

WOLFEBORO PLANNING BOARD

July 16, 2013

MINUTES

Members Present: Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Brad Harriman, Selectmen's Representative, Vaune Dugan, Paul O'Brien, John Thurston, Chris Franson, Members, Chuck Storm, Alternate.

Member Absent: Dave Alessandroni, Alternate.

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

Chairman Barnard opened the meeting at 6:30 PM at Anderson Hall, Brewster Academy.

Scheduled Appointment

First Congregational Church of Wolfeboro

Site Plan Review & Lot Merger

Agents: Ann Vivian, Guillot, Vivian, Viehmann Architects & Nicole Duquette, TFM

Case #201304

TM #218-148, 149

Chairman Barnard opened the public hearing.

Kathy Barnard requested the applicant address the following outstanding items noted by the Board at its 7/2/13 meeting:

- revise plan to reflect snow storage, sidewalk/angled parking and engineer and surveyor stamps and signatures
- lighting plan to reflect timer lighting, low landscape lighting, hours of illumination
- cost estimate for site improvements
- fixed number of seating consistent among all plans
- securement of bell
- review/submit cost option for front stone retaining wall
- signage specifications
- address Dave Ford's comments

Nicole Duquette, TF Moran, stated the plan has been revised to reflect snow storage areas (including a note on the plan) and noted that if there is an excessive amount of snow that such would be hauled off the site. She stated the number of seats (289) is consistently noted throughout the plans. With regard to lighting, she stated a lighting plan has been submitted depicting 2 relocated lights and landscape lighting; noting the lights are on timers (current & proposed) with turn on at 7PM and shut off at 9:30PM (note included on plan). She stated a cost estimate has been submitted, the applicant has agreed to overlay the parking lot (per Dave Ford's recommendation) and a note regarding the overlay has been placed on the plan. With regard to the front retaining wall, she stated the Building Committee for the church explored the Board's request and wishes to match the look of the wall to the façade of the church. She showed pictures of the material for the retaining wall; noting the material is a residential/garden type of wall system which is attractive and natural looking. She stated the material will not be the Versaloc commercial block system originally proposed. With regard to the sign and bell securement, she stated they are not applying for such at this time; noting they will submit a separate application for both in the fall.

Rob Houseman stated the plans reflect the requests of the Board and noted both the site plan application and lot merger application needs to be addressed.

Kathy Barnard verified the site plan reflects the re-establishment of the buffer to Avery property.

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

John Thurston expressed concern for pedestrian safety along the sidewalk during construction and recommended lighting to ensure such.

Referencing the lot merger, Kathy Barnard noted such would bring the property into conformance.

Rob Houseman reviewed the following recommended conditions of approval;

1. The following plans, as amended to the date of approval, are hereby incorporated into this approval:
 - Plan 1:** COVER SHEET, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated June 11, 2013, Amended to July 10, 2013.
 - Plan 2:** EXISTING CONDITIONS PLAN, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated May 30, 2013.
 - Plan 3:** SITE PREPARATION PLAN, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated April 9, 2013.
 - Plan 4:** SITE LAYOUT AND UTILITIES PLAN, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated June 11, 2013, Amended to July 10, 2013.
 - Plan 5:** GRADING, DRAINAGE & EROSION CONTROL PLAN, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated June 11, 2013.
 - Plan 6:** LANDSCAPE PLAN#1, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Anne C Cruess, Landscape Architect, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated April 9, 2013.
 - Plan 7:** SIGHT DISTANCE PLAN AND PROFILE, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated June 11, 2013.
 - Plan 8:** DETAIL SHEET, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated MARCH 28, 2013.
 - Plan 9:** DETAIL SHEET, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated March 28, 2013, Amended to July 10, 2013.
 - Plan 10:** DETAIL SHEET, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated March 28, 2013, Amended to July 10, 2013.
 - Plan 11:** DETAIL SHEET, FIRST CONGREGATIONAL CHURCH, 115 South Main Street, Wolfeboro, New Hampshire, Tax Map 218, Lots 148 And 149, Owned By First Congregational Church, Prepared For Guillot Vivian Vichmann Architects, Prepared By Nicole Duquette, Engineer, TFM, 48 Constitution Drive, Bedford, NH 03301, Dated March 28, 2013.
2. The applicant shall be responsible for the payment of all recording fees.
3. The applicant shall enter into a Construction Observation Agreement with the Town's consulting engineer. The cost shall be borne by the applicant.
4. Payment of financial security, in the amount of \$135,465.00, shall be submitted in conformance with the Site Plan Review Regulations.

5. The following permits and approvals and any conditions attached thereto, is adopted by reference to this approval:
 - NHDOT Driveway Permit
 - ZBA approval, Case # 03-V-13, dated 5/9/13
6. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

It was moved by Vaune Dugan and seconded by Stacie Jo Pope to grant the Lot Merger request for the First Congregational Church, Case #201304, TM #218-148 & 149. All members voted in favor. The motion passed.

It was moved by Stacie Jo Pope and seconded by Chris Franson to approve the First Congregational Church Site Plan Review application, Case #201304, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

Consideration of Minutes

July 2, 2013

Corrections:

Page 4, 11th and 12th paragraph; change “site” to “sight”

Page 6, 5th paragraph; strike “secondary”

Page 6, Center Street Rezoning, 1st paragraph; strike “Kathy Barnard” & replace with “Chris Franson”

It was moved by Paul O'Brien and seconded by Chris Franson to approve the July 2, 2013 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.

Master Plan Population Chapter Update

Kathy Barnard requested the Board submit recommended revisions prior to the 8/6/13 meeting.

Public Forum

➤ Center Street Rezoning & Stormwater Management Regulations

Chairman Barnard called the public forum to order at 7:30PM.

Kathy Barnard stated the Board is proposing Stormwater Management Regulations and rezoning a section of Center Street which is currently zoned C2 and Residential. She stated the Board is proposing to name the section a Mixed Use Business District and noted the Board has been working on such since 2008 however, the development of the proposal was delayed due to the Lake Wentworth Crescent Lake Watershed Management Plan. She stated the Board held a public forum in June 2011 and discussed the types of uses to be addressed in the Center Street area. She stated the Master Plan asked the Board to look at all zoning districts and noted the Board considered the Master Plan in the development of the proposal. She stated the Board will consider public comment and determine their next step. She noted the Board toured the area and obtained information from consultants of the Lake Wentworth Crescent Lake Watershed Management Plan and incorporated their input, in addition to the input at the 2011 forum. She reviewed the 2013 zoning changes. She stated the Board has received letters regarding the proposal from Kenneth Bowman, Mitchell Kalter, Pamela Griffin and Kathleen and Richard Kiely.

Rob Houseman reviewed the Route 28/Center Street Rezoning and Stormwater Regulations PowerPoint presentation, see attached, and reviewed the history and rationale behind the proposals. He reviewed the zoning map, proposed zoning objectives, current and proposed zoning standards, minimum lot size and frontage, setbacks, permitted uses, Special Exception uses, development standards and Stormwater Management Regulations. He noted development cannot be seen from the rail corridor due to the landscape and buffer requirements.

Jerome Holden, JC Signs, asked how the proposal would affect signage.

Rob Houseman stated the proposal is for a mixed use business zone; noting the sign ordinance is a separate ordinance from such.

Jerome Holden verified that another Parsons Furniture or Trites would not be permitted under the proposed zoning.

Rob Houseman stated no new business could build a building larger than 6,000 SF.

Ron Reese, North Main Street, stated the proposal appears to provide protection and keep Wolfeboro the way people like it. He stated it is an excellent proposal and such would help Wolfeboro.

Susan Ross, Governor Shore Road, stated the proposal appears to protect the corridor however, it doesn't go far enough. She stated she feels 6,000 SF is too large and development that size would increase phosphorus. She recommended a further setback from the rail trail; noting 50' is not sufficient. She expressed concern regarding the size of the inns and parking lots permitted and questioned whether the parking lots would be pervious or impervious; noting that such should be considered throughout the Town. She asked what other Towns were reviewed by the Board and recommended review of Newburyport and Kennebunkport.

Mildred Beach, 2 South Kenney Shore, stated the proposal does not take into consideration the water protection of Lake Wentworth. She stated the proposed changes will not control excessive runoff; noting such must be addressed. She stated the water quality of Lake Wentworth has degraded and the residents deserve better consideration by the Town officials. She stated there is no urgency to finding business space due to the number of vacancies and noted the proposal is contrary to the Master Plan. She requested the Board not go forward with the proposal.

Richard Maase, 74 Moose Point Road, stated the type and scale of uses available in the proposal is what stands in the way of approval and noted the specific details of the proposal is the problem. He stated the Planning Board has had a fair amount of guidance through the process (Master Plan, 2012 Public Forum and 2011 letter sent to the Board outlining guidelines for the Board to adhere to). He reviewed the guidelines noted in the 2011 letter and asked what other considerations have been reviewed by the Board relative to noise, traffic and light impact to nearby residences. He stated review of other communities has not been done. Referencing disconnected impervious surface, he asked whether such counts in the definition of coverage. He asked what is being counted if the coverage is limited to 40%. Referencing the Stormwater Management Regulations, he stated the proposal is a step forward however, there are huge holes in the regulations; noting there is no requirement for an operating and maintenance plan, reporting or record keeping. He stated the State's model ordinance includes detailed guidelines regarding such and recommended the Board review such.

Linda Murray, resident & Lake Wentworth property owner, stated she has supported the zoning changes since 2008; noting all changes promoted economic development in the Downtown core and most changes affected the Downtown core. She reviewed the two Economic Revitalization Zones designated in the Town and noted such supports a strong greater Downtown core. She expressed concern that as more business moves out of the core, such threatens the vitality of the Downtown. She stated she supports continued efforts to the Downtown core.

Carl Crosley, 5 North Kenney Shore, stated the proposal is a giant improvement in what is currently allowed in the C2 District however, feels the proposal is contradictory and not specific, with no vision. He stated several permitted uses contradict the objectives.

Felicity Freund, 11 Poplar Island, stated the lake has deteriorated in quality and expressed concern for traffic. She stated there is no need for any more uses that would deteriorate the water quality. She stated the noise from Route 28 on the lake is an issue and requested the Board consider such.

Judy Crosley, 5 North Kenney Shore, stated she agrees that zoning needs to change however, endorses Mr. Maase's comments. She stated the area is extremely close to the shore of the lake and expressed concern regarding the 50' buffer (such should be increased) and large buildings with large septic systems.

Member of the public, Crescent Lake, requested the Board increase the 50' setback from the trail. He expressed concern for a movie theatre as a permitted use and noted an increase in noise, traffic and lights is disruptive. He stated there is no rhyme or reason for how traffic is handled coming out of Town and there is no stipulation relative to noise and light to the trail.

Maggie Stier, 314 Center Street, questioned the Board's vision. She stated she feels the proposal will encourage sprawl and increase traffic. She asked how the Board envisions a pedestrian zone if there is high speed traffic.

Wally O'Brien, 1812 House, stated his property is located just outside the proposed zone. He stated he bought the property because he felt the inn had real potential and offered the ability to spend a night in Wolfeboro and be adjacent to the Town and the trail while maintaining the Wolfeboro feel. He stated the proposal is a contradiction in the zone by having vegetation in the front of the buildings. He expressed concern for light pollution and runoff from landscaping.

Cindy Patten stated the Board worked incredibly hard and applauds their efforts however, feels more work is necessary. She expressed concern regarding the number of vacant buildings of permitted size.

Kirk Kayser, 16 Allen Road, stated he moved to Wolfeboro because there was no change in the Town and questioned why the Board feels it is necessary to rezone the area. He expressed concern for the proposed zoning changes and how it would affect the Bittersweet property due to frontage on both Allen Road and Route 28. He recommended the same setback consideration be given to the property and discussed the development potential of the Bittersweet property. He requested clarification regarding individual and multiple businesses on a lot. He stated he does not feel the proposal is the right thing for Wolfeboro.

Roger Murray, representative for Lake Wentworth Foundation & Lake Wentworth Association, stated he owns two parcels included in the proposed zone. He stated he agrees the current C2 permitted uses are inappropriate for the area however, noted such could be changed without changing the rural residential area. He stated the biggest concerns are impact to the trail, Downtown merchants, Lake Wentworth and its abutters. He expressed concern for the development of large buildings, parking, sewage loading, lights and traffic. He stated zoning is based on the Master Plan and reviewed several Master Plan goals and objectives. He expressed concern for the following permitted uses; business services, restaurants, carry out restaurants, inns, educational institutions, daycare facilities, elderly housing and movie theatres; noting all have noise and lighting impact. He reviewed the Downtown vacancies and submitted a recommended list of permitted uses for the district. He reviewed lot coverage and stated such should be 20% and stated the Board should follow the recommendations of the Lake Wentworth Crescent Lake Watershed Management Plan which recommends 100' buffer. He requested clarification of tributary streams, expressed concern for encroachment and recommended that use of fertilizers in the buffer zone be banned.

Corky Messner, North Kenney Shore, asked if anyone is aware of future development.

Rob Houseman stated the proposal is not being driven by development.

Corky Messner asked why the Board is proposing a change. He encouraged the Board to walk the trail; noting a 50' setback is too little a setback and feels the proposed setback puts the trail at risk. He expressed concern for safety aspects of the road and light pollution and requested a requirement that lighting is minimized/diminished.

John Sweeney, 4 South Kenney Shore & Sewall Road, stated all the land is pure sand and acts as a virtual wick. He questioned why rezoning is being discussed and stated the development along the corridor is classic rural NH and feels the "hodge podge" of businesses is beautiful. He stated that if the zoning is changed, he questions who could afford to put in a commercial development given the change in infrastructure and requirements of

the Stormwater Management Regulations. He stated he wants the quality of Lake Wentworth to stay controllable; noting such has declined quite a bit over the past couple of years. He stated a change in zoning is an open invitation for development and asked why the Board is looking to invite such. He expressed concern for the loss of wildlife and requested the rationale behind the zoning change. He stated zoning overlooks issues; noting no consideration was given to litter storage or deliveries for the Wolfeboro Inn and runoff into Lake Winnepesaukee relative to the development at Goodhue & Hawkins Navy Yard. He stated water will run downhill regardless of engineering standards.

Spencer Jackson, 45 Heron Hollow, Crescent Lake, questioned whether lots could be developed along the corridor due to the amount of wetlands.

Rob Houseman reviewed the wetlands on the properties and noted the Town has overlay zoning ordinances such as dark sky, lighting and wetlands. He stated the proposal is not a stand-alone ordinance; noting overlay components exist. He reviewed the standards of the lighting and dark sky ordinances.

Sarah Silk, 272 College Road, stated there is room for improvement and it would be sad to see the section look like Route 16. She stated she can hear the trucks on Route 28 as they down shift by 7-11. She recommended the Board be cognizant of the dangerous intersection and safety issues with regard to such. She stated some of the existing businesses are quaint businesses and questioned the impact of the proposal to those businesses.

Vaune Dugan asked Ms. Silk to point out the quaint businesses so the Board could know what the vision is for the corridor.

Sarah Silk replied the farm stand.

Kirk Kayser asked what 6,000 SF is and questioned how such relates to the proposal. He recommended the Board make a site visit. He stated by pushing the buildings to the front of the lot allows for more structures on the lot. He recommended a square footage limit for an individual building and for aggregate buildings. He questioned whether Allen Road is considered frontage for the zoning district.

Roger Murray stated if there is a 20-40% setback no one will want to build a residence. He stated the Stormwater Management Regulations are a positive step forward to ensure operation and verified the regulations would apply to both Subdivision and Site Plan Review Regulations. He recommended the following; standards for phosphorus, ongoing inspection component, inspection after a major storm event to ensure maintenance, state the types of pavement allowed, storm water management for new development, standard of proof (no net export of phosphorus from site, erosion control measures and restriction of off-site BMP's and inspection be incorporated as a condition of approval to allow for enforcement by the Board.

Andrea Dudley, Moose Point Road, stated one person this evening was in favor of the proposal as presented. She requested assurance that the input is being heard; noting she is not convinced that such is the case.

Stacie Jo Pope requested the public to submit written comments including the resident's vision of the corridor to the Office of Planning and Development.

It was moved by Stacie Jo Pope and seconded by Chris Franson to adjourn the July 16, 2013 Wolfeboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 9:59 PM.

Respectfully Submitted,

Lee Ann Keathley

Lee Ann Keathley