

WOLFEBORO PLANNING BOARD

November 4, 2014

MINUTES

Members Present: Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Mike Hodder, John Thurston, Paul O'Brien, Vaune Dugan, Members, Chuck Storm, Alternate.

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 7:00 PM at the Wolfeboro Public Library.

Scheduled Appointments

Gregory & Alice Sabol

Site Plan Review

Agent: Eric Buck, Terrain Planning and Design, LLC

Tax Map #217-123

Case #201417

Rob Houseman reviewed the Planner Review for November 4, 2014 stated the applicant proposes to raze the existing dwelling (complete) and construct a 41 ft. x 48 ft. New England Colonial to contain an art gallery (first floor) and an apartment (second floor). He stated the applicant proposes to provide ADA compliant access to the building, add trees and landscaping, install bio-retention storm water management solutions and install new lighting. Referencing access, he stated there is no proposed change in configuration and the proposed plan will maintain the entrances to the property. However, he stated the plans reflect a directional preference which may be inconsistent with the deeded access to the Corinthian Yacht Club and a private residence. He stated one of the bio-retention basins encroaches into the easement area; noting the applicant should provide clarification as to whether the easement permits this type of improvement. He stated four parking spaces are proposed including one ADA compliant parking space; noting the applicant will be submitting a revision to the plan that converts the proposed turn around to a designated space. He stated the applicant's engineer has performed the necessary drainage calculations using HydroCAD and NRCS TR-20 method however, it is unclear if a test pit was completed to determine if the bio retention basin would function as designed since the bottom of the basins are proposed to be 3 feet below existing grade and an additional 3.5 feet of material must be installed below the bottom of the basin to ensure that it will work. He stated the applicant has not submitted information regarding lighting, litter storage, signage and cost estimate for site improvements.

Eric Buck, Terrain Planning and Design, stated lights are proposed along the ADA accessible ramp and a sign is proposed to be located on the front porch (lighted from above). He stated there would be trash barrels for the apartment and taken to the dump; noting there would not be a dumpster. He stated the building is proposed to be closer to the road to be consistent with the existing Main Street design. He stated the easement encroachment is located to the rear of the building; noting the applicant proposes a shift of the right-of-way line from 50' to 40' to eliminate the encroachment. He stated due to the additional impervious surface being created by the parking spaces, on site drainage will require improvements; noting such would include regarding of the terrain, stone spillway and bio-retention areas that will collect, treat and dispose of the water runoff gathered from the impervious areas. He reviewed the bio-retention areas and landscaping and noted the concrete pavers are consistent with the colonial design. He stated the foundation will be utilized for a retaining wall; noting the retaining wall will be located along the northwest edge of the property. He stated the test pit data would be submitted once completed.

Gregory Sabol located the 50' right-of-way and 50' parking easement.

Vaune Dugan asked who owns the easement and property to the rear.

Eric Buck replied the Wolfeboro Corinthian Yacht Club.

John Thurston questioned the existing tree on the property.

Eric Buck stated the Ash tree has to be removed; noting the branches are too close to the structure and the tree is in poor shape. He stated the tree would be replaced with an ornamental spring flowering tree; noting the Public Works Department recommended minimal impact to the sidewalk area.

It was moved by John Thurston and seconded by Stacie Jo Pope to accept the application as complete. All members voted in favor. The motion passed.

Chairman Barnard opened the public hearing.

Nicole Csiszer, Walker & Varney P.C., stated she represents the Wolfeboro Corinthian Yacht Club and applauded Gregory and Alice Sabol for their intentions and use of the property. She stated there is a 15' ROW for the Greer residence and a 50' ROW he stated the proposed curbing and landscaping encroaches into the right-of-way; noting the ROW is broad in terms of real limitations. She stated it is the opinion of the law firm that the easement may not exist through a Doctrine of Merger however, regardless of such, her client requests that the landscaping and curbing not be placed in the ROW. She stated her client supports the use and revised plans subject to the condition of the resolution of the issues and execution of a proposed agreement between the parties.

Stacie Jo Pope asked if both parties are allowed to use Nancy's Way.

Nicole Csiszer replied yes and stated that both parties are also allowed to use the driveway.

Vaune Dugan asked if the ' ROW has metes and bounds.

Nicole Csiszer replied yes. She stated in 2007 the Superior Court determined the location of the ROW and included the driveway in that ROW. She stated the Wolfeboro Corinthian Yacht Club filed a plan in 2013.

Paul O'Brien asked if the test pit data should be done prior to the resolution of the issues.

Rob Houseman stated if there is no resolution of the easement issue then the plan will have to be redesigned.

Gregory Sabol stated he believes the issues will be resolved shortly and stated he is anxious to move forward.

The Board discussed continuing the application and public hearing and requested the applicant submit the following information; sign information, lighting catalog cut sheet, test pit data, resolution of easement encroachment and cost estimate for site improvements.

It was moved by Stacie Jo Pope and seconded by Mike Hodder to continue the Gregory and Alice Sabol application and public hearing, Case #201417, to November 18, 2014. All members voted in favor. The motion passed.

Vaune Dugan stated she is in favor of New England type street trees and recommended encouraging the planting of such. She recommended a requirement of such be incorporated in the landscaping ordinance.

Action Item

**Bartlett Tree Experts
Release of Financial Security
Case #201403
TM #132-11-2**

Rob Houseman stated Greg Halsey, Tighe and Bond, has recommended approval of the final bond reduction based on his inspection, letter of recommendation and inspection report.

It was moved by Mike Hodder and seconded by Paul O'Brien to approve the release of financial security in the amount of \$120,565.00 to Bartlett Tree Experts, Case #201403, based on the recommendation of the Town's consulting engineer. All members voted in favor. The motion passed.

John Thurston stated the project should be praised and viewed as a good example to follow.

Informational Items

Rob Houseman reviewed the following informational items; TRC 10/8/14 minutes and Erosion Control and Sitework Observations by Tighe and Bond for Goodhue Hawkins Navy Yard, LLC.

Public Comment

None.

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 (include Inns as a permitted use) to public hearing. All members voted in favor. The motion passed.

➤ **Sign Ordinance**

Kathy Barnard stated Cindy and Chris Patten submitted Ottawa, Canada's sign ordinance.

Chris Patten stated the ordinance has a section on blade signs which are similar to the Town's directional signs and has dealt with some of the issues as Wolfeboro.

Cindy Patten stated the ordinance includes illustrated examples of the things they did and includes an implementation program. She recommended uniform signage for Town buildings; noting the lettering on the Library sign is easier to read than the Public Safety Building sign.

Rob Houseman reviewed pictures of signs from Saratoga, NY.

Vaune Dugan stated the Board needs to address the past issues and promote the future through a more effective ordinance.

Paul O'Brien verified that until the ordinance is changed the existing ordinance remains in effect. He asked what is going to be done about existing nonconforming signs.

Mike Hodder stated the existing ordinance should be enforced and any sign in violation needs to be removed.

Rob Houseman stated he would update the photo inventory; noting an inventory was done in July 2014.

Vaune Dugan asked if there is a policy regarding signage of businesses that close.

Rob Houseman replied no.

Cindy Patten stated the EDC is going to conduct a business to business survey including not for profit organizations.

Rob Houseman stated the survey is related to a business visitation retention program.

Paul O'Brien questioned the vacancy rate.

Cindy Patten stated there is currently full occupancy in the Central Business District.

➤ **Nonconforming Uses**

Kathy Barnard stated the Board previously agreed to reach out to the EDC and Chamber of Commerce regarding the proposal. She stated Mr. Houseman will be presenting the proposal to the EDC on 11/18/14 and to the Chamber of Commerce.

➤ **Landscaping Ordinance**

Kathy Barnard requested such be placed on the 11/18/14 agenda.

Vaune Dugan recommended a list of trees be included in the ordinance.

The Board requested the following information;

- Existing ordinance
- Concord, NH ordinance

Other Business

• **NH Boat Museum**

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.

The Board agreed to advise Mr. Why and the NH Boat Museum to seek a variance from the ZBA.

It was moved by Paul O'Brien and seconded by Vaune Dugan to adjourn the November 4, 2014 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 8:55 PM.

Respectfully Submitted,

Lee Ann Keathley

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