

## **WOLFEBORO PLANNING BOARD**

**October 7, 2014**

### **MINUTES**

**Members Present:** Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Brad Harriman, Selectmen's Representative, Mike Hodder, John Thurston, Paul O'Brien, Vaune Dugan, 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.*

#### **Scheduled Appointments**

##### **Wolfeboro Common II Unit Owners Association**

##### **Special Use Permit**

**Agent: Jim Rines, White Mountain Survey and Engineering, Inc.**

**Tax Map #201-34**

**Case #201415**

Rob Houseman reviewed the Planner Review for October 7, 2014 stated the applicant proposes to construct a drainage swale and interceptor drain behind two of the buildings on Laurel Drive with a total impact of 1720 SF to the wetland buffer. He stated the improvement is part of a larger upgrade to the property and will include the relocation of the underground electric and eliminate the direct bury electrical supply. He stated the Health Inspector and Code Enforcement Officer have no objection to the proposed application provided that no construction equipment shall traverse the wetlands nor will any materials be placed in the wetland area. He stated application does not include the dredge or fill of wetlands and typically, this hearing would occur before the TRC however, due to an error in the public notice, the application is being heard by the Planning Board. He stated a new notice would have cost the applicant an additional thirty day delay and Staff gave the applicant the option to proceed with the hearing before the Board.

Jim Rines, White Mountain Survey and Engineering, Inc., stated the proposal allows for the construction of a drainage swale and interceptor drain along the rear of two buildings on Laurel Drive to improve drainage and to prevent unit damage as part of a comprehensive change in the electrical service that services the two buildings. He stated the electrical service is currently direct buried in the ground (no conduit and transformer is located in the woods which is difficult to access). He stated that with the increased storm intensities, the units have experienced some water damage therefore, improving the drainage situation would improve such. He stated there is no wetland impact and no alternative location because there is not 30' between the wetlands and the structures needing the improvement. He stated the proposed location completely avoids impacts to the jurisdictional wetlands and preserves the existing vegetation.

Kathy Barnard stated the Conservation Commission reviewed the proposal and has no objection to such.

Vaune Dugan stated it appears that the wetland is manmade however, now the water will dump into the wetland either behind or in front of other structures.

Jim Rines stated there are no drains being eliminated and reviewed the existing contours. He stated the runoff will not reach the units.

Vaune Dugan questioned whether the wetland will increase in size.

Jim Rines replied no and reviewed the surface topography. He stated the drainage pattern is not being changed.

Mike Hodder asked if the drainage velocity will change.

Jim Rines stated he doesn't believe so because the drainage will go into the swale. He stated the slope of the land is not being changed therefore, the velocity shouldn't change.

John Thurston asked if the wetland area will grow in size.

Jim Rines replied no, because no water is being added to it.

**It was moved by Vaune Dugan and seconded by John Thurston to accept the application as complete. All members voted in favor. The motion passed.**

Chairman Barnard opened the public hearing.

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

Kathy Barnard stated the proposal is addressing an issue that will protect the units.

Rob Houseman reviewed the following recommended conditions of approval;

1. The following plan, as amended by the Planning Board approval, is incorporated into the approval;  
**Plan 1:** Special Use Permit Application Plan prepared for Wolfeboro Commons II Unit Owners Association, 5 Laurel Circle, Wolfeboro, New Hampshire, Tax Map 201, Lot 34, Prepared by James Rines, PE, White Mountain Survey and Engineering Co., PO Box 440, Ossipee, NH 03864, Dated September 8, 2014.
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 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 closet 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.
6. The applicant shall submit a Certificate of Monumentation certifying the Wetlands Boundary Monumentation has been set.
7. The applicant shall be responsible for all recording fees.

**It was moved by Vaune Dugan and seconded by Paul O'Brien to approve the Wolfeboro Common II Unit Owners Association Special Use Permit application, Case #201415, subject to the recommended conditions of approval. All members voted in favor. The motion passed.**

Ann Romney  
Boundary Line Adjustment  
Agent: Jim Rines, White Mountain Survey and Engineering, Inc.  
Tax Map #243-21 & 22  
Case #201416

Rob Houseman reviewed the Planner Review for October 7, 2014 stating the applicant proposes a boundary line adjustment for Tax Maps 243-21 and 243-22. He stated Lot 1 is an existing 1.21 vacant lot and the proposal includes increasing the acreage to 1.24 acres. He stated Lot 2 contains an existing dwelling on 2.22 acres and the proposal includes decreasing the acreage to 2.19 acres. He stated the applicant has requested the following waivers; Section 174-7 D(4) and Section 174-9 B.(1)(a)(b).

Jim Rines stated both lots are deficient with regard to minimum road frontage for both the Shore Front Residential District and the Village Residential District. He stated the lots were created in 1986 under the open space preservation option therefore the lots were then, and now, are exempt from the minimum road frontage requirement. He noted the proposal will not change the road frontage for either lot. He stated the two lots are serviced by Town water and Town sewer. He stated the wetlands have been delineated on the parcels and shown on the plan and due to the minor boundary line adjustment, the applicant requests a waiver for topography and HISS mapping. He stated the lots in its present condition doesn't conform with the form factor however, the new lot will conform.

Vaune Dugan stated 3 properties are accessed by one drive and asked if a right-of-way or easement exists in case of the future sale of the properties.

Jim Rines stated one of the lots is accessed via Claflin Lane.

Vaune Dugan questioned access to the middle lot.

Jim Rines stated that a person cannot grant an easement to themselves. He stated an easement does not currently exist.

Vaune Dugan asked if an easement is proposed for parking.

Jim Rines replied no and the details relating to such would be addressed at the time of transfer of the properties.

**It was moved by Stacie Jo Pope and seconded by Mike Hodder to grant the following waivers; Section 174-7 D(4) and Section 174-9 B.(1)(a)(b). All members voted in favor. The motion passed.**

**It was moved by Stacie Jo Pope and seconded by Mike Hodder to accept the application as complete. All members 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 recommended conditions of approval;

1. The following plan, as amended by the Planning Board approval, is incorporated into the approval;  
**Plan 1:** Plan of Boundary Line Adjustment involving Lands of Ann D. Romney, Greenleaf Drive, Wolfeboro, New Hampshire, Prepared by Kevin M. Ashe, LLS, White Mountain Survey and Engineering Co., Inc., PO Box 440, Ossipee, New Hampshire 03864, Dated September 17, 2014.
2. The applicant shall submit the Mylar plan for recording at the Carroll County Registry of Deeds.
3. The applicant shall be responsible for the payment of all recording fees.
4. The applicant shall be responsible for Monumentation and the submittal of the Certificate of Monumentation and updated plans.

**It was moved by Vaune Dugan and seconded by Mike Hodder to approve the Ann Romney Boundary Line Adjustment application, Case #201416, subject to the recommended conditions of approval. All members voted in favor. The motion passed.**

## **Action Item**

### **Town of Wolfeboro**

#### **Disposition of Town Land Pursuant to Boundary Line Adjustment**

##### **Lehner Street**

Rob Houseman reviewed the Town Manager's memo, dated 9/22/14, regarding the Disposition of Town owned property pursuant to a proposed Boundary Line Adjustment. He stated the action will resolve two encroachment issues. He stated Green Mountain Realty Corp. is proposing a boundary line adjustment between the Bell building and the Town's Electric Generation building parcel; noting the Town allowed the construction of the Bell building of a portion of the stair/elevator tower on its land. He stated Green Mountain Realty Corp. seeks to acquire approximately 1,000 SF of Town owned property from the Electric Generation building parcel. In addition, he stated the second area of encroachment includes the rear of the Bell building where the fence around the Electric Department's substation encroaches onto Green Mountain Realty Corp.'s property.

Kathy Barnard asked if the lot line will interfere with parking.

Rob Houseman replied no, the common easement will be retained.

Kathy Barnard asked if Barry Muccio commented on the proposal.

Rob Houseman stated Mr. Muccio is of the opinion that the proposal will not adversely impact his operation.

It was the consensus of the Planning Board to support action by the BOS to resolve the issue of two existing encroachments.

## **Informational Items**

Rob Houseman reviewed the following informational items; Staff's letter to First Congregational Church regarding their request for release of financial security, LRPC Annual Report and NHPA Legislative Action Alert regarding HB 1210.

## **Public Comment**

None.

## **Subcommittee Reports**

**TRC**     9/10/14   Reviewed a Boundary Line Adjustment proposal , Special Use Permit application for Wolfeboro Common II Unit Owners Association and Site Plan Review for a new business (retail and detail center) at 7 Pine Street.  
             10/1/14   Reviewed a Site Plan Review proposal at 76 North Main Street (raze building, art studio gallery & apartment)

**CIP**     Continuing review of department submittals. Presentation to Planning Board in November.

## **Work Session**

### **➤ Central Business District**

**It was moved by Vaune Dugan and seconded by Paul O'Brien to move the changes to the Central Business District to public hearing. All members voted in favor. The motion passed.**

### **➤ Historic Preservation**

Paul O'Brien stated the first step of the process is to consider an inventory process and questioned a fee associated with such.

Rob Houseman stated Maggie Stier did not recommend using volunteers for such therefore, a fee would be associated with the inventory process.

Chuck Storm stated an inventory should be done first and any other action would be premature.

Vaune Dugan stated Downtown should be considered a Historic District.

Rob Houseman stated the existing ordinance could be used to frame a district and noted there was discussion during the 1980 Master Plan regarding designating Downtown as a Historic District.

The Board discussed the creation of a Heritage Bureau and/or Town wide Heritage Commission and requested staff to provide the following information:

- guidelines for such
- cost estimate for inventory process

➤ **Sign Ordinance**

Brad Harriman recused himself.

Rob Houseman stated Hank Why requested the Board consider changing the size of permitted signs along the Route 28 corridor. He stated the ordinance currently allows for a 6 square foot sign. He recommended looking at the uses rather than the zones and will provide information to the Board for their review. He stated he would also determine whether the NH Boat Museum could apply for a Variance and would contact them regarding such.

Referencing the Sign Ordinance, Rob Houseman questioned whether the Board is advocating the elimination of the wayfinding signs or removing unpermitted signs and placing the posts on Town owned property.

Vaune Dugan questioned the number of signs that Dave Ford has not permitted.

Kathy Barnard stated Dave Ford has not approved the sign requests and questioned the direction of the Board.

Vaune Dugan verified that an alternative is a kiosk system.

Stacie Jo Pope stated the Board has only heard from one person from the Chamber of Commerce who represents only members of the Chamber of Commerce; noting that person doesn't represent all the merchants in the Town.

Paul O'Brien stated that whatever direction the Board takes that the action should be consistent throughout the Town.

Vaune Dugan whether it is an issue for the Board or the BOS.

Rob Houseman stated the Planning Board develops the regulation at the request of the merchants which falls to the governing body (BOS).

John Thurston stated a merchant shouldn't be afraid to participate if they do not pay into an organization such as the Chamber of Commerce.

Paul O'Brien asked why the unpermitted signs are not being enforced.

Rob Houseman stated the BOS is the body ultimately responsible for enforcement; noting the BOS has a policy regarding such.

The Board agreed that the issue may not be resolved for Town Meeting; noting issues to address include regulation and enforcement of the ordinance. The Board agreed to draft a survey, via Survey Monkey, following the joint work session. The Board also agreed to the following format of the joint meeting;

- Outline/define problem
- Review existing ordinance
- Review solutions; including pros & cons to each solution and potential locations of additional kiosks
- Feedback

#### **Consideration of Minutes**

**September 16, 2014**

**It was moved by Paul O'Brien and seconded by Vaune Dugan to approve the Wolfeboro Planning Board September 16, 2014 minutes as submitted. All members voted in favor. The motion passed.**

#### **Other Business**

- **Reschedule Planning Board Meeting**

The Board rescheduled its 10/21/14 meeting to 10/28/14; joint meeting with the Economic Development Committee, Chamber of Commerce, BOS and Dave Ford.

**It was moved by Paul O'Brien and seconded by Vaune Dugan to adjourn the October 7, 2014 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.**

*There being no further business, the meeting adjourned at 9:00 PM.*

Respectfully Submitted,

*Lee Ann Keathley*

Lee Ann Keathley

***\*\*Please note these minutes are subject to amendments and approval at a later date.\*\****