

WOLFEBORO PLANNING BOARD

August 6, 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 7:00 PM at the Wolfeboro Public Library.

Consideration of Minutes

July 16, 2013

Corrections:

Page 5, 7th paragraph, 1st line; strike "he" & replace with "the Lake Wentworth Foundation"

It was moved by Vaune Dugan and seconded by Chris Franson to approve the July 16, 2013 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.

Information Items

Kathy Barnard reviewed such.

Public Comment

None.

Subcommittee Reports

TRC (Technical Review Committee): 6/12/13; no report

MPIC (Master Plan Implementation Committee): No report

CIPC (Capital Improvements Program Committee): first meeting scheduled for 8/8/13

Shoreland Protection Ordinance Committee: next meeting scheduled for 9/12/13

Pathways Committee Presentation

George Vanderheiden stated the Pathways Committee is proposing a project to improve pedestrian and bicycle travel in the Town; noting there is no safe travel to access recreational facilities, specifically through Downtown. He stated going through Downtown is an issue and is a chokepoint to access the recreational areas throughout the Town. He stated the Committee would like to explore more offsite parking and bike lanes. He stated the Committee has received endorsement by the BOS, Department of Public Works and the EDC is partnering with the Committee; noting the EDC stated the proposal would improve economic development. He stated the Committee is seeking endorsement of the Planning Board. He stated a Stakeholder meeting is scheduled for 9/10/13 at Carpenter School; noting a vision would be developed from the feedback at the meeting. He stated an additional Stakeholder meeting, location to be determined, has been scheduled for 11/30/13.

Chris Franson stated she would like to see an underpass to The Nick.

Paul O'Brien asked whether the Town has requested a reduction in the speed limit for the portion of Route 28 by The Nick.

Rob Houseman stated he believes a conversation regarding such has taken place.

Paul O'Brien requested Mr. Vanderheiden elaborate on the EDC's opinion that it would improve the Downtown.

George Vanderheiden stated the proposal would enhance the Town as a recreational and biking center and make the Town more attractive as a recreational area and premiere biking destination.

Chris Franson recommended promoting cross country ski opportunities.

Stacie Jo Pope stated she supports the project; noting such would provide additional activities and opportunities for residents and tourists.

Rob Houseman stated the Pathways Committee is seeking to reduce pedestrian and bicycle conflict, pedestrian and vehicular conflict and bicycle and vehicular conflict through short, medium and long range goals.

Vaune Dugan recommended inviting NHDOT to the Stakeholders meeting since signage and bike lanes are within their purview.

Rob Houseman stated a list of stakeholders, including NHDOT, is being compiled.

It was moved by Chris Franson and seconded by Stacie Jo Pope to support the Pathways Committee in the development of pedestrian and bicycle paths throughout the Town. All members voted in favor. The motion passed.

Work Session

➤ Center Street Rezoning

Chris Franson stated she was upset and felt insulted by some of the statements and tone at the public forum. She stated a comment was made that the Board didn't review other towns however, the Board did review several towns as they developed the proposal. She stated the Board takes the middle of the road course and objects to the misinformation put out by people. Referencing the 50' setback, she stated the Board reviewed a 100' setback for the properties in the zoning district however, such would have made some lots unusable. She stated she has seen a lot of stalling for the ideal ordinance and recommended the public think about the existing buildings, reuse of such buildings and eliminating existing permitted uses. She recommended the Board move forward with the proposed ordinance.

Vaune Dugan disagreed with the format of the public forum. She stated there was no ability for the Board to respond to the public; noting such becomes adversarial. She recommended a workshop or charrette where both parties can engage in conversation.

Kathy Barnard stated the Board held a charrette at the Wolfeboro Inn.

Paul O'Brien read a statement he prepared for the meeting, see attached.

John Thurston stated he understands politics however, was disappointed at the public's disrespect of the Chairman's requests. He recommended reviewing the maximum load of the district and feels all septic systems, residential and commercial, should be tested immediately around the lake. He stated he spoke to many individuals that wanted to object to the statements being made against the proposal however, were afraid to; noting such is not a way to come together. He stated he respects everyone's choices and opinions however, feels those who were opposed to the proposal and spoke at the meeting need to calm down.

Stacie Jo Pope agreed with Mr. Thurston and noted the people need to look at the end use of the properties as currently zoned and as proposed. She stated she feels the Board has a vision for the gateway and recommended reviewing the proposed uses to ensure compliance with the Master Plan. She stated she does not agree with leaving the corridor as it is currently zoned.

Brad Harriman stated he feels the Board has put a lot of thought into the proposal. He stated septic systems are the largest producers of phosphorus and such needs to be discussed. He stated he strongly believes that Stormwater Management Regulations, once adopted, will ensure less impact. He stated the corridor is not going to look like North or South Main Street due to the existing types of mixed use businesses that currently exist. He stated there was no discussion that connected the proposed rezoning and the Stormwater Management Regulations.

Chuck Storm stated there is no vision for the corridor and noted the Town is not in the business of taking land. He stated there needs to be a long term plan as to what the corridor will look like and recommended reviewing the permitted uses.

Kathy Barnard stated she felt it was important for people to speak however, if the Board wants more dialogue at a work session then such can be scheduled. She stated she feels the Board has a vision and recommended the Board review the Master Plan to ensure the Board is meeting its goals and objectives and the proposed permitted uses. She stated the proposal is a work in progress, expressed concern for the existing C2 uses and feels the Board needs to do something. She referenced the list of items brought up at the forum that needs further clarification and/or discussion by the Board, see attached.

Vaune Dugan questioned the selection of the C2 sites.

Rob Houseman reviewed the history of such and noted in the 1970's Wolfeboro's zoning was piecemealed. He reviewed his memo, dated 1/13, which outlines the approved uses, septic loading and number of parking spaces approved for the Kingswood Youth Center, All About Kitchens, former Bittersweet Restaurant, Wolfeboro Bible Fellowship and two residential lots (see attached).

Vaune Dugan confirmed that any of the residential lots could seek a variance for commercial use.

Rob Houseman noted the Trites building is 22,000 SF, Parsons Furniture is 16,000 SF, Your Extra Room is 45,000 SF and the church is 12,000 SF. He stated one of the vacant lots in the proposed district has been approved for an 8 bedroom duplex.

Brad Harriman questioned the right-of-way width of the rail trail.

Rob Houseman replied 66' total, 31' on either side from the edge of the trail.

Chris Franson recommended striking retail.

Vaune Dugan asked if the Board could separate the types of retail; noting the sale of appliances would not be suitable for Downtown but, would be suitable for the corridor.

Rob Houseman stated he would seek Town Counsel opinion regarding such and noted the definition may need to be redefined.

Kathy Barnard questioned the parking requirements for business services and personal services.

Rob Houseman stated both use the same multiplier.

Vaune Dugan stated that there would not be a large amount of parking if a 6,000 SF building is allowed.

Brad Harriman noted NHDES heavily regulates restaurants.

Rob Houseman read the definitions of restaurant and restaurant, carry out.

The Board reviewed the proposed permitted uses and recommended the following changes;

- Discuss reducing the speed limit along the Route 28 corridor
- Keep Business Services, except for photofinishing
- Keep the following permitted uses; banks, professional offices, personal services, restaurants, restaurants carryout, inns, bed & breakfast, museum, library, cultural arts facility, educational institutions and daycare
- Remove movie theatre as a permitted use, insert as a use by Special Exception
- Consider other access issues
- Remove retail
- Clarify number of structures and number of permitted uses on a lot
- Address 40% coverage

~~It was moved by Chuck Storm and seconded by Chris Franson to adjourn the August 6, 2013 Wolfeboro Planning Board meeting. All members voted in favor.~~

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

Respectfully Submitted,
Lee Ann Keathley
Lee Ann Keathley

To: Wolfeboro Planning Board members

We live in a great Town. We have great merchants, great public servants and most importantly, we have neighbors who really care about what we have and worry about how to protect it.

Many people visit us each year, mostly in the summer. People come to Wolfeboro to reconnect with their past and they come to witness the beauty of the Lake's Region. Fast food and discount retail don't seem to enter the equation.

Newcomers still come although the rate is less than in the past.

Property values are recovering, albeit at a slower rate than most other parts of the state.

Volunteer groups still flourish.

The Town of Wolfeboro is a very large, if not the largest economy in Carroll County.

And we all want to keep our Town clean, safe always mindful of the great history of the Lakes Region and New Hampshire.

The Planning Board's Public Forum session on July 16 was very well managed and was very respectful. Our neighbors came forward with clear and forceful arguments. They were well prepared and they gave this team, especially those who you have served for a long time, great credit for your work.

But our neighbors were also very clear that we have not completed our work. Nor have we done the type of analysis that would win their support on a warrant article vote.

1. Rezoning as a strategic initiative

We had an opportunity to provide a strategic context for the Route 28 corridor rezoning effort. A majority of our neighbors failed to see/hear any discussion on the overall vision for the Town and how this corridor fits into that vision. We offered no images, no views and no real reason what the corridor would look like in the future and how it would contribute to the overall goals of a safe, clean and vibrant community. This both frightened and angered people, especially those who reminded us that they provided input on this process in 2011.

Several citizens asked for a best practice review of towns with similar characteristics. Our neighbors heard that our competitive analog was Dover, which, in the minds of many in attendance, was not consistent with their vision of Wolfeboro.

Several citizens questioned, repeatedly, how this rezoning effort plays into an overall Town vision, along with traffic flows, highway speeds, and pollution impacts. We had an opportunity to have a body of data to share in all of these areas.

Several neighbors gave us episodic examples of road dangers, access challenges and other illustrations. If we were to have a full development scenario in the corridor wouldn't these issues be exacerbated?

The Town has traffic volume information readily at its disposal. We had an opportunity to provide clarity by modeling the bolus load on the corridor and the contributing stress that would occur.

Neighbors questioned if we really understood the water and sewer implications of a fully developed corridor and whether we could quantify the impact on the environment. We had an opportunity to address this.

2. Rezoning as an economic driver

We had an opportunity to show the community that we have a "whole view" of our Town's future, backed up by data.

While references to the 2007 Master Plan did permeate the discussion, there is a clear set of questions that the Planning Board should hear about before we move forward.

A.) What percent of our Village is zoned commercial and what is the business vacancy rate? And what's the business turnover rate?

B.) Let's understand whether there is economic development activity taking place in the Village and on the 109A industrial park? And let's understand what is being done to stimulate activity?

Until we understand the availability and uses of commercial property in the Village and whether the business vacancy rate is acceptable and whether the business turnover rate is acceptable, we should be extremely cautious about creating more commercial space. More commercial space could create a dilution of the Town and could actually invite development that could be viewed as counter strategic. On the other hand, a more desirable outcome might be, to understand how Village development is progressing and then create target zoning opportunities in the corridor that complements a vibrant Village.

We need to decide whether we want to make Wolfeboro competitive or distinctive. There is a big difference.

3. Regulations, setbacks and property uses

The presentation left some neighbors skeptical. The presentation attempted to position the new zoning, setback and drainage rules as "better than" the current rules. A few people developed an impression that the rules were incremental and really had no basis. The same applied for the property uses discussion.

The essential questions in this area are:

A.) Is the Town proposing regulations that will clearly ensure a safe lake environment in a fully developed corridor scenario?

B.) What will be the relevant metrics used to ensure compliance? Who will inspect for compliance?

We heard a few people question why we would build regulations that we can't inspect. We should always inspect what we expect otherwise we will be managing on an event basis, right after the worst case scenario occurs.

Going Forward

We have an opportunity to take a fresh look at this process, guided by the questions posed earlier as well as the questions that have been offered by those who spoke at the July 16th session. We clearly need to make decisions guided by facts and supporting a clearly defined and shared vision.

Wolfeboro is not only the Jewel of Lake Winnepesaukee. We should strive to make our Town the Jewel of all of the Lakes Region especially including Lake Wentworth, Rust pond, Mirror Lake and Crescent Lake. And we should embark on that journey by asking ourselves to come together on those initiatives that will attract Village investment, improve the Village appeal, and make all of Wolfeboro a town that protects its heritage and its natural resources.

The near term mission ahead is to keep Lake Wentworth, Crescent Lake and the gateway, beautiful, clean and inviting.

Planning and Development should advise the Planning Board, The EDC and the Selectmen on how to tighten up the whole view of the Town and define the time and budget required to complete this task.

We have unsettled neighbors and unsettled business. I ask that we focus the majority of our efforts solely on resolving this issue.

Submitted: Paul O'Brien
August 6, 2013

Planning Board
Public Forum
July 16, 2013

Following is a list of items brought up at the Planning Board's July 16th Public Forum that seem to need further clarification or further discussion by the Planning Board..

Rezone only the C2 zoned properties.

The proposal is contrary to the 2007 Master Plan that encourages retail uses and economic growth in the downtown area.

Reexamine all of the permitted uses. Especially those that would require a large parking lot (restaurant, movie theater) , large amount of water usage, traffic, noise and hours of operation.

Should uses such as inns and retail be limited to the greater downtown area.

Consider the list of permitted uses submitted by the Lake Wentworth Association.

Has intrusion in to residential neighborhoods been considered and is there adequate protection from noise, lights, traffic and run off?

Need to be concerned with uses that generate a lot of traffic.

Need to be certain coverage is calculated properly. How is disconnected coverage calculated.

Have we considered the Smart Growth principals. Does this rezoning support Smart Growth principals (see page 70 of the 2007 Master Plan) - especially walkable community.

High density uses should be avoided.

Lack of sewer in this area is a major problem for new uses.

What is the maximum size of buildings? Consider a square foot limit for all buildings - not just retail.

What does the limitation of 6,000 square feet of retail really mean - only one 6,000 square foot retail space on one property OR could there be 2 different retail uses, 6,000 square feet for each, on one property.

Clarify that there can only be one use per lot - no strip mall or building in the back.

Do not extend the rezoning into existing residential zones (higher coverage would then be



Planning and Development

Town of
Wolfboro

Memorandum

To: Planning Board

From: Robert T. Houseman, Director of Planning and Development

Date: August 1, 2013

Re: Center Street Information

Attached please find copies of all the comments received to date. In addition, attached please find an aerial map of the area that falls between the two existing commercial districts and were included for the proposed rezoning. Below please find current status of the lots that were considered for rezoning and a complete zoning comparison.

Tax Map 148 – 1	Abandoned U	To
Barn Door(Bitterswee Restaurant		
Parking		unknown number parking spaces, the a designated for park would hold over 35 c
Commercial Kitchen		
Septic System		3,350 g/c
Tax Map 148 – 14		To
Single Family Residenc		
Septic System		Unkno
Tax Map 148 - 15	Special Except	To
Wolfeboro Bible Fellowship		
Building	Phase 1, 5,000	
	Phase 2, 7,200	12,200
Occupancy	400 (in church seat on	
Parking	Phase 1 - 88 park spa	
	Phase 2 - 12 park spa	100 parking spa
Commercial Kitchen		
Septic System		1,220 g/c
Tax Map 148 - 16	Varian	To
Kingswood Youth Cent		
Building -Youth Center		
3 Bedroom Residence		2,944
Parking		parking spa
Commercial Kitchen		
Septic System (y cente only)		900 g/c
Dwelling unknown		unkno
Tax Map 148 – 16-1		To
Vacant lot		
Septic System (duplex approval -8 bedrooms)		900 g/c

	prohibited.	prohibited.		
Banks	Home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).	Home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).		Banks. ^{1,2}
Indoor theater	The keeping of all livestock	F. The keeping of all livestock		Business services. ^{1,2}
Printing plant				Professional offices. ^{1,2}
Public recreation use				Personal services. ^{1,2}
Multifamily				Restaurants. ^{1,2}
Nursing Homes				Restaurants, carryout
Assembly operation				Inns. ^{1,2}
Bed and Breakfast				Bed and Breakfast
Fuel Storage				Museum. ^{1,2}
Garages, filling/service station				Library. ^{1,2}
Car Dealer				Cultural arts facility. ^{1,2}
Auto repair				Educational institutions. ^{1,2}
Heavy industrial Eq.				Day care, any number people. ^{1,2}
Lumber Yards				Movie Theatres
Laundries and Clean				
Storage facilities				
Warehouse				
Special Exceptions	Special Exceptions	Special Exceptions	Special Exceptions	Special Exceptions
Industry	Farming	Farming	Home Occupation	Retail, up to 6,000 sq feet. ^{1,2}
Boatyards	Veterinarian	Veterinarian		Elderly housing. ^{1,2}
Hospitals	Bed and Breakfast	Bed and Breakfast		Recreational Use
Elderly Housing	Horticultural Est.	Horticultural Est.		Horticultural Establishments
Libraries, Museums	Churches	Churches		
	Museums	Museums		

Tax Map 148 - 17	Varian	To
All About Kitchens		3,540
Parking		16 spaces and unloading area
Septic System		531 g/c

Land Uses

Current Zoning

C2	Gen. Residential	Rural Residential	Shorefront Res	Proposed Zoning
Permitted Uses	Permitted Uses	Permitted Uses	Permitted Uses	Permitted Uses
1 Dwelling Unit Duplex Accessory Apt	One single detached dwelling per lot.	One single detached dwelling per lot.	1 Dwelling Unit	Single detached dwelling
Home Occupation	One single detached dwelling per lot with one accessory apartment.	One single detached dwelling per lot with one accessory apartment.	Boathouse	Duplex dwelling
Retail	One duplex dwelling per lot.	One duplex dwelling per lot.		Accessory occupations. ho
Personal Service	Accessory structures.	Accessory structures.		Accessory structures
Office	Accessory uses.	Accessory uses.		Conversion of permitted use to another permitted use and changes to the exterior of the building or parking area is required.
Restaurant	The seasonal, outside storage of items of personal property on residential lots, provided that such items must be placed on the lot to the side or rear of the dwelling, but their use for living and/or business while so stored is	The seasonal, outside storage of items of personal property on residential lots, provided that such items must be placed on the lot to the side or rear of the dwelling, but their use for living and/or business while so stored is		Accessory uses.