

WOLFEBORO PLANNING BOARD

February 19, 2013

MINUTES

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

Members Absent: John Thurston, Dave DeVries, Member, 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.

Work Session

➤ **Letter of Support ~ NH Route 28 Improvements**

Rob Houseman reviewed the letter from the BOS to NH DOT regarding the Ten Year Plan relative to Route 28 Improvements.

Following review of such, the Board agreed to forward a letter of support to NH DOT relative to such emphasizing public safety, mitigation of environmental impacts and Route 28 being a gateway to the Town.

➤ **HB 113 & HB 114 / 674:41**

Rob Houseman stated HB 113 permits erection of a building on a lot that has access to a Class VI or better highway via a private right-of-way and HB 114 states a Planning Board's Subdivision Regulations must, under certain conditions, require a developer to deed an easement of access to a public way to an abutting owner of property with no other legal access.

Rob Houseman reviewed a map that represents those lots affected by the Planning Board proposal that have no frontage and are undeveloped. He noted the largest area impacted by undeveloped lots is North Wolfeboro (18 total lots). He stated there are a number of shorefront lots that are impacted by the proposal.

Vaune Dugan questioned the issue.

Rob Houseman stated the Board is concerned for legitimate access and whether or not the lot is buildable in addition to the ZBA's interpretation of the ordinance. He stated it must be made clear the ordinance does not supersede 674:41.

Vaune Dugan stated the ordinance should apply to all substandard lots and elaborate the ordinance further.

Rob Houseman stated the ordinance does not apply to Planning Board approved subdivisions.

The Board agreed to the following;

- Schedule Public Workshop for 4/16/13
- Add language to ordinance to clarify relief mechanism
- Add number of lots that comply with lot area criteria on the map; include zoning district minimum lot size information, size of parcel, tax map # and assessed value of property

➤ **Steep Slopes**

Kathy Barnard stated the Town has a Steep Slope Ordinance however; the recommendation is to add language to such relative to reducing the size of the disturbance.

Rob Houseman stated by incorporating such, it runs the risk of capturing most lots needing to be supported by a septic system and would go beyond 10,000 SF of disturbance; noting any house built with a septic system will go beyond the recommended area of disturbance.

Kathy Barnard asked if the ordinance requires BMP's.

Rob Houseman replied no, however with regard to shorefront lots the Town and State require stormwater management for over 20% lot coverage. He reviewed the Town's standards and questioned whether the Board wishes to go from 20,000 SF to 10,000 SF.

Vaune Dugan asked if there is a known problem.

Chuck Storm stated she feels the recommendation is too restrictive.

Referencing shorefront lots, Kathy Barnard stated there are a lot of review processes in place relative to such.

Chris Franson stated there is currently no issue.

The Board agreed not to incorporate the recommendation relative to Steep Slopes.

➤ **Natural Buffers**

Chris Franson noted the need to define riparian.

Vaune Dugan stated the existing ordinance addresses such; noting the Town has a no touch buffer.

Rob Houseman stated riparian is being used in a broad brush manner to include shorefront, perennial and intermittent streams and wetlands. He stated the recommendation is requesting an increase in the setback of natural buffers. He reviewed the Town's existing setbacks and New Durham's setback provisions.

Vaune Dugan recommended requesting the applicant provide evidence of stormwater runoff into the water rather than just pushing the setback and add erosion control management to address the issue of runoff.

Kathy Barnard stated she feels the existing ordinance has a number of protective measures in place.

Chris Franson questioned whether a definition of riparian is necessary.

The Board agreed not to incorporate the recommendation relative to Natural Buffers.

➤ **Septic System Setbacks**

Rob Houseman stated the recommendations include an incorporation of a setback and a maintenance ordinance. He stated the only maintenance ordinance in the State was developed by Meredith for Lake Waukegan and adopted in December 2012; noting the ordinance is enforced by the Code Enforcement Officer. He stated there may be situations where lots are so confined that a septic system would be approved with a waiver. He stated the Town reviews septic system designs prior to submittal to the State and questions whether it's necessary to go beyond what the Town is currently doing.

Vaune Dugan stated a new septic system has to go through the State approval process. With regard to the setback recommendation, she stated such is addressed at the State level. She questioned whether there is a feeling the State's process is inadequate.

Chuck Storm agreed with Ms. Dugan.

Kathy Barnard stated more public relations is necessary regarding the issue.

Chris Franson recommended information be sent to property owners.

The Board agreed to the following;

- Review and compare setbacks from other towns

Summary of Land Use & Zoning Change Recommendations

➤ Shorefront Protection

Vaune Dugan questioned the appropriateness of a 75' setback.

Chris Franson stated such is too restrictive.

Rob Houseman stated a number of lots exist that are 100'x100' or 125'x125' in size and noted that if a 75' setback is created a building envelope will not exist on the lot..

Kathy Barnard stated the Town's ordinance is currently being reviewed.

➤ Wetlands

Rob Houseman stated the Board previously determined that a no touch buffer is more valuable than a setback because a setback can be disturbed.

Following discussion, the Board agreed the existing ordinance adequately addresses the issue and Board agreed not to incorporate the recommendation relative to wetlands.

➤ Conservation Subdivision

Kathy Barnard stated the recommendation is to increase mandatory open space over 50%. She stated the subcommittee met for a couple of years prior and feels a fair and reasonable ordinance was submitted.

Vaune Dugan stated the recommendation does not change the density but, rather only addresses the size of the parcel.

➤ Stormwater Ordinance

Rob Houseman stated stormwater issues can be addressed in Subdivision and Site Plan Regulations. He stated Town Counsel is of the opinion the Board does not have the authority to incorporate a stand along ordinance; noting that if an ordinance cannot be implemented then it has no value. He stated the current Subdivision Regulations addresses stormwater management.

Chris Franson recommended addressing low impact design as an incentive or mandate such.

Vaune Dugan stated she feels it is a self-incentivizing plan.

The Board agreed to the following;

- Amend/add LID to Subdivision and Site Plan Review Regulations
- Include language relative to requesting the applicant to document why LID strategies are not appropriate (similar to how design review is currently addressed)
- Staff forward LID presentations from UNH Cooperative Extension

It was moved by Chuck Storm and seconded by Chris Franson to adjourn the February 19, 2013 Wolfeboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 9:02 PM.

Respectfully Submitted,
Lee Ann Keathley