

WOLFEBORO PLANNING BOARD

April 23, 2013

MINUTES

Members Present: Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Chris Franson, Vaune Dugan, Paul O'Brien, John Thurston, Members.

Members Absent: Brad Harriman, Selectmen's Representative, Dave Alessandroni, Alternate.

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

Chairman Barnard opened the meeting at 7:02 PM at the Wolfeboro Inn Ballroom.

Public Forum

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

Kathy Barnard stated there are 122 lots that are considered back lots and noted such is controlled by 674:41. She stated the ZBA requested the Planning Board to develop a mechanism to deal with those back lots because the statute is not clear with regard to such. She stated the Planning Board worked with Town Counsel in the development of the ordinance due to the complexities of the RSA.

Rob Houseman reviewed RSA 674:41 and the draft ordinance, see attached. He noted the Board has already taken action with regard to island lots. He stated Town Counsel was involved in the development of the draft ordinance and the ZBA participated in the discussion. He stated the Board attempted to address the administration of the statute in a way that removes the ambiguities of the statute.

Dave Senecal verified the applicant would sign a liability release form.

Suzanne Ryan stated she is a descendant of the ordinance. Referencing 674:41 and 674:41, II-a, she asked how Class VI roads are exempt within the ordinance.

Rob Houseman stated Class VI roads are considered separate entities and the governing body has the authority over such.

Suzanne Ryan stated the statute provides relief through 674:41, a, b, 1, 2, 3, 4.

Rob Houseman stated an application for development on a Class VI road is reviewed and commented on by the Planning Board and reviewed and approved by the BOS; noting an appeal process exists through the ZBA.

Referencing the Master Plan, Future Land Use and Resource Protection Chapter and Natural Resource Chapter, Suzanne Ryan stated the ordinance is counterproductive to lands being protected and flies in the face of everything that has been worked on. She stated the goal of the Town is to encourage development towards the Downtown area. She stated to allow development of back lots is not right and noted the Master Plan speaks to impact of premature and scattered development and preservation of open space. She stated she is opposed to the ordinance. See attachments submitted by Ms. Ryan.

Ken Perry asked whether the ordinance has been tested, whether other towns have developed an ordinance and whether a model ordinance was used in the development of this ordinance.

Rob Houseman stated there are communities that waive the statute completely.

Steve Maguire stated there needs to be a mechanism in the ordinance that allows the Planning Board to provide input. He noted the ZBA is not equipped to address steep slopes, wetlands, etc. He requested the Planning Board review application prior to ZBA submittal and noted skepticism with regard to public safety officers giving approval. He stated the ZBA deals on a micro level and noted the issue is a macro problem.

Randy Tetreault verified the exempted lots need to meet zoning ordinance requirements.

Rob Houseman stated all overlay district standards applies to the lots and the applicant must demonstrate compliance with wetland, buffer and steep slope standards. He stated the Board is proposing the same standards that exist today apply.

Steve Maguire asked if every driveway is considered a private road.

Rob Houseman stated he cannot confirm such.

Ken Perry asked what steps the Planning Board took to review the Master Plan and noted the Master Plan should be addressed as part of the proposed ordinance.

Rob Houseman stated the Master Plan has conflicting goals and objectives and noted the Planning Board had to balance such in their review. He stated the Board reviewed the Master Plan chapters and determined that subdivision constitutes development.

Vaune Dugan stated these lots exist and are taxed as separate lots. She stated the Board is not causing a new subdivision and noted caution regarding application of standards and taking away rights that already exist.

Linda Murray verified the ordinance is making a more clear and defined process between the ZBA and Planning Board.

Dave Skarnulis reviewed an example of a landlocked parcel.

Dave Senecal stated Class VI roads are difficult to maintain, if at all, and are not suitable for emergency services. He asked how the Board identifies such.

Rob Houseman stated the ordinance does not address such because the issue is addressed by the BOS. He stated the proposed ordinance removes the ambiguity that the ZBA deals with.

Referencing page 3, #1, Fred Tedeschi asked if there is a certification process for the lot owner.

Rob Houseman stated Staff provides guidance to the owner/applicant.

Fred Tedeschi stated as a member of the ZBA he wants to ensure the lot complies with the zoning requirements.

Suzanne Ryan stated she doesn't feel people in the North Wolfboro area will buy into the proposal and noted the lots are contiguous and development on each lot has impact.

Stacie Jo Pope stated the contiguous lots are owned by separate people and it is the Board's job to plan for the future.

Chris Franson stated the Board spent extensive time looking at the lots and has reviewed the Master Plan.

Ken Perry asked if the Board would consider a different solution for small waterfront lots.

Suzanne Ryan stated there should be an interpretation from an attorney other than Town Counsel.

Jim Ladd stated not everyone from North Wolfboro wants the area to remain as it has for the last two hundred years and many feel it would be preferable to have one house on 70 acres rather than have the land subdivided.

Chris Franson stated the process already exists.

Kathy Barnard requested written comments be provided to the Board by 5/7/13.

Work Session

➤ **2013 Planning Board Work Program**

The Board reviewed such; noting the list of items has been prioritized, see attached.

Referencing Historic Building work items (#'s 5 & 6), Kathy Barnard recommended a subcommittee to review such and requested such be placed on the 5/7/13 agenda.

John Thurston stated it is important for a person to know a building is historic prior to the purchase of such so they are aware of the process.

The Board requested to review the draft View Shed Protection Ordinance and include ridge line.

➤ **Stormwater Management Regulations**

Following review of such, the Board agreed to the following:

- Chris Franson to format regulations
- Title document as Stormwater Management Regulations
- Place definitions in definition section
- Insert regulations as a chapter in the Site Plan Review and Subdivision Regulations
- Compare definitions, use the Town's definition of Riparian Buffer
- P. 4, 2nd paragraph, Self Imposed Restrictions, last line; insert "a" between "in & "form" and strike "Strafford County" & replace with "Carroll County"
- Page 4, Stormwater Drainage, A., 9th line: strike "there is", replace with "this"
- Page 4, Stormwater Drainage, A., last line: insert "be" between "and" & "presented"
- Page 5, 2.1.: Place "proposed" following "components"
- Page 9, p.; strike "native" & replace with "existing" & insert "excluding invasive species"
- Strike Waivers & Exceptions

It was moved by Chris Franson and seconded by John Thurston to adjourn the April 23 2013 Wolfboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 9:21 PM.

Respectfully Submitted,
Lee Ann Keathley