

**TOWN OF WOLFEBORO
PLANNING BOARD
September 1, 2020
MINUTES**

I. Call to Order: Chairman Barnard opened the virtual meeting at 7:00 PM.

Kathy Barnard read the following script:

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order #2020-04, this Board is authorized to meet electronically. **However, the Planning Board has jointly decided to proceed with a 'hybrid' meeting format allowing for members of the public and Board to attend and participate in the meeting in-person or virtually.**

In accordance with RSA 91-A: 2, III, the Board has one member joining the meeting remotely, which a public body has the authorization to allow.

At this time I would like to take a roll-call vote of ALL members present. For those participating virtually, please indicate why your attendance is not reasonably practical and if you have any other individuals present in the room with you.

II. Introduction:

Members Present: Roll call: Kathy Barnard – yes, Peter Goodwin – yes, attending remotely (acknowledged there is one present with him), Brad Harriman – yes, Susan Replier – yes, Mike Hodder – yes, John Thurston - yes, Vaune Dugan - yes, Julie Jacobs (alternate) - yes.

Members Excused: None

Staff Present: Matt Sullivan, Director of Planning and Development, Mary Jane Shelton, Recording Assistant.

Votes taken during this meeting will be via roll call vote for all members.

In accordance with Emergency Order #12, for members of the public, this is to confirm that we

are:

1. Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means through GoToMeeting. All members of the public and Board have the ability to communicate contemporaneously during this meeting through the GoToMeeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #+1 (646) 749-3122 followed by the audio access code 918-242-429, or by video following the directions on the Town of Wolfeboro Website posted on the home page under the Virtual Town Meeting Login Information page.
2. Providing public notice of the necessary information for accessing the meeting; we previously gave notice to the public of how to access the meeting in-person or using GoToMeeting and in, and instructions are provided on the Town of Wolfeboro website at wolfeboronh.us on the Virtual Town Meeting Login Information page.
3. Providing a mechanism for the public to alert the public body during the meeting if there are problems with access; If anybody has a problem accessing the meeting via phone or computer, please immediately call 603-391-8489 OR email planningdirector@wolfeboronh.us In the event that the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Thank you.

III. Scheduled Appointments/Public Hearings:

Brewster Academy - Rogers Center

80 Academy Drive - Tax Map & Lot #218-150-D - Case #2020-22

Site Plan Review - Renovations to Rogers Center and Site - Formal Submission/Public Hearing

Agent: Andy Smith AIA, LEED AP - Dewing, Schmid, Kearns - Architects and Planners

Jason Ingham, Civil Designer, RFS Engineering

Kaki Martin, Landscape Architect, DSK

Peter Gilligan, Chief Technology and Operations Officer

Kathy Barnard enumerated some issues that need to be clarified at this hearing:

1. Phase I and Phase II. Her understanding is that the Planning Board is only addressing Phase I at this meeting.
2. Discrepancy as to the number of ADA parking spaces available.
3. Parking and, specifically how the the reduction in the parking will be dealt with.
4. The amount of impervious surfaces related to just Phase I was unclear due to references regarding both Phase I and Phase 2.

5. Information regarding what energy efficient measures needs to be included in renovation.

Andy Smith presented basic overview of project which is a renovation to a 1954 gymnasium structure. He further identified Phase I as being a renovation to the gymnasium level and adding a 2nd floor mezzanine level to the Rogers Center, as well as the exterior site work on the east side of the building. Phase II, once funding is completed, will be comprised of a future addition and the renovation of the lower level of the building.

Matt Sullivan clarified that application being reviewed is for Phase I only. Phase II will be brought before the Planning Board at a future date.

Andy Smith stated that the Phase II references were made in this application only in relation to the stormwater management design calculation aspect of the plan.

Kaki Martin reviewed the scope of exterior work, clarified there would be three ADA accessible parking spaces, and the paths of ingress/egress. In addition she addressed the location and landscape screening of the new transformer/generator/air intake/condenser unit. Proposed site lighting is a combination of existing and new pedestrian lighting.

Kathy Barnard asked for clarification of screening for the transformer area. Kaki stated the design focus was geared toward the public's view from the parking area with consideration for maintenance and snow removal. John Thurston commented that the public side of the generator is wide open as you travel down the road. Andy Smith and Kaki Martin agreed to revisit this issue but commented that they are limited by a) the requirements to have the generator no less than 10 feet from the building, and b) the manufacturer's requirements. They will look at the type of landscaping used and swapping the screening on the building side to the road side of the generator. Kathy Barnard questioned compliance to the requirement that this type of mechanism has to be screened. Matt Sullivan responded that the requirement refers to a public way and advised the Board can make a condition that some sort of screening be used but noted that there are functional issues to be factored into this situation. Jason Ingham from RFS Engineering stated that there is a 10 foot minimum distance requirement between the generator and the building as well as the gas regulator for the propane tank. Jason Ingham also noted that the generator is located on a private way versus a public roadway. Matt Sullivan clarified that the screening is not a requirement due to the roadway not being public.

Andy Smith stated that all new light fixtures will be night sky compliant. Existing fixtures are not but his firm is working with the manufacturer to see if they can find comparable fixtures that meet the night sky requirements and/or a retro fit.

Mike Hodder asked if the fixtures would be consistent throughout campus or unique to the Rogers building. Kaki Martin stated that their intention is to find more night sky compliant fixtures with similar aesthetics and create a continuity throughout campus.

Peter Gilligan, Maintenance Director of Brewster Academy, informed the Board there would not be a dumpster at the site of the Rogers building. Mike Hodder questioned the issue and location of snow storage. Peter Gilligan responded that they do not anticipate any increase in snow storage needs and would be using the existing snow storage area located in a field at the end of Academy Drive.

Matt Sullivan commented that he would expect the snow storage system to be the same or similar, as the parking area being reviewed is currently in existence. Peter Gilligan confirmed such is the case.

Mike Hodder asked for confirmation of ADA spaces as there is a discrepancy on the plans provided. Kiki Martin confirmed there will be three ADA spaces. Kathy Barnard asked how the reduction in parking would be addressed. Andy Smith gave details of additional parking that has been increased in the past year along with off site bus parking which will more than compensate for the reduction at the Rogers parking area.

Kathy Barnard initiated a discussion of the impervious surface, specifically the reduction presented in Phase I. Matt Sullivan explained that the Planning Department asked for the stormwater drainage plan to be submitted in anticipation of Phase II so that the Board could see what was anticipated. Kathy Barnard asked for clarification of what stormwater improvements, if any, would be done in Phase I. Matt Sullivan stated that stormwater drainage improvements will be done in Phase I, including swale and infiltration trenches. This was confirmed by Andy Smith.

Kathy Barnard asked for someone to address the energy efficient measures being taken. Andy Smith reviewed the improvements in energy usage, including replacement of existing systems within the buildings, including but not limited to boiler, ventilation systems, plumbing, lighting, etc., as well as addition of new innovative systems.

Mike Hodder questioned the reference to compacted structural fill referenced on the plans and if it pertained to Phase II. Jason Ingham clarified that the reference is for fill being used to supplement and fill in where the oil tank and an existing dance studio are being removed and is not for the foundation of a new structure.

John Thurston inquired about the stormwater drainage plan. Jason Ingham reviewed the current stormwater drainage plan. In the proposed plan, roof drains will be collected internally and end in a swale along Academy Drive. The crown in Academy Drive will be removed and cross pitched so it is angled toward a new infiltrating swale along the south edge. Also, there will be a change to one catch basin on the south corner of the existing parking lot relocating it to just upstream of the crosswalk. Kathy Barnard mentioned issues that came up with the TRC and Dave Ford and asked Matt to clarify the result of those discussions. John Thurston made reference to RFS Engineering, Page 1 of 3 - "All runoff ultimately ends up in Lake Winnepesaukee." John Thurston made a point of the importance of Lake Winnepesaukee to the Town of Wolfeboro and his position that, in this application, Brewster Academy is not taking sufficient measures to mitigate stormwater runoff that impacts the Lake, our greatest town resource. He feels this is the most important issue of this application and is not satisfied with the stormwater trenches, and gave specific examples as

to why. His proposal would be for all of the stormwater to be held on the Brewster Academy property and would request that Brewster Academy come back to the Planning Board with a proposal for catch basins and/or a stormwater pond to address such.

Mike Hodder and John Thurston further questioned the viability and logic of the stormwater drainage plan, citing that the proposed changes coupled with the change in slope/crown of Academy Drive will increase both the amount and flow of water runoff. Brad Harriman concurred with John Thurston and Mike Hodder, adding that consideration should be given to a detention basin, rain garden, or underground infiltration system, etc.

Applicant agreed to re-evaluate that portion of the stormwater drainage plan.

IV. Action Items

Mike Hodder made a motion, which was seconded by Vaune Dugan, to accept the application as complete. Roll call vote: Mike Hodder - yes, Brad Harriman - yes, Peter Goodwin - yes, John Thurston - yes, Vaune Dugan - yes, Susan Replier - yes, Kathy Barnard - yes. The vote was unanimous (7-0 in favor) to accept the application.

Nancy Hirschberg, as a towns person, abutter and parent of a recent Brewster graduate, addressed the applicant regarding the energy efficiency measures that would be taken within this project. Specifically she wanted further information on the envelope of the building (insulation, windows, etc.) as well as what measures would be taken to track electric usage as there currently is not an electric meter on the existing Rogers Center.

Andy Smith gave the specifics of the materials being used in the external envelope of the proposed Rogers Center renovations to bring it up to modern standards and code.

Nancy Hirschberg asked what the projections are for the amount of energy savings that will be realized over the current usage. Andy Smith responded that there will be an improvement but that he could not quantify it exactly, nor could he ballpark the figure.

Mike Hodder asked about signage. Matt Sullivan stated the only signage proposed was on the exterior of the building. Andy Smith stated the renderings indicated only some temporary signage but on the elevations there eventually would be a sign identifying the building.

Nancy Hirschberg expressed her extreme disappointment that Brewster Academy, as an educational institution, would not know how much energy they would be reducing and had hoped they would have made this project a model for future energy conservation.

Matt Sullivan recommended that the Board grant a two week continuance for the applicant to address the stormwater issues raised.

Mike Hodder made a motion, which was seconded by Vaune Dugan, to continue Case #2020-22 until September 15, 2020 at 7:00PM. Roll call vote: Peter Goodwin - yes, Vaune Dugan - yes, Susan Replier - yes, John Thurston - yes, Brad Harriman - yes, Mike Hodder - yes, Kathy Barnard - yes. Vote was unanimous (7-0 in favor) to continue this application until September 15, 2020.

V. **Public Comment:** None

VI. **Other Business/Discussion:**

A. Master Plan Implementation Discussion:

Discussion ensued as to the distribution of the Master Plan. Matt Sullivan stated that copies had been distributed to the Board of Selectmen as well as the statutory places, the Library and Town Hall. It has not yet been distributed to committees. Kathy Barnard noted there were a number of recommended changes contained in the Master Plan and that the Planning Board should take the lead in implementing those changes. She recommended distributing copies to the following committees: EDC, Heritage, Energy and Conservation. She advised that there were changes in the Site Plan Regulations which should come as recommendations from the Energy Committee to the Planning Board. This also applies to EDC and Heritage Committees. Matt Sullivan stated that he envisions each committee reviewing the regulations/ordinance and making proposals of recommended changes to the Planning Board. Kathy Barnard suggested, and personally offered, that someone from the Planning Board should go to each committee and identify the respective areas to be addressed as well as the process for submitting recommended changes. Matt Sullivan concurred that the personal interaction between the Planning Board and committees is most helpful. Matt Sullivan advised that the Board of Selectmen requested a list of recommendations that specifically identify the BOS as the responsible party. This has been done in the past and Matt Sullivan will be working on same.

B. Lighting Committee Membership, Advertisement and Mission Statement:

Kathy Barnard asked the Board for input regarding the Lighting Committee mission statement drafted and distributed by Matt Sullivan. John Thurston and Susan Replier were tasked with this committee at the last Board meeting. Susan Replier mentioned that one suggestion is to draft an educational letter to the community which would be published in the newspaper providing information on lighting and suggesting alternative products. Mike Hodder suggested raising number the of Planning Board members on the committee to three. Kathy Barnard stated that there was a specific goal about lighting in the Master Plan and the Future Land Use chapter which would be the starting point along with the recently drafted mission statement. Kathy Barnard also added that this is a town wide issue and may possibly go further than the recommendations of the Planning Board.

Mike Hodder made a motion, which was seconded by Kathy Barnard, that the Planning Board establish a Lighting Subcommittee with 5 members: 2 appointed by the Planning Board, 1 recommended by the Board of Selectmen to be appointed by the Planning Board,

and 2 members of the public to be appointed by the Planning Board. Roll call vote: Brad Harriman - yes, John Thurston - yes, Mike Hodder - yes, Peter Gordon - yes, Vaune Dugan - yes, Susan Replier - yes, Kathy Barnard - yes. Motion passes unanimously (7-0 vote in favor).

Mike Hodder made a motion, which was seconded by Kathy Barnard, that the Planning Board appoint John Thurston and Susan Replier as Planning Board members of the Lighting Subcommittee. Roll call vote: Brad Harriman - yes, John Thurston - yes, Mike Hodder - yes, Peter Gordon - yes, Vaune Dugan - yes, Susan Replier - yes, Kathy Barnard - yes. Motion passes unanimously (7-0 vote in favor).

Kathy Barnard inquired as to how the two public members would be determined. Matt Sullivan stated he would reach out to Patty Cooke, who had initially written a letter to the Board concerning this issue, to see if she has any interest in participating. He will also post a notice on the Town website as well as the newspaper soliciting interested public participants. Matt Sullivan will also write a letter to the Board of Selectmen advising them of the creation of the Lighting Committee and request that they recommend a member.

C. Non-Conforming Structures Amendment:

Matt Sullivan reviewed the proposed amendment definition for Non-Conforming Structures (175-43) and advised that over the past year some questions have been raised in the Non-Conforming Uses, Expansion and Extension section. He explained that clarification was needed of the 25% expansion limitation. The intention of the ordinance was to only allow expansion based on 25% of the non-conforming area but the current language is confusing. Another portion of the ordinance clarifies the 25% limitation, but this section contradicts that and the proposed language will correct that. Matt Sullivan stated this is the first consideration of this amendment and it must be presented one more time to the Board before it can be voted on.

D. Mean Natural Grade Amendment:

Matt Sullivan explained that he has had consultants for building and shoreline applications raise an issue regarding the 10 foot intervals that measurements are to be taken around the proposed building perimeter. The ordinance currently does not specifically define where the 10 foot intervals should be measured from. The result is that the site can be manipulated to create different mean grades based on where that origin of measurement is done. The alternative is to simply state *that if there is a 2 foot contour that intersects with the structure, you will be required to take the mean natural grade of those two foot contours that are intersected along the foundation of the structure.* Vaune Dugan clarified that the intent is that you are taking the natural grade before construction. She further explained that if you're building up mounds or putting a house on a plinth of fill, you're not measuring around the plinth but rather going to the side lot lines and looking at what the grade was before a building was there. She stated that it is easy to do on boundary lines and then just extrapolate. She further explained that you then have a footprint and the natural grade, despite what fill is being put in or taken out. Matt Sullivan stated he does not want to change the natural portion at all, but feels the ability to alter the starting point for measurement of the 10 foot intervals can

end up modifying the mean natural grade. He stated that, based on variable topography around a foundation, the mean can be different. Matt offered the example of an applicant who gave him two plans of the same project showing they could get different height out of the same structure depending on where they started their measurement. Vaune Dugan disagreed, stating she believes that the individual was not interpreting the natural grade properly. According to Vaune Dugan, the mean should not be influenced by the starting point of the 10 foot measurements and that once averaged, any differences, if any, would be very subtle. Mike Hodder concurred that, because the calculation is determined using the average of the 10 foot measurements, the result should very similar if not the same. John Thurston recalled this being an issue with determining the height of the Depot Square condominium project. Matt Sullivan also recalled this being an issue with a shorefront property that had a steep grade with possibly a walkout lower level. Matt Sullivan stated he is proposing the language change to avoid manipulation of building heights by applicants and will bring to the Board specific examples of where the topography has resulted in varying numbers. Vaune Dugan suggested that the answer may be to create a methodology wherein it states specifically how the measurements are to be taken and the mean computed. Brad Harriman suggested a method wherein the measurements were done in segments, with each segment required to begin at a corner. The measurements would be taken from corner to corner in five foot increments and each of these segments would be averaged. This would give specific points to begin and end at, with the total number of segments based on how many sides the building has. Matt Sullivan will gather information on specific incidents wherein this has been an issue.

E. Habital Space:

There was brief discussion of the proposed language for Habitable Space (175-175) which had been reviewed and drafted as a result of an earlier discussion at the August 18, 2020 Planning Board Meeting. It was decided to table discussion of possible further revisions until the September 15, 2020 meeting.

F. Workplan Amendment Review:

Matt Sullivan presented the 2020 Planning Board Work Program which he updated based on discussion at the mid-August, 2020 meeting and also wanted to put forth what the 2021 recommended zoning changes are. He stated that there will hopefully be a signed contract on the impact fee study soon. He has a fee basis study done by Bruce Mayberry who did the Town study in 2009. Vaune Dugan stated she believed the removal of references to voluntary design reviews was already completed. Matt Sullivan qualified that it was not done in the zoning ordinance as those were kept in the event that the site plan regulations were not adopted. He further stated that the Board now needs to go back and take out the references to voluntary design guidelines in the ordinance and change those references to architectural design standards which is now what's been adopted by the Board.

G. Budget:

Mike Hodder questioned what the status of the Planning Board budget was. Matt Sullivan advised that he submitted a draft budget to the Town Manager for review.

VII. Approval of Minutes:

A. 7/21/2020 Planning Board Minutes:

Mike Hodder made a motion, and Vaune Dugan seconded, to accept the July 21, 2020 minutes of the Planning Board. Roll call vote: Peter Goodwin - yes; Vaune Dugan - yes, Susan Repplier - yes, Brad Harriman - yes, Mike Hodder - yes, John Thurston - yes, Kathy Barnard - yes. Vote for approval of the minutes was unanimous (7-0 vote in favor).

B. 8/4/2020 Planning Board Minutes:

Mike Hodder noted the following be added on page 9, at the end of the last paragraph: "Brad Harriman noted that the Selectmen's vote was not unanimous."

Mike Hodder made a motion, which was seconded by Vaune Dugan, to approve the minutes as amended. Roll call vote: Brad Harriman - yes, John Thurston - yes, Mike Hodder - yes, Vaune Dugan - yes, Susan Repplier - yes, Peter Goodwin - yes, Kathy Barnard - yes. Vote for approval of minutes as amended was unanimous (7-0 vote in favor).

VII. Adjournment:

Motion to adjourn was made by Mike Hodder and seconded by Vaune Dugan. Roll call vote: Brad Harriman - yes, John Thurston - yes, Mike Hodder - yes, Susan Repplier - yes, Vaune Dugan - yes, Peter Goodwin - yes, Kathy Barnard - yes. Vote to adjourn was unanimous (7-0 in favor).

There being no further business, the meeting adjourned at 8:58 PM.

Respectfully submitted,
Mary Jane Shelton
Recording Assistant

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