

WOLFEBORO PLANNING BOARD

December 2, 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.

Members Absent: Dave Alessandroni, Chuck Storm, Alternates.

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 Appointment

87 Rocky Shore Road Revocable Trust

Special Use Permit

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

Tax Map #227-21

Case #201418

Rob Houseman reviewed the Planner Review for December 2, 2014 stated the applicant proposes to construct a 900 SF boathouse and excavate 22 cubic yards from 333 SF of the lakebed; noting the Health Officer and Code Enforcement Officer has no objection to the proposal. He stated the Conservation Commission does not recommend approval and noted the following; *"The Wolfeboro Conservation Commission does not feel that boathouses are the least impacting form of boat storage and feels that "blasting" the ledge at the shoreline to construct the boathouse is possibly a greater impact to the lake water. The Commission finds it ironic that the applicant has proposed that this is the only possible location because they have already started construction of the house, and that as a result, there is no other possible place to put the boathouse. The option remains not to construct the boathouse. The Commission noted that no bathymetric readings of the entire shorefront have been submitted therefore, it is impossible to judge whether, for dredging purposes, there may be a better location on site, if construction is warranted."*

Jim Rines stated part of an existing nonconforming dock and breakwater will be removed and a conforming breakwater will be installed. He stated the Conservation Commission raised a concern with regard to the location of the boathouse and suggested such could be moved south or in another direction. He stated the location of the boathouse was selected because it was the site of an existing cottage and the area had already been disturbed; noting the cottage has been razed. He stated that per the NHDES Request For More Information, the disturbed area had to be depicted; noting the impact is below what is permitted. He stated the State approved an amended Shoreland Permit and received a verbal approval on the Dredge & Fill permit today from Dale Kierstead, NHDES; noting the application is awaiting Executive Governor's Council approval. Referencing the Special Use Permit criteria, he stated the construction of the boathouse as designed will prevent the destruction of or significant changes to wetland areas, related water bodies and adjoining land which provide flood protection because the project will not have any impact to the wetlands or lands used for flood storage. He stated Best Management Practices have been employed and noted there will be no impact to the natural flow patterns of streams or other watercourses as a result of the construction. With regard to flood storage, he stated there will be a minute increase in flood storage as the result of the construction of the boathouse. He stated that since the project does not impact any wetlands, nutrient attenuation and augmentation of any stream flows has not been altered. He stated the wetlands, watercourses, surface and groundwater supplies, water bodies, wildlife habitat and ecological balance have been preserved through the use of Best Management Practices. He noted the construction of the boathouse will have no impact on the expenditure of municipal funds for maintaining essential services and utilities. He stated by avoiding the wetlands completely the aesthetic values of the Wetlands Conservation Overlay District have been preserved or maintained.

Mike Hodder asked how much blasting is expected.

Jim Rines replied as little as possible; noting approximately 1100 SF would be excavated for the boathouse. He stated a significant amount of blasting has already been done for the foundation of the house.

Mike Hodder asked if the Conservation Commission's comments affected the NHDES approval.

Jim Rines replied yes, however the area was surveyed to address the Commission's concerns.

Mike Hodder requested clarification regarding a cantilevered dock as an alternative to the boathouse.

Jim Rines stated the Conservation Commission does not feel that boathouses are the least impacting alternative to boat storage however, given the location of the property a boathouse would provide better protection of the boats. He stated the constructing the boathouse is a matter of desire and safety; noting the area is subject to high winds and a hinged dock is not an option.

Vaune Dugan stated the property is located on one of the roughest parts of the lake; noting such is the worst location for a removable dock.

Jim Rines stated that if a cantilevered dock was located off the breakwater it would only allow for one boat slip.

Kathy Barnard asked if the application is complete.

Rob Houseman replied yes.

It was moved by Mike Hodder 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.

Kathy Barnard stated she was concerned about the Conservation Commission's comments however; the applicant has considered and addressed all the issues. She stated the ordinance states the Board has to consider the recommendation of the Commission.

Mike Hodder stated the Conservation Commission is an advisory committee and noted the applicant addressed the issues with the State that were noted by the Commission.

Rob Houseman reviewed the following recommended conditions of approval;

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval;
Plan 1: Proposed Waterfront Structures Plan and Sections for 87 Rocky Shore Road Revocable Trust, 87 Rocky Shore Road, Wolfeboro, New Hampshire, Tax Map 227, Lot 21, Prepared by Mark Lucy, PE, White Mountain Survey and Engineering Co., Inc., PO Box 440, Ossipee, New Hampshire 03864, Dated July 23, 2014.
Plan 2: Proposed Waterfront Structures Notes and Detail for 87 Rocky Shore Road Revocable Trust, 87 Rocky Shore Road, Wolfeboro, New Hampshire, Tax Map 227, Lot 21, Prepared by Mark Lucy, PE, White Mountain Survey and Engineering Co., Inc., PO Box 440, Ossipee, New Hampshire 03864, Dated July 23, 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 receipt of the following State permits and any conditions attached thereto:
 - a) NHDES Shoreland Permit

- b) NHDES Standard Dredge & Fill Permit
5. The applicant shall be responsible for the payment of all recording fees.

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

It was moved by Vaune Dugan and seconded by Mike Hodder to approve the 87 Rocky Shore Road Special Use Permit application, Case #201418, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

Work Session

➤ Sign Ordinance

Rob Houseman reviewed the existing and proposed locations of kiosks and blade signs and existing business directional signs. He stated the two additional proposed locations for the kiosks are at the crossing of Route 109 and the Bridge Falls Path and the Sue Glenn Playground (behind Harvest Market). He stated an inventory needs to be created and recommended the kiosks be weather tight.

Paul O'Brien recommended a kiosk be located at the trailhead at Abenaki.

Kathy Barnard recommended upgrading the existing kiosks and locating a kiosk at Albee Beach.

Rob Houseman reviewed types of business directional signs and incorporating a Sunset Provision that addresses the phasing out of the existing sign program.

Paul O'Brien asked if the Town would be replanting the sign posts.

Rob Houseman replied yes.

The Board requested and agreed to the following;

- Sign Ordinance Public Forum scheduled for 1/20/15
- Presentation of conceptual ideas
- Show existing and proposed model

➤ Lighting Ordinance

Rob Houseman questioned whether the Board should consider mandating down directed lighting for signs; noting such has been an issue in recent applications. He stated existing signs would not be in violation.

Vaune Dugan verified the ordinance would apply to all signs (free standing, projecting, etc.).

Kathy Barnard recommended inserting the language "down directed".

➤ Landscaping Ordinance

Vaune Dugan stated the Town once had a habitual placement of street trees along the Downtown roads and either through disease or development; some of those trees are gone. She stated she would like the Town's ordinance to specify a historical NH street tree and asked Kirk Titus what he would recommend for such. She stated she assumes the Town may have had a tree program.

Kirk Titus, Town's Tree Warden, stated Bill Swaffield, former Tree Warden, planted 20-25 trees annually in various locations. He stated Mr. Swaffield would contact property owners and ask if the Town could plant trees on their property. He stated he'd recommend any of the trees listed in the City of Albany tree list.

John Thurston verified that a possible location for tree planting could be at the former Barn Door Restaurant property.

Kirk Titus stated there was a tree program in the 1960's and a lot of maples were planted. He stated Honey Locus and Marshall Ash were planted in the 1970's; noting many have experienced problems.

John Thurston questioned the size ratio to success.

Kirk Titus stated a smaller tree is more likely to survive than a larger tree because it requires less care; noting if the tree dies it would be easier and less costly to replace. He stated large trees shouldn't be located near power lines or within limited sidewalk space. He noted the City of Albany shares in the cost of the tree.

Mike Hodder questioned whether property owners should be approached rather than revising the ordinance.

Kathy Barnard asked if the Tree Warden has a budget and recommended surveying the locations that need trees. She questioned whether a small budget could be created for tree planting.

Kirk Titus replied no. He stated the role of the Tree Warden has been limited. He stated he has spoken to Ethan Hipple regarding creating an arboretum at Cate Park.

Mike Hodder stated the high school students, through the Agriculture program, proposed such at the Towns Garden and Clark House.

Vaune Dugan stated she would like to see a street tree program instituted, specifically in the Downtown area.

Rob Houseman questioned a mechanism to recreate canopy covered trees along the street. He stated the budget and stipend for the Tree Warden is under the Parks and Recreation budget. He stated there are 49 street trees on Pleasant Street that were planted in uniformity and size on private property.

Brad Harriman noted a safety issue associated with the planting of such trees such as ice, snow, etc.

The Board discussed scenic roads.

John Thurston stated the Town should designate/locate areas and incorporate a five-year plan for tree planting.

Referencing the reconstruction of Pickering Corner and Center Street, Vaune Dugan stated the State was amenable to street tree planting in the right-of-way. She requested the Board review the plans for the Center Street reconstruction project and the Downtown area to determine if there are locations for the trees. She questioned the date of Arbor Day.

Kathy Barnard stated Arbor Day is in May.

John Thurston stated the Ohio program recommended tree planting in the fall.

Kirk Titus stated such depends on the species.

Paul O'Brien asked how a program would be implemented.

Kirk Titus stated standards would have to be created as to the location of tree planting. He recommended advertising the Town's contribution towards the planting. He recommended the Town assist with planting rather than having random tree placement and recommended getting Ethan Hipple and Dave Ford involved in the program.

The Board agreed to the following;

- Establish a subcommittee (Vaune Dugan, Paul O'Brien, John Thurston, Kirk Titus) to develop a street tree program
- Review plans for the Center Street / Downtown Streets construction project

Public Comment

None.

Informational Items

None.

Subcommittee Reports

TRC: 11/5/14 Reviewed a Special Use Permit for construction of a boathouse (87 Rocky Shore Road Revocable Trust).

New/Other Business

- **Petition Warrant Article; “Are you in favor of amending the “Rural Residential District” and “Residential/Agricultural District” zone(s) to further protect the aquifer, water table, lakes, and character/integrity of the Neighborhood/District by prohibiting commercial for profit and light manufacturing uses within said zone(s) excepting those uses that are currently legally grandfathered and currently listed by special exception.”**

Rob Houseman stated he is awaiting a response from Town Counsel with regard to what language would have to be redacted if the petition warrant article passes.

- **Pickering Corner Crosswalk**

John Thurston expressed concern regarding the crosswalk at Pickering Corner; noting the area is poorly lit and is a safety hazard.

Rob Houseman stated the Town is looking at all crosswalks and various lighting options for such; noting there is a desire to address the issue. He stated NHDOT governs the design of the lights.

Vaune Dugan recommended the Board take a position to improve safety and send a letter to the BOS and Electric Department.

It was moved by Vaune Dugan and seconded by John Thurston to forward a letter to the Board of Selectmen recommending lighting improvements at Town crosswalks.

Discussion of the motion:

Mike Hodder asked whether the issue and concerns should be addressed to Barry Muccio first, prior to the Town Manager and BOS.

Paul O'Brien stated the Board shouldn't be managing people who have managers rather, the Board should be planning.

It was moved by Vaune Dugan to amend the motion and forward a letter to Barry Muccio, Director of Operations, Municipal Electric Department, recommending lighting improvements at Town crosswalks. All members voted in favor. The motion passed.

Consideration of Minutes

November 18, 2014

Correction: Page 3, add new paragraph #7; “Kathy Barnard agreed with Mr. Thurston.”

It was moved by Paul O'Brien and seconded by Mike Hodder to approve the November 18, 2014 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.

It was moved by Mike Hodder and seconded by Brad Harriman to adjourn the December 2, 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.****