

WOLFEBORO PLANNING BOARD

September 2, 2014

MINUTES

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

Members Absent: Paul O'Brien, Member, 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.

Work Session

➤ **Sign Ordinance**

Brad Harriman recused himself.

Vaune Dugan asked if the BOS have been approached with regard to ownership issues and right-of-way issues.

Rob Houseman stated it was agreed between the Chairman, Vice-Chairman and he to meet with the BOS following the formatting of the document.

Mike Hodder asked how sight distance is defined and asked how far sight distance extends if it impedes a person's view. He questioned the definition of a public right-of-way; noting the Town does not define sight distance or public right-of-way. He asked if the definition of a public right-of-way is the same as the State's definition and asked how far such extends from the center line.

Rob Houseman stated the Town defines public right-of-way and noted that such is not measured from the center line. He stated a right-of-way is either acquired by fee or prescriptive right; noting North and South Main Street is a fee right-of-way. Per an agreement with the State, dated 1954, he stated the NHDOT Commissioner required the Town to maintain everything beyond the white line.

Mike Hodder asked if a sign was posted at Black's (Main Street & Railroad Avenue) would it be the Town or the State's right-of-way.

Rob Houseman replied the State's right-of-way.

Mike Hodder reviewed case law (1988, Town of Somersworth) and noted that a public right-of-way was not defined in that case.

Vaune Dugan stated that at any time there is a risk that the State could remove all the signs located in their right-of-way.

Mike Hodder recommended the Board define public right-of-way due to overlapping rights-of-ways along Main Street and expressed concern that a person could contest the ordinance. He stated he is concerned for a potential legal challenge from an individual who feels aggrieved.

John Thurston suggested that the BOS designate the sign locations.

Referencing Section (2) c), Stacie Jo Pope stated the paragraph states that the Director of Public Works approves the sign location.

Referencing Section (2) c), Kathy Barnard stated such states the sign is to be located in the Town's right-of-way.

Rob Houseman stated the Town's rights-of-way are defined under State law.

Mike Hodder asked if the Town's right-of-way on Mill Street could differ from the right-of-way on Railroad Avenue.

Rob Houseman replied yes. He noted the following types of right-of-way; by fee, prescriptive and one that is re-laid out. He stated most of the roads in the Downtown area have been re-laid out (Sewall Road, Clark Road, Filter Bed Road, Lehner Street, Union Street, School Street, Glendon Street, Brummit Court, Pine Street, Endicott Street, Libby Street, Mill Street, Railroad Avenue and Bay Street).

Mike Hodder suggested changing the language from "public" right-of-way to "Town" right-of-way.

Rob Houseman stated "public" includes both the Town and the State's right-of-way. He stated sight distance is defined by NHDOT. He stated he would further review the issue and noted that it should be defined in such a way that is measurable by all circumstances.

The Board agreed to unstrike the last sentence of Section (2) b) because sidewalks currently exist in the Wolfeboro Falls Limited Business District and sidewalks located on Mill Street and Varney Street access the Bay Street Limited Business District.

Vaune Dugan asked if there should be a petition process if a post is not available.

John Thurston recommended instituting a lottery for such.

The Board requested the following changes;

- Create Purpose Statement
- Change "business directional signs" to "pedestrian wayfinding signs" throughout the document
- Page 1, (2) b); strike "pedestrian infrastructure" & replace with "sidewalks" and change "exists" to "exist"
- Page 1, (2) b); unstrike "*Wolfeboro Falls Limited Business District and the Bay Street Limited Business District.*"
- Page 1, (2) c), 1st sentence; change "an" to "a"
- Page 1, (2) d); change to read as follows; "Business directional signs shall be limited to one at the intersection nearest to the business where travelers must change direction from one public way to another to reach a particular business and one other at the intersection nearest the first, as available."
- Page 1, (2) e), 2nd line; strike the "s" on "determines"
- Page 1, (2) e), 2nd line; insert "additional" prior to sign
- Page 2, (2) e), 4th line; change "does not" to "do not"
- Page 2, (2) g); strike second sentence
- Page 2; strike (3)
- Page 2, paragraph (4); place in Section (1) on page 1
- Page 2, insert new paragraph; h) A sign permit shall be required for all pedestrian wayfinding signs.
- Staff to review changes with Dave Ford, Director of Public Works

➤ **Include Inns as a Permitted Use in the Central Business District**

Rob Houseman reviewed his memo, dated 8/28/14; noting he recommended a front yard, side yard and rear yard setback of 5 feet. He stated the setback recommendation is based on the current development patterns within the district and noted that only a small portion of the district has no setbacks.

Kathy Barnard inquired about changing the definition of Bed and Breakfast to allow for more than six rooms in the Central Business District.

Rob Houseman reviewed the definitions of Bed and Breakfast and Inns; noting the original intent was to allow older homes to be converted to a Bed and Breakfast.

Vaune Dugan stated the definition of an inn would allow for a bed and breakfast. She asked if buildings located in the Downtown would be allowed to rebuild if they are currently over the height limit.

Rob Houseman replied yes.

Following further discussion, the Board agreed to the following;

- Page 1, 2nd bullet; change “in” to “inn”
- Change the front yard, side yard and rear yard setback to 5 feet

Consideration of Minutes

August 19, 2014

Corrections: Page 3, 7th paragraph, 2nd line; insert “the corner of” following “noted”

It was moved by Vaune Dugan and seconded by Mike Hodder to approve the Wolfeboro Planning Board August 19, 2014 minutes as amended. All members voted in favor. The motion passed.

Other Business

Transportation Alternative Program

Rob Houseman stated the Town (on behalf of the Pathways Committee) is submitting two grant applications for funding for an underpass to The Nick and Village Core Pedestrian and Bicycle Enhancement Project. As such he requested a letter of support from the Planning Board for each project. He stated the latter project would include traffic calming; bump outs, raised crosswalks, green space, bicycle route enhancement, bicycle storage enhancement, pedestrian route enhancement and pocket park development. He stated he would expect the dockside improvements project would serve as a match.

It was moved by Brad Harriman and seconded by Stacie Jo Pope to adjourn the September 2, 2014 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 8:34 PM.

Respectfully Submitted,

Lee Ann Keathley

Lee Ann Keathley

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