

**TOWN OF WOLFEBORO  
PLANNING BOARD  
April 19, 2016  
MINUTES**

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

**Member Absent:** Dave Alessandrone, 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.

**I. Scheduled Appointments**

**Town of Wolfeboro Municipal Electric Department  
Scenic Road Tree Trimming  
Sewall Road**

Rob Houseman stated the public hearing needs to be continued to May 24, 2016; noting such requires two legal public notices and the second public notice was not generated prior to this evening's meeting.

Vaune Dugan asked if any of the trees are located on private property.

Rob Houseman replied no.

**It was moved by Stacie Jo Pope and seconded by Mike Hodder to continue the Town of Wolfeboro Municipal Electric Department Public Hearing on Scenic Road Tree Trimming to May 24, 2016. All members voted in favor. The motion passed.**

**Isabella Cove Holding Company, LLC (Key-Day Building Enterprises Inc.)  
Site Plan Review; Contractor's Yard Light  
TM #203-17  
Case #201605**

Rob Houseman reviewed the Planner Review for April 19, 2016 stating the applicant proposes to convert the former Kimball Lumber Yard to a Contractor's Yard Light. He stated the applicant proposes to convert the retail building to a workshop, storage and office and store material and equipment in the building (3 pick-up trucks and a lull). He stated Isabella Cove Holdings, LLC d/b/a Key-Day Builders is a small construction (carpentry) company. He noted the applicant has received a Variance for the change of use from a lumber yard to a Contractor's Yard Light. He stated the applicant has begun cleaning up the site and no outdoor solid waste storage is proposed. He noted the applicant is proposing one sign which is currently installed on the building. He stated the applicant has requested the following waivers; Sections 173-15 E. (d) and (e), 175-15 E. (4)(a), (d), (j) and (q).

Jim Keating stated he purchased the property to have a central building to work out of for their building operations in the Wolfeboro area. He stated he and his son are general contractors who build homes, additions and renovations. He stated the building would be used for storage, an office and a shop.

Kathy Barnard questioned the hours of operation.

Referencing the ZBA 11/2/15 minutes, Mike Hodder replied Monday through Saturday 6 AM – 6 PM. He stated the ZBA held a public hearing, heard testimony and voted 5-0 to approve a Variance because the proposed use is a much less intensive use of the property.

Kathy Barnard questioned noise.

Jim Keating stated they would use a saw on the site.

John Thurston noted there is no septic system on the site and questioned how such would be addressed.

Jim Keating stated a portable toilet would be located on the site.

Kathy Barnard stated Staff recommends granting the waivers because there are no changes to the site.

**It was moved by Stacie Jo Pope and seconded by Mike Hodder to grant a waiver for Sections 173-15 E. (d) and (e), 175-15 E. (4)(a), (d), (j) and (q). 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.

Barbara Wood stated she is representing The Taylor Community and submitted a letter of authorization from David Lynch, Chairman, The Taylor Community. She stated she has great concern regarding noise from the property across the water; noting The Taylor Community is 320' from the boundary of the property. She requested that operation on Sundays not be allowed. She stated the noise could impact the sale or rental of units and become an economic issue. She stated the ZBA received an application from Olive the dog and this Board received an application from Isabella Cove and questioned whether there has been a change in ownership. She stated screening is necessary to provide a noise barrier to the back of the property; noting conversations can be heard, especially in the winter. She questioned whether restrictions could be placed on the outbuildings. Referencing the definition of Contractor's Yard Light, specifically "fabrication of any products are not permitted", she questioned whether the owners intend to do such. She expressed concern regarding lighting; noting The Taylor Community does not want any bright lights. She stated that as an elderly community, they want to provide a secure place to live and a peaceful environment for their residents and ensure that nothing affects their community.

Mike Hodder stated the original application was submitted under Olive the Dog; noting the Variance runs with the land and not with ownership. He stated the letter from the applicant notes the hours of operation which does not include work on Sundays.

Stacie Jo Pope noted the ZBA granted the hours of operation as Monday-Saturdays 6AM-6PM. She stated the noise ordinance is a BOS ordinance and not a Planning Board ordinance; noting the ordinance stipulates 10PM.

Kathy Barnard stated any changes to the noise ordinance need to be brought to the BOS.

Jim Keating stated he and his son, Shamus Keating, are the applicants; noting he was advised by his accountant to convert the company, Key-Day Builders, to an LLC. He stated the outbuildings are not safe and there is no intent to utilize them and eventually will be taken down.

Vaune Dugan asked if cabinets would be manufactured on site.

Rob Houseman stated the noise ordinance doesn't preclude noise rather, addresses upset noise affecting an abutter and reviewed the definition of upset noise. He stated the noise ordinance and hours of operation are two different issues. He reviewed the definition of Contractor's Yard Light; noting carpentry associated with the proposal is not in violation of the ordinance. He asked the applicant if lighting is proposed.

Jim Keating replied no.

Kathy Barnard questioned whether screening is required.

Rob Houseman stated the Town's Planning and Zoning Ordinance has a land use intensity going from 5 to a 3 or 4. He stated there is no proposed expansion for the site therefore, screening is exempt.

Barbara Wood stated their main concern is screening; noting that it would really help to have such. She stated Kimball's Lumber has not been in operation for many years and where the residents live 320' from the property line and across the water, noise is a problem. She stated most of the residents are 86-90 years old. She expressed concern for economic prosperity if their economic viability is affected.

Jim Keating stated he anticipates using the other side of the property for activities.

Bruce Terkelson stated the units of most concern within The Taylor Community are the units on the water across from the applicant's property. He recommended planting trees or placing mounds of earth as a barrier.

Rob Houseman reviewed the following recommended conditions of approval;

1. The following plans, as amended to the date of approval, are hereby incorporated into this approval:  
**Plan 1:** Aerial photograph map of site, showing previous site conditions (lumber yard) and property lines, Dated March 24, 2016, Scale 1"=100'.  
**Plan 2:** Aerial photograph map of site, showing neighborhood and property lines, measurements to the common property line with Taylor Community (252 feet), measurements to the closest residential structure on the Taylor Community property (320 feet), Dated March 24, 2016, Scale 1"=350'.  
**Plan 3:** Copy of wetlands plan (from record file) of the parcel, Prepared for Paul Kimball, Prepared by Peter Cooperdock, Fernstone Associates, Plan Undated.
2. The applicant shall be responsible for the payment of all recording fees.
3. The ZBA Notice of Decision and any conditions attached thereto shall be adopted by reference.
4. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

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

Kathy Barnard noted the applicant presented the proposal to the ZBA and TRC and have been very cooperative.

**It was moved by Mike Hodder and seconded by Paul O'Brien to approve the Isabella Cove Holdings Co., LLC Site Plan Review application, Tax Map #203-17, subject to the recommended conditions of approval. All members voted in favor. The motion passed.**

**Bradley's Hardware/Skunk Brook Realty, LLC**  
**Site Plan Review**  
**Agent: Jeffrey Lewis, NorthPoint Engineering**  
**TM #148-10**  
**Case #201606**

Rob Houseman reviewed the Planner Review for April 19, 2016 stating the applicant proposes the following;

- convert the existing auto repair facility to retail sales and rental center for outdoor equipment
- eliminate encroachment onto the NH DOT Right-of-Way (ROW)
- secure a ROW over the westerly abutter
- reduction of pave surface from 65.3% to 58.2%
- removal of the open drive cut and the removal of impervious surface within the NH DOT ROW
- add trees and landscaping
- add stormwater management solutions
- improve overall access safety by reconfiguring the driveway and parking
- reduce the drive entrance from a completely open curb cut to a 22' drive entrance (NH DOT required)
- install new lighting

Rob Houseman noted the current site is proposed to be redesigned to provide 14 formal parking spaces, 4 paved, including 1 ADA compliant space and 10 gravel parking spaces. He noted the proposal is exempt from the buffer yard provision (landscaping) because the proposed use has a less intensive land use. Referencing drainage, he stated the applicant proposes to regrade the property to direct the drainage, install a drainage treatment swale to the rear of the property and treat the majority of the runoff and redirect a portion of the runoff in the front to the proposed grass area and catch basin. He noted the applicant has not submitted a cost estimate for site improvements. He stated the applicant is proposing one free standing sign by the road.

Kathy Barnard reviewed the site's use history.

Rob Houseman stated the office has documentation of vehicle maintenance repairs on the site back to the 1960's.

Vaune Dugan asked who is responsible for the work being done in the State's Right-of-Way.

Rob Houseman replied the applicant.

Jeff Lewis submitted updated landscape plans; noting the revisions reflect their conversation with NH DOT and noted the driveway permit has been filed. He stated NH DOT has requested moving the location of the existing sign and instructed the applicant that no tree plantings (except for low shrubs) are allowed in the State's Right-of-Way. He stated Alex Hunt closed on the property and is now the current legal owner and noted that a portion of the yard will be fenced. Referencing storm drainage, he stated the proposed improvements include the installation of a shallow stormwater treatment area just at the northerly edge of the existing gravel yard where there is a narrow strip of upland in between the gravel edge and the wetland. He stated the treatment area will be loamed and seeded and allow for suspended solids to settle out prior to entering the wetland and be conveyed downstream. Referencing the front of the site, he stated the majority of the paved parking area within the right-of-way will be removed and a new onsite parking lot will be constructed; noting a net reduction of impervious area of 2,506 SF. He noted the site improvements will result in a net decrease in stormwater flows and volumes from the site and will provide an increased level of stormwater treatment than currently exists today.

Kathy Barnard confirmed that the stockade fence would be removed.

Vaune Dugan questioned the existing septic system and location of such.

Jeff Lewis stated the applicant does not propose to modify the existing septic system and noted its location at the right back corner of the parcel.

Kathy Barnard confirmed the Right-of-Way issue has been addressed.

John Thurston questioned the planting of additional trees.

Jeff Lewis stated none are proposed; noting NH DOT does not allow such in the State's right-of-way.

Mike Hodder stated he believes the Board's concerns have been satisfactorily met.

**It was moved by Mike Hodder 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.*

Cindy Patten, owner of Black's Gift Shop and member of the Economic Development Committee, stated the EDC supports the project; noting the opportunity for expansion of retail outside of the Downtown area. She stated the parcel is a great location for the business's relocation and safer than the existing location in Downtown.

Kathy Barnard read emails from Denise Roy-Palmer, WEDCO and Vice-Chairman of the EDC, and Kathy Eaton, Chairman of the EDC; noting both emails expressed support of the project. She stated the Board received an email from Stephen and Josephine Amarel, 496 Center Street, expressing concern regarding the outdoor storage of equipment, traffic and drainage negatively impacting his property. She stated she feels the issues raised by the abutter have been addressed and the proposal is an improvement, specifically access and safety of the site. She stated the proposal meets the nonconforming use section of the ordinance; noting the proposal clearly depicts a lesser use intensity.

Vaune Dugan stated the proposed access is a huge improvement to the site and the gateway.

Rob Houseman reviewed the following recommended conditions of approval;

1. The following plans, as amended to the date of this approval, are adopted by reference as part of this approval:
  - Plan 1: Cover Sheet**, Prepared for Bradley's Hardware, 486 Center Street (Tax Map 148 Lot 10) Wolfeboro, NH, 03894, Engineering: Jeffrey Lewis, Professional Engineer, NorthPoint Engineering, 5 Sheep David Drive, Suite F, Pembroke, NH 03275, Dated 3/30/16.
  - Plan 2: Sheet 1 of 1, Plan of Land of Skunk Brook Realty LLC**, 486 Center Street (Tax Map 148 Lot 10) Wolfeboro, NH, Prepared by Land Tech, Bryan Berling, LLS, PO Box 60, Ossipee, NH 03864, Dated 3/21/16
  - Plan 3: Sheet 2 of 5, Site Plan**, Prepared for Bradley's Hardware, 486 Center Street (Tax Map 148 Lot 10) Wolfeboro, NH, 03894, Engineering: Jeffrey Lewis, Professional Engineer, NorthPoint Engineering, 5 Sheep David Drive, Suite F, Pembroke, NH 03275, Dated 3/30/16.
  - Plan 4: Sheet 3 of 5, Removal Plan and Grading Plan**, Prepared for Bradley's Hardware, 486 Center Street (Tax Map 148 Lot 10) Wolfeboro, NH, 03894, Engineering: Jeffrey Lewis, Professional Engineer, NorthPoint Engineering, 5 Sheep David Drive, Suite F, Pembroke, NH 03275, Dated 3/30/16.
  - Plan 5: Sheet 4 of 5, Construction Details**, Prepared for Bradley's Hardware, 486 Center Street (Tax Map 148 Lot 10) Wolfeboro, NH, 03894, Engineering: Jeffrey Lewis, Professional Engineer, NorthPoint Engineering, 5 Sheep David Drive, Suite F, Pembroke, NH 03275, Dated 3/30/16.
  - Plan 6: Sheet 5 of 5, Construction Details**, Prepared for Bradley's Hardware, 486 Center Street (Tax Map 148 Lot 10) Wolfeboro, NH, 03894, Engineering: Jeffrey Lewis, Professional Engineer, NorthPoint Engineering, 5 Sheep David Drive, Suite F, Pembroke, NH 03275, Dated 3/30/16.
2. Payment of all recording fees.
3. The applicant's engineer shall submit a letter certifying compliance with the American's With Disabilities Act.
4. Payment of financial security as specified in item #12 of the Planner Review.
5. Receipt of a following permit and any conditions attached thereto, is adopted by reference to this approval:

- NHDOT Driveway Permit
6. The applicant shall be required to monument the edge of Wetlands in compliance with § 175-10.2 *Wetlands Boundary Monumentation*.
  7. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

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

***It was moved by Mike Hodder and seconded by Paul O'Brien to approve the Bradley's Hardware/Skunk Brook Realty, LLC Site Plan Review application, Tax Map #148-10, subject to the recommended conditions of approval. All members voted in favor. The motion passed.***

**II. Public Comment**

None.

**III. Action Items**

**David & Sylvia Countway  
Lot Merger  
Melody Island  
Tax Map #265-5 & 12**

Rob Houseman stated the lot merger would eliminate a nonconforming lot of record and create a single 1.19 acre parcel.

***It was moved by Stacie Jo Pope and seconded by Paul O'Brien to approve the David & Sylvia Countway Lot Merger, Tax Map #265-5 and 12. All members voted in favor. The motion passed.***

**Appointment of Chairman and Vice-Chairman**

***It was moved by Mike Hodder and seconded by Brad Harriman to appoint Kathy Barnard as Chairman and appoint Stacie Jo Pope as Vice-Chairman to the Wolfeboro Planning Board. All members voted in favor. The motion passed.***

**IV. Work Session**

**Master Plan Survey RFP**

The Board and Staff discussed the two proposals (UNH Survey Center and Public Research Group) submitted for the Master Plan Survey.

***It was moved by Stacie Jo Pope and seconded by Mike Hodder to contract the UNH Survey Center to prepare the Master Plan Survey. All members voted in favor. The motion passed.***

**Architectural Design Guidelines**

The Board tabled such to May 24, 2016.

**Accessory Dwelling**

Rob Houseman stated he and Kathy Barnard attended a seminar presented by NH Housing Authority regarding such and noted the Town has to amend its ordinance to address full compliance with SB 146. He stated he has submitted a draft to Town Counsel for review and noted the use could be allowed by Special Exception, Conditional Use Permit or by right.

**V. Informational Items**

Rob Houseman reviewed the following informational item; Notices of Decision.

**VI. Planning Board Subcommittee Reports**

**TRC**

Isabella Cove Holding Company, LLC presented a site plan for a contractor's yard light.

**Wayfinding Sign Committee**

Mock signage presented for comment; link to Survey Monkey and hard copies available to provide comments regarding such and will be presented to the BOS for review and approval.

**VII. Approval of Minutes**

**March 15, 2016**

**Correction:** Page 2, 18<sup>th</sup> paragraph; change "space" to "spaces"

**It was moved by Mike Hodder and seconded by Stacie Jo Pope to approve the March 15, 2016 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.**

**VIII. New/Other Business**

- Joint Planning Board and Zoning Board of Adjustment Public Hearing scheduled for May 3, 2016 (meeting to be chaired by the Planning Board)
- Planning Board meeting scheduled for 5/17/16 has been rescheduled to May 24, 2016
- Building Department Forum scheduled for May 10, 2016 @ 8:30 AM

**It was moved by Paul O'Brien and seconded by Mike Hodder to adjourn the April 19, 2016 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.**

There being no further business, the meeting adjourned at 8:50 PM.

Respectfully Submitted,

*Lee Ann Keathley*

Lee Ann Keathley

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