

**TOWN OF WOLFEBORO
PLANNING BOARD
September 21, 2021
DRAFT MINUTES**

I. **Call to Order:** *Chair Kathy Barnard opened the meeting at 7:00 PM.*

II. **Introduction of Planning Board Members**

Members Present: Kathy Barnard, Chair, Mike Hodder, Vice-Chair, Brad Harriman, Selectmen's Representative, Vaune Dugan, Peter Goodwin, John Thurston, Susan Repplier, Members, Julie Jacobs, Alternate.

Staff Present: Tavis Austin, Director of Planning and Development, Lee Ann Hendrickson, Recording Assistant.

III. **Public Hearings**

None.

IV. **Public Meetings**

(a) Zoning Updates for Town Meeting 2022

Article 2 – Amend Chapter 175, Article VI, 175-44 Signs

Tavis Austin stated the article addresses the removal of Accessory Sign from the signage definitions of the ordinance.

Brad Harriman recused himself.

Chairman Barnard appointed Julie Jacobs, Alternate, to sit in for Brad Harriman, Selectman's Representative.

It was moved by Mike Hodder and seconded by John Thurston to move the deletion of Accessory Sign to public hearing. All members voted in favor. The motion passed.

Article 3 – Amend Chapter 175, Article XXVII, 175-75 Terms Defined

Tavis Austin stated the amendment includes adding the definition of Restaurant, Drive-through; noting such is defined as a restaurant by design of physical facilities through or to which one can drive especially to be served without leaving one's car and adding the language that Restaurant, Drive throughs are prohibited to the existing definition of Restaurant.

Kathy Barnard confirmed the amendment is a both a new amendment and an amendment to an existing definition.

The Board agreed to the following revisions;

- Restaurant and Restaurant, Carryout; remove the apostrophe from drive-through
- Restaurant, Drive-Through; strike "car" and replace with "vehicle"

It was moved by Mike Hodder and seconded by Kathy Barnard to remove the apostrophe in the Restaurant and Restaurant, Carryout definitions. All members voted in favor. The motion passed.

It was moved by Mike Hodder and seconded by John Thurston to move Article 3, to amend Chapter 175, Article XXVII, 175-75 Terms Defined, as amended, to public hearing. All members voted in favor. The motion passed.

Article 4 – Amend Chapter 175 Article VI, 175-53 Sexually Oriented Businesses

Tavis Austin stated the proposal is to delete the article in its entirety as it is currently written and amending the 175-53 to clarify the language for permitting and project review.

The Board agreed to the following revisions;

- Title of Article; strike “Adult” and replace with “Sexually”
- 175-53.3 Location Requirements, (C)(1), 1st line; change “a” to “an”
- 175-53.4 Application, (f)(4); change “city” to “Town”
- 175-53.4 Application, (f)(7); place a comma following “patrons” and insert “or” following the second “patron”
- 175-53.5 Operating Requirements for Adult Oriented Business, (d); strike “and 12 noon to 1:00 a.m. on Sundays”
- Staff to confirm the permitted size of a sign is 24 square feet

It was moved by Mike Hodder and seconded by Susan Repplier to move Article 4, to amend Chapter 175, Article VI, 175-53 Sexually Oriented Businesses, as amended, to public hearing. All members voted in favor. The motion passed.

Article 5 – Amend Chapter 175 Article XXVI, 175-53

Tavis Austin stated such is a duplicate of an amendment previously reviewed and voted on and requested the Board strike such.

Article 6 – Amend Chapter 175 Article VI, 175-53.1 Lighting and Illumination

Tavis Austin reviewed changes to such.

Julie Jacobs stated she prefers the definitions upfront.

Tavis Austin stated he would prefer all definitions be moved into Definitions.

Vaune Dugan asked that all definitions in each section of the ordinance be moved to 175-175.

The Board agreed to the following revisions;

- Move all definitions (noted in Section 175-53.1 to 175-175
- Following A. include a reference that definitions are found in 175-175
- Permit Requirements, (C)(2); delete “low-wattage”

It was moved by Mike Hodder and seconded by Vaune Dugan to move Article 6, to amend Chapter 175, Article VI, 175-53.1 Lighting and Illumination, as amended, to public hearing. All members voted in favor. The motion passed.

Article 7 – Amend Chapter 175 Article XV Pine Hill Road Development District, 175-96 and 175-96.1

Tavis Austin reviewed changes to such.

The Board agreed to the following revisions;

- 175-96 G.; delete “printing plant”

- 175-96 N.; to read “New and used car dealers.”
- Insert a “new” 175-96 O. to read “Automotive repair and body shops, and small engine repair shops.”
- 175-96 P. (formerly “O”); change “and” to “with” & strike “is required”
- 175-96 Q. (formerly “P”); format change and add “d. fuel storage”
- 175-96.1, I.; strike a. & b. and add “175-53” following “in accordance with”

It was moved by Mike Hodder and seconded by Vaune Dugan to move Article 7, to amend Chapter 175, Article XV, 175-96 and 175-96.1, as amended, to public hearing. All members voted in favor. The motion passed.

Article 8 – Amend Chapter 175 Article XXVII, Definition and Word Usage

Tavis Austin stated the article reflects moving the following terms/definitions from 175-53 to 175-175; Adult Arcade, Adult Bookstore or Adult Video Store, Adult Cabaret, Adult Motion-picture Theatre, Adult Theatre, Principal Business Purpose, Specified Anatomical Areas and Specified Sexual Activities.

It was moved by Mike Hodder and seconded by Peter Goodwin to move Article 8, to amend Chapter 175, Article XXVII, to public hearing. All members voted in favor. The motion passed.

Article 9

Tavis Austin stated Article 9 is a placeholder for zoning map amendments (Bay Street Limited Business District to include Filter Bed Road and the C2 District becoming the Central Business District). He recommended the Board adopt an official zoning map in the future.

Kathy Barnard requested Staff review the requirement threshold to notify the residents within a specific zoning district of changes to those districts.

V. Public Comment

None.

VI. Other Business/Discussion

Housing Opportunity Zones

Referencing a handout distributed to the Board that reviews such, Mike Hodder stated it provides the Town an opportunity to encourage development of diverse forms of housing within the Town based upon the location designated by the Planning Board. He stated if housing opportunity zones are approved, the BOS can allow a developer a reduction on property tax for a period of ten years upon re-evaluation or assessment. He stated the housing is required to include 30% housing at 80% of median county income level. He stated in order to get a housing opportunity zone the Planning Board has to put forth a warrant article asking the Town if they want to adopt RSA 79-E:4-b and determine the location of the zone. He recommended a Housing Opportunity Zone Overlay District that includes the entire Town with the exception of Shorefront Residential. He asked the Board to review and consider locations for the placement of a housing opportunity zone or an overlay district. He stated Planning Board Counsel has been asked to develop language for a warrant article.

Referencing housing units, Julie Jacobs asked if a single house is included.

Mike Hodder replied yes.

Tavis Austin stated typically projects include both a multi-family and single-family combination.

Vaune Dugan questioned the current county median income level and confirmed that after ten years the tax abatement goes away.

Mike Hodder stated the abatement provided to the developer by the BOS disappears.

Peter Goodwin confirmed the homeowners then become responsible for the tax rate after the ten-year period.

Tavis Austin stated often times RSA 79-E is used for preservation.

Peter Goodwin asked if there is a designated amount of relief provided.

Mike Hodder stated such is at the discretion of the BOS; noting the statute is an inducement to get development into Town.

Peter Goodwin asked if such is necessary and why would the shorefront district be excluded. He stated he doesn't believe there will be any development of such housing in that district.

Mike Hodder stated the reason to exclude the shorefront district is cosmetic and an acknowledgement of the reality of the situation. He stated he is trying to exclude negative opposition.

John Thurston asked if the intent is to allow such beyond the Village Residential District.

Mike Hodder replied yes.

Kathy Barnard stated it is important for people to understand the next step would be to adopt an affordable housing overlay this year.

Tavis Austin stated affordable housing, workforce housing and elderly housing is currently permitted under a set of provisions; noting the idea is an inclusionary housing ordinance that sets up a prescription.

John Thurston asked who tracks and oversees the process once a unit is sold.

Mike Hodder replied the Planning Board.

John Thurston questioned the sale of a house.

Tavis Austin noted the stipulation is noted in the deed.

Vaune Dugan asked if the provision is included in the deed includes for 10 years.

Tavis Austin replied yes. He stated there are annual checkups as well.

Susan Repplier confirmed that when the 10 years expires the current owners are then subject to realistic tax evaluation.

Tavis Austin stated he needs direction from the Board as to which zoning districts they would like to include in order to craft warrant article language. He stated per affordablehousing.com the current median gross income for households in Wolfeboro is \$62,019; noting 80% of such would be \$49,615/year.

It was moved by Mike Hodder and seconded by Peter Goodwin to create a Housing Opportunity Zone Overlay District to include the entire Town with the exception of the Shorefront Residential District.

Discussion of the motion:

Brad Harriman stated the abatement on the taxes is only on the Town portion of the taxes. He stated abatement is not given on the County or School portion of the taxes.

Vaune Dugan asked how often property taxes are re-evaluated.

Mike Hodder replied five years.

Kathy Barnard stated there is a housing crisis in the Town and the Board is trying to do something about the issue.

All members voted in favor. The motion passed.

2022 Planning Board Budget

Tavis Austin stated the budget was submitted to the Finance Department and reviewed with the Town Manager. Referencing Outside Services, he stated the funding request was requested by the Town Manager to review impact fees.

Zoning Amendments Public Hearing Date

The Board agreed to hold the public hearing for the zoning amendments on November 2nd.

Stormwater Management Committee

Tavis Austin stated the Stormwater Management subcommittee received comments from the Wentworth Watershed Association, Wolfeboro Waters and Conservation Commission and prepared a response to those comments. He stated the Committee at their September 28th meeting, representatives from each organization will try to balance out Southeast Watershed Alliance model with the existing regulations.

Approval of Minutes - September 7, 2021

It was moved by Vaune Dugan and seconded by Mike Hodder to table the September 7, 2021 Planning Board minutes to October 5, 2021. All members voted in favor. The motion passed.

It was moved by Kathy Barnard and seconded by Vaune Dugan to adjourn the September 21, 2021 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 8:28 PM.

Respectfully Submitted,

Lee Ann Hendrickson

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