

**TOWN OF WOLFEBORO
PLANNING BOARD
December 4, 2018
MINUTES**

Members Present: Kathy Barnard, Chairman, Vaune Dugan, Vice-Chairman, Mike Hodder, Peter Goodwin, Susan Repplier, Members.

Members Absent: Brad Harriman, Selectmen's Representative, John Thurston, Member, Dave Alessandroni, Tom Brown, Alternates.

Staff Present: Matt Sullivan, Director of Planning and Development, Cathleen LaPierre, Recording Secretary.

Chairman Barnard opened the meeting at 7:00 PM at the Wolfeboro Town Hall Great Hall.

I. Introduction of Board Members

Chairman Barnard introduced the members of the Planning Board and Staff.

II. Public Comment

III. Scheduled Appointments / Public Hearings / Public Forum

Cynthia L. & Clinton A. Johnson

Formal Submission/Public Hearing

Special Use Permit; Partial Explanation of House, New Walkway within Wetlands Setback

Tax Map #158-21, Case #2018-31

Kathy Barnard stated the application for Cynthia L. & Clinton A. Johnson has been withdrawn.

Taylor Home

Formal Submission/Public Hearing

Site Plan Review; Addition to Unit B-11

Tax Map #203-47, Case #2018-32

Kathy Barnard read the item into record.

Ken Lorden, Renovation Supervisor for Taylor Communities stated they seek to construct a 480 sq. ft. (20'x28') addition to unit #B-1 with part of the existing bathroom. The addition will be a master bath/master suite to provide the unit with more space.

Kathy Barnard stated the applicant attended the TRC meeting and mentioned this is a 2 bedroom.

Ken Lorden confirmed that to be correct; it will be a 2 bedroom/bath suite.

Matt Sullivan noted it's small in scope; however, is before the Board as it's a modification to a commercial site plan and questioned if there was any proposed lighting as nothing was mentioned. He recommended the application to be complete.

Vaune Dugan asked if it will be a 2-bedroom opposed.

Ken Lorden confirmed it will be used as office space.

Vaune Dugan asked if there are any requirements.

Matt Sullivan replied a closet typically brings it to that threshold; however, this development is connected to municipal water/sewer and analysis is not necessary.

It was moved by Mike Hodder and seconded by Peter Goodwin to accept the application as complete. All Members voted in favor. The motion passed.

Kathy Barnard opened the public hearing for comments.

Matt Sullivan read the following 4 conditions of approval, #5 was removed. See below.

1. The following plans, as amended to the date of this approval are incorporated into the approval:

Plan 1. Amended Site Plan – Unit B-11, Back Bay Retirement Community, Project Location: Bay Street and Filter Bed Road, Wolfeboro, NH, 03894, Tax Map 203 Lot 047 prepared by Steven J. Smith Associates, 6 Lily Pond Road, Gilford, NH, 03249. Dated November 7th, 2018.

Plan 2. Rear and Side Elevations – Unit B-11, Back Bay Retirement Community, Project Location: Bay Street and Filter Bed Road, Wolfeboro, NH, 03894, Tax Map 203 Lot 047 prepared by David Laurin Architect, P.L.L.C, P.O. Box 1382, White River Junction, VT, 05001. Dated October 22nd, 2018.

Plan 3. Floorplan – Unit B-11, Back Bay Retirement Community, Project Location: Bay Street and Filter Bed Road, Wolfeboro, NH, 03894, Tax Map 203 Lot 047 prepared by David Laurin Architect, P.L.L.C, P.O. Box 1382, White River Junction, VT, 05001. Dated October 22nd, 2018.

2. The applicant shall be responsible for the payment of all recording fees.
3. 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.
4. This approval does not supersede any previous Planning Board applicable conditions approval of the Special Use Permit and the previous Site Plan Approval.
5. ~~An as-built plan, stamped by a Licensed Land Surveyor, shall be provided following building completion, certifying location and compliance with the approved planset locations.~~

Kathy Barnard asked if there is any proposed lighting.

Ken Lorden responded no.

There being no comments or questions from the public, Kathy Barnard closed the public hearing.

It was moved by Vaune Dugan and seconded by Mike Hodder to approve the application with conditions 1-4 for the Taylor Home, Site Plan Review, Tax Map #203-47, Case #2018-32. All Members voted in favor. The Motion passed.

IV. Action Items

N/A

V. Approval of Minutes

November 20, 2018

Corrections: Page 3, 14th paragraph; strike “is” and replace with “are”

Page 4, 7th paragraph; strike paragraph and replace with “Matt Sullivan asked the Board to indicate whether they wanted Victor’s petition incorporated into their zoning recommendation.”

It was moved by Mike Hodder and seconded by Peter Goodwin to approve the November 20, 2018 Wolfeboro Planning Board minutes as submitted. All members voted in favor. The motion passed.

VI. **Communications & Miscellaneous**

Kathy Barnard noted the importance of why the Johnson application was withdrawn.

Matt Sullivan stated this was a wetlands application that had received a permit to cross the wetlands to do the construction. However, the applicant attempted to change the plan and do the construction via barge as they believed it to be less environmentally impactful. The construction proposed would not work according to Dave Ford. The contractor also had concerns and 4 of the 5 TRC members recommended against approval; thus, the application was withdrawn.

VII. **Work Session**

Zoning Amendment Schedule

Matt Sullivan corrected the meeting schedule to reflect 1/8/19 & 1/22/19 and stated at the January 8th meeting the Board will consider the petition warrant articles; a corrected zoning amendment schedule will be provided. The January 22nd meeting will be a second public hearing for all Zoning Amendments. He noted to remove Amendment #8.

175-43 Non-Conforming Structures

Matt Sullivan stated he was looking for guidance specifically on 175-43 B11.

Peter Goodwin questioned if decks were not included.

Matt Sullivan confirmed they are not included.

Vaune Dugan asked if decks could not be expanded.

Matt Sullivan confirmed decks can be expanded up to 25% with a special exception, anything beyond that is a variance and can't be expanded any further into the setback.

Vaune Dugan asked if the same rules apply to covered porches.

Matt Sullivan confirmed the same rules apply, see #9.

Mike Hodder noted his concern for the cost to citizens.

The Board agreed to Strike 175-43 A1 & B2 under Amendment #1 and change the following to read:

*3) Any Building Permit application(s) and/or application(s) to the Zoning Board of Adjustment made pursuant to this section **should** include a plan prepared by a NH Licensed Surveyor. Any application that proposes further encroachment, requiring a variance, shall include a plan prepared by a NH Licensed Surveyor. The plan **shall** include all relevant existing and proposed conditions and dimensions.*

4) Any nonconforming portion of a building or structure may be expanded or extended by no more than 25% of the nonconforming building or structure, but with no further intrusion in to the setback area and if a special exception is granted. The 25% expansion shall be a total cumulative expansion based on the lawfully existing non-conforming structure.

8) The basis for determining maximum and cumulative expansion limitations established shall be the existing non-conforming FOOTPRINT OR HABITABLE FLOOR AREA of the existing, non-conforming structure in lawful existence as of the date of this ordinance, excluding appurtenant features.

10) Any proposed construction activity located within a setback area with further encroachment shall require a variance.

11) A structure may be expanded vertically within any setback above existing non-conforming footprint beyond 25%, but must obtain a special exception from the Zoning Board of Adjustment.

Matt Sullivan stated he will revise #11 to reflect clarity to be a onetime expansion at 25%.

Pine Hill Road Development District

Matt Sullivan noted some concerns reported from a property owner regarding rezoning and businesses moving next door, specifically the impact to their property. He questioned moving forward with the full as proposed Amendment to the Pine Hill District.

Vaune Dugan suggested speaking to residents and potentially cutting the proposal to include specific areas.

Mike Hodder questioned what the town will gain by rezoning.

Susan Repplier asked what the motivation is.

Matt Sullivan stated there are 25 properties being looked at and 12 are residential. There are 2 motivations 1) is to allow existing non-conforming businesses to come into alignment with the zoning and 2) recognizing that this is a commercial corridor by nature, we should align the zoning with that fact. He asked if the Board would be more comfortable rezoning up to the Maganzini property.

Mike Hodder suggested going South on Pine Hill; rezone for the Pollini lot up to Maganzini due to it already being commercial.

Matt Sullivan stated he will revise the map to reflect Maganzini South.

Subdivision Amendments

Mike Hodder questioned the Class V Road Requirement (174-9.E) paragraph #4 wording.

Matt Sullivan read #4 aloud.

The Board agreed to change #4. See Below.

4) All subdivisions shall have adequate provision for safe and suitable access to a Class V or better road OR shall make provisions for the construction of a road built to a current Class V or better road standard. This road shall be contiguous to a Class V or road built to the current Class V standard. Said access shall be constructed pursuant to the most current Town of Wolfeboro, Road Construction Regulations, adopted by the Wolfeboro Planning Board.

Land Use

Matt Sullivan asked the Board for guidance on committee setup.

Mike Hodder suggested the Chairs of each of the subcommittees that are working on the master plan along with members of the public as needed.

Matt Sullivan noted the goal is to put together a future land use chapter AND map.

Vaune Dugan questioned if there was any data or information that tells what the pressures are for changes or increases in certain types of land uses as there might be some out there that aren't being fully realized.

Peter Goodwin replied the Natural Resources Group looked at lot of that.

Matt Sullivan noted to look at providing some alternative housing for seniors and there is not currently zoning set up for that.

Vaune Dugan asked what the limiting factors might be such as sewer capacity.

Matt Sullivan replied Dave Ford believes expansion will not be an issue within our water/sewer area but outside of that might be troublesome.

The Consensus of the Board agreed to 10 members.

VIII. New Business

N/A

IX. Planning Board Subcommittee Reports

N/A

X. Nonpublic Meeting

N/A

It was moved by Peter Goodwin and seconded by Vaune Dugan to adjourn the December 4, 2018 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 8:40 PM.

Respectfully Submitted,

Cathleen LaPierre

Cathy LaPierre

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