

**TOWN OF WOLFEBORO
PLANNING BOARD
February 16, 2021
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 the public to access and participate in the meeting via in-person attendance at Wolfeboro Town Hall or via GoToMeeting at the following login site: <https://global.gotomeeting.com/join/918242429>

Please call 603-569-5970 OR e-mail planningdirector@wolfeboronh.us if you have any questions or concerns about in-person attendance.

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

II. Introduction of Board Members:

At this time I would like to take a roll-call vote of ALL members present. For those participating virtually, please indicate if you have any other individuals present in the room with you.

Members Present: **Kathy Barnard**, Chairperson; **Brad Harriman**, Selectmen's Representative; **John Thurston**; **Mike Hodder**; **Susan Repplier**; **Peter Goodwin** (remote with no one else present in the room), **Vaune Dugan** (remote with no one else present in the room), **Julie Jacobs**, Alternate.

Members Absent: None

Staff Present: **Tavis Austin**, Director of Planning and Development; **Mary Jane Shelton**, Recording Assistant

III. Public Hearings: None

IV. Public Meeting:

A. Applicant: Cynthia and Clinton Johnson

Address: 134 Piper Lane

Tax Map 158-021 & 158-023

Project: Voluntary Lot Merger

The owner has requested merger of Lots 158-021 (~.84 acre) and 158-023 (~.49 acre). Lot 158-021 is developed by a primary structure. Neither of the current lots are conforming from an area or frontage perspective. This merger is a Condition of Approval of Case #2019-03, a Special Use Permit. Tavis Austin explained that the Special Use Permit was to create a temporary wetland crossing that would allow the owner to demolish what is left of the existing structure and build a new home on the property. The condition of merger of the lots was proposed by the applicant at the time of the Special Use Permit. In order to move forward with construction, the condition of the merger is required. Kathy Barnard pointed out that both lots are nonconforming and the merger will bring the merged lot more into conformity with the zoning requirements.

Mike Hodder made a motion, and was seconded by Brad Harriman, to approve the merger of the two subject lots. Roll call vote: Peter Goodwin - yes; Vaune Dugan - yes; Susan Repplier - yes; Mike Hodder - yes; John Thurston - yes; Brad Harriman - yes; Kathy Barnard - yes. Motion is approved by a unanimous vote of 7-0.

The remainder of the meeting is a work session addressing the following:

B. **Drive thru Committee update:**

The committee is composed of Kathy Barnard, Mike Hodder and Susan Repplier who have met as a committee several times. Their focus has been on how best to host/communicate a public input session on the topic. They presented a sample mailer/flyer to generate interest/feedback for a public forum. The mailer consisted of a couple of questions along with a visual. In addition, the committee proposed a survey hosted through Survey Monkey to gain/track further input from the public.

Feedback from the Board members included the following:

1. Consider including information on the flyer about the public forum to be held.
2. Flyers should not include specific corporate brand logos, as it could open the Town up to legal/copyright infringement and/or discrimination issues. Instead the flyer should only include generic clip art, possibly depicting someone pulling up to a drive-thru window, rather than specific national chain logos. Kathy Barnard added that she felt

including specific brand logos could skew the public reaction and also be misleading as the Town ordinance does allow a non-drive thru restaurant of those same restaurant chains. Vaune Dugan, Peter Goodwin and John Thurston also concurred with the risks of including a known corporate logo.

3. Avoid being too wordy or asking too many questions on the initial mailing that would deter people from completing the survey. Instead, structure the public forum to elicit further information on what types, if any, drive-thru food service would be desirable.

Mike Hodder reinforced that the purpose of the committee was essentially to find out if the public was interested in changing the ordinance.

4. Tavis suggested including language on the mailer, language which explains to the recipient why they are receiving this request and advising that their responses will be included in a public forum to be held on a specific date.
5. Suggestion was made to include the exact language of the current ordinance, which currently allows take-out but prohibits drive-thru, to clarify to the public exactly what they are being asked for input on.

Kathy Barnard informed the Board that the committee's target is to send out the mailer in April, as well as putting a notice in the newspaper, to have the public forum in May. The committee will reconvene to review the Board's recommendations and consider incorporating such into the mailer.

C. **Master Plan Implementation Matrix update:**

Tavis Austin reported that he is currently working on a presentation format and following up with the various groups on identifying their top three priority projects. Kathy Barnard communicated to the Board that committees should not feel restricted to three priorities if they want to include additional projects.

D. **Plan NH/Charette update:**

Tavis Austin reported he has met with the Plan NH staff who have developed a COVID Charrette model to be hosted in the Fall of 2021 with social distancing and virtual aspects.

Mike Hodder shared his position that hosting the Charrette during COVID does not allow for the community involvement it was designed for and advocates holding off on the event until such time that the public can participate as anticipated.

Kathy Barnard concurred.

Tavis Austin pointed out that the funds were appropriated in 2020 for the Charrette and he put in a purchase order to transfer the funds to 2021 and investigate if he can do another purchase order to push the funds into 2022 or if it will need to be presented in another Warrant Article.

Mike Hodder pointed out that possibly COVID restrictions would be lifted prior to the end of 2021. Tavis will investigate whether Plan NH is willing to still make a presentation to the Board on March 16, 2021, preferably in person, and if there will be a cost associated with that.

E. **2021 Work Plan update:**

Tavis Austin requested the Board prepare a list for the 2021 Work Plan, which the Board created as follows:

- Lighting committee
- Short term rental issue
- Multi - family housing to include Affordable Housing and Inclusionary Zoning
- Stormwater management
- Impact fees
- Drive-thru restaurants
- Master plan priorities
- Filter Bed Road - zoning
- Conservation/subdivision regulations
- Housing study - planning for Glendon/Union/School/Lehner Streets area*
- Standardize the format of the zoning ordinances - i.e. - definitions made separate from regulations, inclusion of an index, etc.

* This may be addressed as a topic thru the Charrette.

Tavis will present the Board with an updated Work Plan list at the next meeting.

F. **Impact Fees update:**

Mike Hodder and Tavis Austin met previously to discuss Impact Fees and updated the Board with the following recommendations:

- Impact Fees should continue to support school projects only
- To not expand impact fees to municipal nor commercial projects at this time
- Request Mr. Mayberry to update the existing school fees
- To have a cap on the maximum fees assessed per project
- Mike, Tavis and Kathy Barnard should meet again to finalize what services they want to contract with Mr. Mayberry and determine the cost and source of funds for such. This information will then be presented to the Board for approval to

contract Part II of the Impact Fees and consider the methodologies employed by Mr. Mayberry for calculating such fees - i.e., square footage, dwelling type, etc.

G. **Filter Bed Road/Pine Hill Study Committee:**

The Board appointed Mike Hodder, John Thurston and Julie Jacobs to this committee. Their objective is to take a closer look at this area to determine if and how it should be rezoned.

H. **Discussion of Lumbering/Viewsapes:**

Peter Goodwin reported his research revealed that anyone applying for an intent to cut permit must also sign a form for the state indicating their intent to use best practices, etc. which satisfies the concern of the Natural Resources Committee. With respect to viewsapes, he suggested the distribution of an educational pamphlet or similar to individuals when applying for a building permit. The document would contain recommendations on benefits of house colors, good neighbor policies, etc.

Mike Hodder stated he did not see a role for the Planning Board in this instance. Specifically, the Board does not have the authority to include a document with a building permit application. He would also have concerns about the wording of the document and whether or not it was within the Board's purview and suggested the Heritage Committee might have a more appropriate role in this.

Vaune Dugan stated that if the pamphlet is giving suggestions or guidance, it could be construed as a planning role and a similar handout has been used in the past.

Peter Goodwin further explained it would be an educational tool without restrictions.

Mike Hodder reiterated that he does not feel educating the public in this manner is part of the responsibility of the Planning Board.

Tavis Austin offered that he could see the logic in both sides of this issue and suggested the solution might be to create such a document as an extension of the Master Plan and have it put forth by the Planning Department rather than the Planning Board. He suggested the document be reviewed by the Planning Board for consistency with the Master Plan, even if it is not formally endorsing such.

Peter Goodwin will develop a proposed handout for review by the Board.

I. **Affordable Housing update:**

Mike Hodder identified three zoning ordinances (Article 23) that specifically address housing which need updating and revision:

- Elderly and affordable non-profit workforce housing - dated 2006
- Inclusionary zoning - dated 2009
- Multi-family dwellings - dated 2011

In addition, there is a bill in the House currently which will have a significant impact on municipal zoning on inclusionary, affordable, elderly and workforce housing. His recommendation was for himself, Kathy Barnard and Tavis Austin work together to come up with a proposed single article that incorporates the above housing taking into account the proposed legislation (HB 586). This would be a long term project.

J. State Legislation update:

Mike Hodder stated that not much new has happened with HB 586, which is due out of committee 2/18/21 for full House debate and scheduled for activity in March. The bills regarding Tiny Homes and ADU's are due out of committee on 3/11/21. The bill on ½ acre lot zoning which prohibits local ordinances requiring lot sizes of more than ½ acre for a single family home is also due out of committee on 3/11/21. The only current Senate bill which impacts the Planning Board is similar to HB586 and had a public hearing on 2/8/21 and no further status is available.

K. Short Term Rental Committee update:

Next scheduled meeting is Monday, 2/22/21.

L. Lighting Committee update:

Next scheduled meeting is Monday, 2/22/21.

V. Public Comment:

Ann Blodgett called in and had the following comments:

1. Inquired as to why drive thru restaurants are being revisited. Kathy Barnard and Mike Hodder responded that, although this issue has been voted down twice previously, the Board would like to host a public forum to hear what the town thinks on both sides of the issue. John Thurston further explained that the two previous votes had been done via a Town Warrant Article with the Planning Board making a recommendation on the petition. The public forum will present an opportunity for the public to voice their opinion without Planning Board influence.
2. Inquired as to the Board's activity on short term housing. Mike Hodder responded that the Board has a committee looking into short term rentals and their impact on the Town as well as a revisit of the outdated housing ordinances.
3. Inquired about the definition of habitable space. Tavis Austin read the definition directly from the Town website.

VI. Other Business: None

VII. Information Item:

Tavis Austin informed the Board that a subdivision will be on the agenda for the first meeting in March.

VIII. Adjournment:

Mike Hodder made a motion, which was seconded by John Thurston, to adjourn the meeting. Roll call vote: Peter Goodwin - yes; Vaune Dugan - yes; Susan Repplier - yes. Mike Hodder - yes; John Thurston - yes; Brad Harriman - yes; Kathy Barnard - yes. Motion is approved by a unanimous vote of 7-0.

Meeting was adjourned at 9:05 PM.

Respectfully submitted,
Mary Jane Shelton
Recording Assistant

