to monument the edge of wetlands in compliance with 175-9.2 Wetlands Boundary Monumentation. This includes:
 - (1) 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.
 - (2) 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.

- (3) The cost shall be borne by the applicant/ developer or their successors in interest.
- (4) The applicant shall be responsible for submitting a letter of certification of the posting to the Code Enforcement Office prior to the issuance of any building permit.

Kathy Barnard stated the ordinance states that she needs to consider the Conservation Commissions comments and she did. The applicant met the requirements and does allow dugouts if they meet the standards and they have. She stated the information provided appears compliant.

Mr. Houseman noted a shoreline permit and lot merger is required.

Kathy Barnard replied such is added to the requirements.

John Thurston questioned if it can be divided once merged.

Mr. Houseman replied that once combined they lose the grandfathered rights and such would be a subdivision.

It was moved by Stacie Jo Pope and seconded by Vaune Dugan to approve the application of Craig Sutherland Special Use Permit, Formal Submission/ Public Hearing, Tax Map #258-3 & 4 3 Melody Island, Case #201301. Kathy Barnard, Stacie Jo Pope, Chuck Storm, Vaune Dugan, Dave Alessandroni, John Thurston voted in favor. Chris Franson abstained. The motion passed.

It was moved by Vaune Dugan and seconded by Chuck Storm to adjourn the January 8, 2013 Wolfeboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 9:18 PM.

Respectfully Submitted,
Amelia Capone-Muccio