

WOLFEBORO PLANNING BOARD

February 25, 2014

MINUTES

Members Present: Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Brad Harriman, Selectmen's Representative, Paul O'Brien, Member, John Thurston, Members, Dave Alessandroni, Chuck Storm, Alternates.

Members Absent: Vaune Dugan, Chris Franson, Members.

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.

Public Hearing

➤ **Stormwater Management Regulations**

Kathy Barnard stated once the Regulations are adopted, such would be included in the Site Plan Review and Subdivision Regulations.

Rob Houseman reviewed the Stormwater Management Regulations, see attached.

Chairman Barnard opened the public hearing.

Roger Murray III stated the Regulations are very important and noted it is imperative to stop stormwater runoff to the lakes. He stated he appreciates the Board speaking with and considering the recommendations of Don Kretchmer and the consultants of the Lake Wentworth Crescent Lake Watershed Management Plan. He recommended adopting the Regulations and recommended monitoring such for compliance.

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

It was moved by Chuck Storm and seconded by Stacie Jo Pope to adopt the Stormwater Management Regulations for incorporation into the Site Plan Review and Subdivision Regulations. All members voted in favor. The motion passed.

Work Session

- **Training for Land Use Boards**

Rob Houseman stated the original intent of the training was to hold an open meeting for local land use boards and serve as a regional training opportunity. He stated the Town was going to be charged \$450 for the training session therefore; Town Counsel (Walter Mitchell and Laura Spector) will be attending the meeting to discuss municipal law to the Wolfeboro Planning Board only. He stated the presentation is scheduled for 3/25/14 (noting the 3/18/14 meeting has been cancelled).

- **Joint Meeting with the EDC and Chamber of Commerce**

Kathy Barnard stated a joint meeting with the EDC and Chamber of Commerce has been scheduled for 4/15/14.

Paul O'Brien asked if the Chamber of Commerce has an obligation to participate in the Master Plan.

Rob Houseman replied no, however the Chamber of Commerce participated in the development of the Master Plan and took on the tasks and goals associated with the Master Plan.

Paul O'Brien stated it is fair to request the Chamber of Commerce participate in the Master Plan update.

Chuck Storm recommended the current and future president of the Chamber of Commerce be encouraged to attend the joint meeting.

- **Master Plan Implementation Matrix Update**

Stacie Jo Pope stated 39 goals have been assigned to the Planning Board; noting 8 of the 39 goals came from the Natural Resources Chapter. She noted the goal “keep unfragmented lands unfragmented” was tabled until 2014.

Rob Houseman stated the goal could be a policy change rather than a zoning change.

Referencing Scenic Roads, Kathy Barnard stated most of the designated roads are located in North Wolfeboro and noted the Master Plan recommends designating the following roads as a Scenic Road; North Line Road, 109-A and Beach Pond Road. She stated the Board could look at other potential roads for designation.

Rob Houseman stated a road is designated as a Scenic Road only by petition signed by 10 residents and voted on at Town Meeting.

Kathy Barnard questioned the role of the Planning Board in the designation of scenic roads.

Rob Houseman stated the Board has completed 35 goals; 13 goals considered “in progress” and 20 goals are considered “ongoing”. He stated the Master Plan is clearly not a shelf document.

Referencing T21, John Thurston asked if the Board’s Stormwater Management Regulations will be incorporated into the South Main Street project. He asked if a tunnel has been considered at the Kingswood Golf Course relative to a crossing on South Main Street.

Rob Houseman stated the latter is being reviewed due to safety concerns.

Brad Harriman noted the Town’s Route 28/South Main Street project was put back onto the NHDOT’s Ten Year Plan; noting such was a monumental feat achieved by Rob Houseman, Dave Ford and the Town.

John Thurston questioned the goal relative to the establishment of a clean water system for drainage into Clarke Plaza.

Rob Houseman stated the design for the project has been ongoing for 2.5 years and noted such is a goal of the Public Works Department.

The Board agreed to include unfragmented land and Scenic Road Designation to the 2014 Work Program.

- **Rules of Procedure**

Kathy Barnard requested the Board review the Rules of Procedure for discussion at a future work session. Referencing Page 2, #5 Order of Business, she stated she has an issue with such. She stated the Board is required to hold two public hearings prior to adopting any revisions.

Paul O’Brien questioned the process for minutes.

Rob Houseman reviewed the statutory requirements relative to the filing of minutes.

Paul O’Brien confirmed the minutes are not official until they are acted upon by the Board and as such, requested the Board consider minutes at each Planning Board meeting rather than waiting one month for the Board to approve two sets of draft minutes.

The Board agreed to consider minutes at each meeting.

John Thurston questioned the taping of meetings; noting that all meetings are not recorded.

Rob Houseman reviewed the Rules of Procedure relative to such.

Chuck Storm stated the recording of the meeting is the only way to address a legal argument; noting intent is not always obvious in minutes.

The Board agreed to review Records, #3 (page 5).

John Thurston questioned submittal deadlines for Planning Board applications.

Rob Houseman stated such is prescribed in the application process.

The Board agreed to continue discussion of such.

- **Nonconforming Uses**

Rob Houseman stated there are many properties in the Town that are currently nonconforming (uses not currently permitted but exist because the use is grandfathered). He stated the proposal would allow a person to be eligible to change the use if the proposed use was more conforming through the Special Exception process. He reviewed the draft proposal, see attached.

Referencing Page 1, Routine Maintenance, Paul O'Brien asked Staff to define such; stating he does not understand what routine is in terms of maintenance.

Rob Houseman stated such speaks to a use that has a particular designation as a nonconformity; noting life safety and fire codes are not included as routine maintenance.

Following discussion of Nonconforming Uses, the Board requested the following;

- Page 1, Routine Maintenance; further define/clarify such (language too vague)

- **Chamber of Commerce Response Letter**

Rob Houseman stated he prepared a draft response to the Chamber of Commerce's email for publication in the Granite State News (Board of Directors not in favor of Article 3 on the Town Warrant, Center Street/Route 28 Mixed Use Business District). He requested Board review and comment.

Chuck Storm stated he spoke to the incoming president of the Chamber of Commerce and informed him that there was not any Chamber of Commerce representative present during the Board's discussion of the zoning change.

Paul O'Brien asked if the EDC was included and participated in the discussions and, if so, requested Staff produce the document in which the EDC took a position.

Rob Houseman stated members of the EDC participated in the public forum; noting the Board has a statutory process and the Board functioned above that process. He stated if the email circulated by the Chamber of Commerce goes without a response from the Board, then it implies the Chamber of Commerce's statement of the Board is accurate. He stated the Board has always taken in public opinion and always conducted fair discussions and public hearings.

John Thurston stated the Board reviewed the comments from the public forum and adjusted the ordinance accordingly. He stated he feels the minority at the public forum felt threatened by the majority to speak in favor of the proposed ordinance.

Paul O'Brien stated there is no question the Board has been transparent on the issue. He stated the issue is that there wasn't public participation by a certain party. He stated the statements in the response are correct and appropriate however, recommended reducing the content of the response.

Brad Harriman stated the response addresses all points however, feels the response is confrontational. He agreed with Mr. Obrien's comment with regard to reducing the content.

Rob Houseman stated the Board also received written comments and testimony. He stated the Board's position is not adversarial rather; the position is to point out the process.

Referencing the Chamber of Commerce's email, Paul O'Brien asked if the following statement by the Chamber of Commerce is accurate; "The Town Planner has advised that the water quality of Lake Wentworth has degraded and the lake's Class A status is becoming tenuous with the concomitant of real estate devaluation. This is the primary impetus for the proposed changes. In sum, the Planning Board was faced with balancing business and environmental needs and developed, what it thought, after the customary public input, was a balanced middle ground."

Rob Houseman stated there is a decline in the water quality of Lake Wentworth; noting such is stated in the Lake Wentworth Crescent Lake Watershed Management Plan. He stated the impetus of the zoning change was the Master Plan; noting the zoning change was delayed due to the Lake Wentworth Crescent Lake Watershed Management Plan.

Paul O'Brien asked if the Town has done anything to improve the water quality of Lake Wentworth.

Rob Houseman stated the Stormwater Management Regulations affect the watershed as a whole and noted if no development occurs then there is no degradation. He stated the Town is actively seeking grants to improve water quality.

Paul O'Brien recommended incorporating such as a goal of the Master Plan.

Kathy Barnard stated Stacie Jo Pope, Rob Houseman and she attended a taping of the Planning Board Warrant Articles at Community Television and noted there was a press release relative to all warrant articles. She stated the Bartlett Tree proposal is an improvement to that district.

Rob Houseman stated the BOS produced a voter's guide as well.

It was moved by Paul O'Brien and seconded by Chuck Storm to adjourn the February 25, 2014 Wolfeboro Planning Board meeting. All members voted in favor.

There being no further business, the meeting adjourned at 8:44 PM.

Respectfully Submitted,

Lee Ann Keathley

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