

TOWN OF WOLFEBORO
PLANNING BOARD
September 6, 2016
MINUTES

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

Member Absent: Dave Alessandrini, Alternate.

Staff Present: Rob Houseman, Director of Planning & Development, Lee Ann Keathley, Secretary.

Chairman Barnard opened the meeting at 7:01 PM at the Wolfeboro Town Hall Great Hall.

I. Scheduled Appointment / Public Hearing
Binnacle, LLC
Special Use Permit
Agent: Peter Cooperdock, Fernstone Associates
TM #201-80
Case #201616

Rob Houseman reviewed the Planner Review for September 6, 2016 stating the applicant proposes to construct a driveway access within the wetland, wetlands buffer and setback. He noted the proposal would include the following impacts; 2,000 SF of fill of poorly drained soil and 550 SF of improvement within the no touch buffer. He stated the Code Enforcement Officer, Health Officer and Conservation Commission have reviewed the proposal and have no objection to such. He stated he requested the culvert sizing and driveway cross section be designed by a licensed PE since such are considered engineered structures.

Peter Cooperdock, Fernstone Associates, stated the property is a ½ acre lot in a residential area with a buildable area to the rear of the property; noting wetlands span across the entire front of the property. He stated the lot was created as a residential building lot and has a three bedroom approved septic system; noting there is no access to the site without crossing wetland. He stated the wetlands crossing is proposed for the southwesterly corner of the property to stay away from the very poorly drained soils that is associated with the depression in front of the lot that has been potentially created by the inappropriately placed culvert under Highland Terrace. He stated one alternative location exists however, a culvert that goes under Highland Terrace is at that alternative location. He stated a 12' wide driveway with 2:1 side slopes with an 18" culvert with headwalls is proposed; noting the applicant has received NH DES Wetlands approval for the crossing. He stated there is minimal impact.

Kathy Barnard confirmed the lot is a pre-existing lot of record established prior to the adoption of the regulations.

It was moved by Paul O'Brien 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.

Joe "Bucky" Melanson (therein after referred to as Bucky Melanson) asked if the Board has seen the property as a group.

Kathy Barnard replied no.

Bucky Melanson stated he is opposed to the application due to impact to wildlife. He stated Highland Terrace is serviced by Town water and expressed concern for another building being hooked up to the system given that they have dirty water. He stated the map provided by the applicant is not accurate.

Joe Melanson stated the applicant was aware at the time the property was purchased that the tax map card identified the lot as an accessory lot and severe slope. Referencing the criteria for approval, he addressed site suitability; noting there is not adequate usable space due to the steep slope. He stated he doesn't think it was ever an approved or recorded lot of record. He stated the septic design (proposed location of leach field) encroaches into the common area and doesn't meet the setback. He stated the property has only been used as a garden and feels a road would devastate the area environmentally; noting a vernal pool exists on the property. He stated the established market value was not a hardship and questioned whether the Board has received a response from NH DES regarding the project. He submitted photographs of the site, copy of the assessment card, a publication on vernal pools and a letter from him and his wife to the Nongame & Endangered Wildlife Program. Referencing the construction sequence notes, he questioned whether construction could even occur because the lot is not dry.

Kathy Barnard noted the Board received both the NH DES Wetlands approval and the approval for the individual septic system.

Joe Melanson asked if the Board received a copy from his parents letter stating their opposition.

Kathy Barnard replied no. She asked if the Town has a record of the subdivision plan.

Rob Houseman stated he does not know the date of the subdivision of the lot however, if the lot was subdivided after Planning Board approval was enabled in 1967 the Town would have the record file. He stated the tax card notes that the lot was assessed at \$30,000 in 2014 and an abatement was granted at the previous owner's request arguing slope constraints. He stated the tax card states the lot is an accessory lot however, it is not a term that applies to a lot that has received Planning Board approval or predates Planning Board approval. The Town treats all lots of lots of record as a building lot of record and the issue before the Board is whether the proposal complies with the criteria within the ordinance. He stated Mr. Melanson is referring to a letter that his parents wrote to NH DES; noting the Board was not copied the letter.

Peter Cooperdock stated the lot is taxed as a lot of record. He stated the State requires a 10' setback from the property line for a leach field and the Town adheres to the State setbacks; noting the setback is greater than such. He stated the septic plan shows the contours and the contours were created by Land Tech, a licensed land surveyor. He stated the lot is moderately sloped (10-12%) and the slope goes into the wetland. He explained the difference between poorly drained and very poorly drained soils; noting the latter will dry out six months of the year with an ability to build a driveway. He stated he doesn't believe the impact will be detrimental to the wildlife in the area.

Joe Melanson stated at the time his grandmother sold the lot it was not a buildable lot. He stated he has never seen the lot dry.

Vaune Dugan verified the fill and proposed leach field does not encroach on the neighbor's lot.

Joe Melanson asked whether the applicant is proposing a house and if it would be their primary residence.

Kathy Barnard stated the lot is within a single family residential zone.

Vaune Dugan stated it is not the Board's pervue to review whether it would be a primary residence.

Bucky Melanson stated the flow of water goes to Lake Winnepesaukee; noting any leakage of the septic system would go that far. He requested the Board look at the property.

Rob Houseman stated at this time there is no indication that it was not classified as a building lot. He stated he is unable to view the deeds therefore; he cannot represent that at some previous transfer there was a restriction imposed on the property. He stated it has not been represented that a deed restriction was imposed.

Brad Harriman asked if Dave Ford indicated the size of the water line on Highland Terrace.

Rob Houseman replied no; noting the Town runs a bleed, customarily on a hydrant.

Kathy Barnard requested the subdivision plan.

Mike Hodder stated the Conservation Commission has signed off on the application however, requested the Commission conduct a site visit and provide a written review of such.

Vaune Dugan stated the plan doesn't show a steep slope lot; noting 718 is noted at the lowest point and 730 at the highest point.

Paul O'Brien questioned the location of the bleed lines, how long they have been there and how long the lines are going to be there.

Rob Houseman stated bleeds run on a dead end line or an old line that has red/rusty water. He stated the Public Works Director has signed off on the application.

Stacie Jo Pope asked if the wetlands are flagged.

The Board agreed to continue the public hearing so that the Conservation Commission and Planning Board could conduct a site walk of the property. The Board requested the applicant provide the following information;

- Subdivision plan
- Flag the driveway and tow of the slope of the driveway

The Board requested Staff provide the Board with information relative to the water line on Highland Terrace.

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

It was moved by Stacie Jo Pope and seconded by Paul O'Brien to continue the Binnacle, LLC Special Use Permit application and public hearing, Tax Map 201-80, to October 4, 2016. All members voted in favor. The motion passed.

**Huggins Hospital
Site Plan Review; Lighting Plan
Agent: Thomas Milligan, Daniels Electric Corp.
TM #231-90-E
Case #201618**

Kathy Barnard recused herself; noting she is on the Board of Trustees of Huggins Hospital.

Rob Houseman reviewed the Planner Review for September 6, 2016 stating the applicant proposes to replace all existing metal halide parking lot lights with LED lighting (54 lights) and install additional LED lights in order to provide adequate lighting of the parking lot and walkways (25 additional lights). He stated the applicant has submitted a waiver for Section 173-27.2; noting said section prohibits LED lighting.

Donn Pushor, Senior Director of Facilities and Sports Services, Huggins Hospital, stated the intent of the proposal is to improve lighting and safety for its patients, visitors and staff. He distributed photographs taken at night to show areas of darkness in the parking lot.

Tom Milligan, Project Manager, Daniels Electric Corp., stated the proposal would improve the existing lighting layout and address safety and security issues. He stated there is no light spillage onto abutting properties and noted the existing layout provides an average of 0.72 foot-candles with a maximum of 9.9. He stated the proposed layout provides an average of 1.60 foot-candles with a maximum of 11.8; noting the new layout significantly limits dark spots and provides a more uniform layout while maintaining the average foot-candle layout well below industry standards of 3-5 foot-candles (per the Illuminating Engineering Society). He stated the proposal will increase efficiency for energy usage and limit maintenance costs; noting the existing metal halide light poles consume 185 watts of power each and the replacement fixtures consume 52.1 watts each. He noted the average life of the metal halide lamp/ballast is 10,000 hours and the average life of the new fixture is 60,000 hours. He stated both lights have a 4,000 Kelvin rating.

Rick Lilly, Charron Incorporated, stated the proposed fixtures adhere to dark sky compliance; noting there is zero percent uplight from the fixture and thus, reduces sky glow.

Tom Milligan stated the new fixtures are the same exact fixtures aesthetically, only the source of lighting is changing from metal halide to LED.

Stacie Jo Pope confirmed the fixtures are dark sky compliant.

Tom Milligan noted a difference between dark sky compliant fixtures and listing; noting there is a lighting agency that provides a stamp that states a fixture is a listed dark sky compliant fixture. He stated the proposed fixtures are dark sky compliant however, does not have a listing.

Stacie Jo Pope questioned what would be seen from an abutter's perspective relative to the change in lighting.

Rick Lilly stated abutters would see a softening of the light; noting a metal halide light tends to have a bright light at its source. He stated the light would be visually softer and more evenly distributed.

Vaune Dugan questioned whether additional lights would be installed on the back side of the building.

Tom Milligan stated five wall mounted fixtures will be installed; noting an increase in foot-candles from 0 to 1.5-2.

Mike Hodder stated the number of lights is increasing by 50% and expressed concern for light spillage onto abutting properties. He asked if there is anything that can be done to prevent spillage and achieve their lighting goals.

Rick Lilly stated light trespass is measured and noted that such is less of an issue with LED lighting. He stated the amount of light that goes forward and behind the fixture can be controlled. He stated other mechanisms such as house side shields block the light however, such are not included in the proposed lighting plan. He stated such could be a simple modification. He stated the light trespass is not depicted on the plans however, he could provide calculations that show how little light is spilling onto the abutters. He stated the proposal adheres and exceeds the requirements of Illuminating Engineering Society.

Donn Pushor stated the lights could be shielded; noting mitigation of spillage and concern by the Board could be resolved by installing shrouding fixtures and noted such could be added to the plan.

John Thurston recommended removing one light from the parking area that abuts Crescent Lake Avenue.

Paul O'Brien recommended the applicant provide a letter confirming there is no light spillage and requested the applicant provide calculations.

Stacie Jo Pope requested the applicant address the waiver request.

Donn Pushor stated the proposed LED lighting will provide a substantial energy reduction and allows for more manipulation for modification as necessary. He stated the proposal includes the same color level as the existing lighting with a softer look.

It was moved by Mike Hodder and seconded by Paul O'Brien to grant a waiver for Section 173-27.2. All members voted in favor. The motion passed.

It was moved by Mike Hodder and seconded by Vaune Dugan to accept the application as complete. All members voted in favor. The motion passed.

Vice-Chairman Pope opened the public hearing.

Suzanne Ryan stated she can see Huggins Hospital from her property on Cotton Mountain and asked whether the refraction of the light would increase, decrease or remain the same.

Stacie Jo Pope stated the parking lot will be illuminated more however, the color temperature would remain the same.

Suzanne Ryan questioned impact to the night sky.

Mike Hodder stated the fixtures are dark sky compliant and the lights will be softer.

Paul O'Brien stated the light power would be dispersed to the ground.

There being no further questions or comments, Vice-Chairman Pope closed the public hearing.

Rob Houseman reviewed the following recommended conditions of approval:

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval;
Plan 1. Exiting Metal Halide Lighting Layout, Huggins Hospital, South Main St., Wolfeboro, NH, Prepared by Daniels Electric Corp., PO Box 7412, Gilford, NH, 03247, Plan Dated February 2, 2016.
Plan 2: LED Proposed Improvements, Huggins Hospital, South Main St., Wolfeboro, NH, Prepared by Daniels Electric Corp., PO Box 7412, Gilford, NH, 03247, Plan Dated February 2, 2016.
2. The applicant shall be responsible for the payment of all recording fees.
3. Representatives of Huggins Hospital have testified that there will be very little light spillage onto abutting properties and have agreed to place shrouds on the fixture(s) if a complaint is received by an abutter regarding light spillage.
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.

It was moved by Mike Hodder and seconded by Paul O'Brien to approve the Huggins Hospital Site Plan Review application, Tax Map 231-90-E. All members voted in favor. The motion passed.

Douglas B. and Bonnie Blum
2-Lot Subdivision
Agent: Randy Tetreault, Norway Plains Associates, Inc.
TM #203-124
Case #201620

Rob Houseman noted the lot has frontage on Pleasant Street, North Main Street and Lucas Street. He reviewed the Planner Review for September 6, 2016 stating the applicant proposes a two-lot subdivision in which Lot 203-124 shall reduce in acreage from 1.41 acres to 0.91 acres with 217' of frontage on North Main Street and 133' of frontage on Lucas Street and the new lot would consist of 0.50 acres with 148' of frontage on Lucas Street and 173' of frontage on North Main Street. He stated the proposal has received approval from the Electric Department and Public Works Department. He noted a driveway easement from Pleasant Street to the existing house currently exists and the new lots will have an opportunity to use the existing driveway or see approval for a new driveway. He stated the applicant has requested the following waivers; Sections 174-7.D.2, 174-7.D.5 and 174-7.D.6; noting the waivers are based on the fact that all adjacent lots are serviced by Town water and sewer; noting the requests are reasonable. He stated the Board adopted the Village Residential District in 2009 to allow for infill development; noting this proposal is the first lot that has been generated from the zoning change.

Kathy Barnard questioned the front setback for a corner lot.

Rob Houseman stated the orientation of the house would determine the front setback; noting the garage is required to be set back from the house.

Kathy Barnard confirmed that such would be determined at the time of the issuance of the building permit.

Randy Tetreault, Norway Plains Associates, Inc., stated waivers are being requested because at this time test pits, soils and slopes are not required as the existing and proposed lots have access to municipal water and sewer. He stated the existing property is encumbered by a small portion of the existing public traveled way (Pleasant Street and Lucas Street intersection) located at the southwesterly corner of the subject premises.

Vaune Dugan questioned whether the 16' easement could be relocated.

Randy Tetreault stated the easement would be solely for its current location and noted in the deed.

Vaune Dugan questioned the 10' setback from the driveway and whether such was imposed by the Town.

Randy Tetreault stated the 10' setback is normally drawn to the boundary line however, the owner wanted it set back from the easement. He stated it is not imposed by the Town but rather, the property owner.

Rob Houseman stated the seller has the ability to impose restrictions; noting the owners are imposing a 10' setback from the travel way.

It was moved by Stacie Jo Pope and seconded by Mike Hodder to grant a waiver for Sections 174-7.D.2, 174-7.D.5 and 174-7.D.6. 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.

Rob Houseman reviewed the following recommended conditions of approval:

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval;
Plan 1. Subdivision Plan, 166 North Main Street, Wolfeboro, Carroll County, NH, For Douglas B. and Bonnie Blum, Tax Map 203-124, Owner of Record: Douglas B. and Bonnie Blum, Prepared by Randolph R. Tetreault, LLS, Norway Plains Survey Associates, Inc., PO Box 249, Rochester, NH 03867, Plan Dated August 2016.
Plan 2: Topographic Subdivision Plan, 166 North Main Street, Wolfeboro, Carroll County, NH, For Douglas B. and Bonnie Blum, Tax Map 203-124, Owner of Record: Douglas B. and Bonnie Blum,

Prepared by Randolph R. Tetreault, LLS, Norway Plains Survey Associates, Inc., PO Box 249, Rochester, NH 03867, Plan Dated August 2016.

2. The applicant shall be responsible for the payment of all recording fees.
3. The applicant shall be responsible for monumentation and the submittal of the Certificate of Monumentation and updated plans.
4. The applicant shall submit a Mylar plan for recording at the Carroll County Registry of Deeds.
5. 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 Vaune Dugan and seconded by Stacie Jo Pope to approve the Douglas B. and Bonnie Blum Subdivision application, Tax Map 203-124. All members voted in favor. The motion passed.

Brewster Academy

Site Plan Review; New Dormitory

Agent: James Rines, PE, White Mountain Survey & Engineering, Inc.

TM #218-150

Case #201621

Stacie Jo Pope recused herself.

Rob Houseman reviewed the Planner Review for September 6, 2016 stating the applicant proposes to construct a new dormitory to house the existing student population (reducing the number of students in other dormitories) and will house two faculty families per wing for a total of four faculty families. He stated the proposal includes 8 new parking spaces for faculty parking, including 2 ADA parking spaces. He stated the proposed lighting is in compliance with the Zoning Ordinance's Dark Sky standards and includes two 12' high pole mounted lights for the two parking areas, two 12' high pole mounted lights for the walkways, four wall mounted lights and five ceiling mounted porch lights. He noted that Brewster Academy received a Special Exception in 1992 as part of its master planning efforts for the current campus configuration. He stated the applicant submitted a construction cost estimate for site improvements of \$351,228 and noted the applicant has requested a waiver of the Stormwater Management Regulations. Referencing the latter, he stated the applicant is proposing to design the drainage system to comply with the State of NH Alteration of Terrain permit requirements assuming that a subsequent phase or modification of the property would occur. He stated compliance with the Alteration of Terrain requirements satisfy the Town's Stormwater Management requirements.

Jim Rines, White Mountain Survey & Engineering, Inc., stated the proposal is to improve living conditions and not designed to add students.

Lisa Braiterman, CFO, Brewster Academy, addressed the need for the dormitory; noting Brewster Academy's current facilities do not meet the needs of the students. She stated the proposed project serves four faculty families and 20 students and the location of the dormitory was carefully considered; noting the school participated in a design charrette. She stated the location is noted in the 1985, 1992, 2006 and 2010 Master Plans for a location of new dormitories; noting other locations was considered. She reviewed the alternative locations. She stated the building is designed to appear as a cluster and fit into the neighborhood. She stated a neighborhood meeting took place and the school explained the proposal and requested input and feedback from the neighbors. She noted the school currently does not have the funding for the dormitory.

Jim Rines stated he has provided a response to the Town's consulting engineer's questions and concerns. He stated there are no jurisdictional wetlands in the area therefore, there are no setback requirements related to such. Referencing screening, he stated the application is in compliance with landscape requirements relative to parking however, screening of the parking area was not provided. He requested a condition of approval to include screening of the parking area. He stated an Alteration of Terrain permit does not allow for phasing a project unless it goes beyond a ten year period therefore, relocating the maintenance facility has been considered so that the current site of such would become the future site of an additional dormitory.

Kathy Barnard confirmed that an Alteration of Terrain permit was issued for the site.

Jim Rines stated an Alteration of Terrain permit was approved for the Smith Center however, the permit does not address the proposal. He reviewed criteria for the waiver request, see attached. He stated there is no proposed litter storage.

Kathy Barnard expressed concern regarding granting the waiver.

Rob Houseman stated the applicant is designing its storm water drainage to meet the Alteration of Terrain criteria and fully comply with such. He stated the Town's engineer will be providing the Board a recommendation regarding the issue and noted that granting the waiver would allow the Board to determine whether the application is complete and open the public hearing. He stated the property does not drain onto abutting properties and noted the applicant received an Alteration of Terrain Permit for the turf field.

Mike Hodder expressed concern regarding waiving the Town's Stormwater Management Regulations.

Rob Houseman stated that by submitting the design to Alteration of Terrain standards, the applicant is obligated to comply with that design.

Kathy Barnard referenced Brewster Academy's Master Plan and the construction of three smaller buildings; requesting the applicant to address the proposal which does not reflect such.

Lisa Braiterman stated Brewster Academy is engaging in a Master Plan process in spring 2017; noting the existing Master Plan includes moving many buildings on the site and the new Master Plan wouldn't include such. She stated the intent of the project includes the relocation of the maintenance facility building (moving the commercial traffic) and creating a north and south residential area, separating the younger students from the older students and clustering students and faculty in neighborhoods to meet the needs of the students and program.

Kathy Barnard stated the three structures noted in the Master Plan do not have the mass of the building that is being proposed. She noted the Board incorporated the ROI District with consideration given to Brewster Academy and Huggins Hospital. She noted the criteria of the District include structures to be constructed that are harmonious with other structures within the District and requested such be addressed. She stated the criteria speaks to scale, proportion and massing and questioned whether the standards were reviewed.

Ward D'Elia, Samyn-D'Elia Architects, discussed the concept of clustering faculty and students; noting the proposal includes a series of houses connected so that the entire size of the building is not seen from one side. He noted each of the geometric pieces is of a normal house size.

Kathy Barnard questioned whether consideration was given to the Clark Road neighborhood.

Ward D'Elia reviewed the architectural design of the building; noting the architecture is consistent with existing buildings on campus. He stated the building is a 2-story building and not oversized.

Kathy Barnard questioned whether moving the structure toward the maintenance building was considered.

Jim Rines stated a stockade fence is located in front of the maintenance building and noted that if the proposed building is moved closer to the maintenance building there would not be room for a future second dormitory. He stated the placement of the building has been reviewed.

Vaune Dugan stated it appears that the side setback is applied to the Clark Road setback and questioned why the proposal doesn't apply to the existing setbacks of the other buildings on Clark Road.

Rob Houseman stated the ROI District is oriented to South Main Street and requires the frontage of the lot be distinguished. He stated Town Counsel opined that the intent of the frontage of the Brewster Academy lot is South Main Street.

Vaune Dugan stated the proposal should comply with the streetscape of Clark Road.

Jim Rines stated the Planning Board determined that the front setback would be South Main Street at the time of the Smith Center proposal.

John Thurston questioned whether the road would be the main entrance for further expansion.

Jim Rines replied no, the entrance would be subject to gates and bars if the second dormitory was constructed.

It was moved by Mike Hodder and seconded by Paul O'Brien to grant a waiver from the Town's Stormwater Management Regulations. All members voted in favor. The motion passed.

It was moved by Paul O'Brien 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.

Bob Tougher, 60 Clark Road, verified that Brewster Academy invited the abutters to discuss the proposal on 8/16/16. He stated the use of the building, architectural design and infrastructure; noting the latter, would not be comprised. He stated Dave Ford reviewed the calculations and provided an analysis of the water and sewer utilities. He stated the placement of the building may be too close to Clark Road and noted that it may be advantageous to have the road access Clark Road; noting such would not unduly burden the traffic on Clark Road and would provide access to emergency vehicles. He stated he has no objection to the proposal.

Ramona Zarinsky, 26 Clark Road, stated the dormitory blocks her views of the lake, mountains and breeze across the field. She stated the proposal is similar to putting a small hotel in a residential neighborhood. She stated the neighborhood will be affected and is opposed to the proposal. She expressed concern for additional lighting; noting the latter is not currently an issue.

Member of the public questioned what would be the view from Clark Road and expressed concern for looking at the back side of the building and trash cans.

Greg Cantwell, 26 Clark Road, stated the position that embraces the full width of the structure will be seen from the corner of Goodrich Road and Clark Road and Clark Park. He stated the views of the lake and mountains is one of the last scenic vistas and disappears completely with the construction of the building; noting the Town's Natural Resources Chapter addresses such. He read and submitted a letter to Brewster Academy from Peter Brewster, Class of 1954, which speaks to the view of the lake and mountains. He stated the property is private property but the view is embedded in the Town's Master Plan. He stated the view can't be just for Brewster but, belongs to the people. He stated the view is worth preserving and there has been no sympathy or empathy for the residents of Clark Road.

James Hathcock, 21 Clark Road, stated he directly abuts Brewster Academy and feels that their growth is encroaching on his experiences and feels his property will be directly impacted. He requested the setbacks

remain in the current location if the project is approved. He noted the plan reviewed this evening is different from the information presented at the neighborhood meeting. He referenced the Town's Master Plan; noting that such identified Green Street, Clark Road and Forest Road as residential areas that are quaint and speak to the small town of Wolfboro, Oldest Summer Resort type of mentality. He stated the building is huge in comparison to the buildings on Clark Road. He requested consideration be given that the buildings are being jammed up against the abutters.

Dorothy West, Clark Road, stated the dormitory is proposed in the location where people view the fireworks at the Fourth of July; noting the view is spectacular. She stated her house is 150 years old and expressed concern for the impact to her home and other homes that could be damaged by large construction vehicles. She stated she enjoys the view from the park.

Jim Rines stated that Brewster Academy needs to make use of the land they own and has certain rights. He stated that many have enjoyed the views without paying the taxes. He stated the State requires buildings be constructed away from the water. He stated Mr. Cantwell speaks to views from public property however, noted that the property is private property. Referencing the concern regarding heavy trucks, he noted Clark Road is a public road and has been reconstructed. Referencing lighting, he stated under eave lights in five locations, two pole 12' high pole mounted lights compliant with dark sky. He stated access from Clark Road would be only for the faculty families however, the entrance would be gated if the second dormitory is constructed.

Ward D'Elia stated the student dorm portion is on the inside of the building; noting the faculty housing faces Clark Road. He stated the residential smaller scale portion of the building is seen from the street. He reviewed the view from the student entrance from the campus and reviewed the faculty entrances.

Vaune Dugan questioned the location of the dumpsters and condensers.

Dan Noyes, Director of Facilities, stated the intent is to have all the sides of the building presentable. He stated trash pickup occurs daily and there will be no trash cans or dumpster.

Ward D'Elia stated the condensers would be hidden from view.

John Thurston questioned the square footage of the building.

Ward D'Elia replied 15,000 SF, each floor 7500 SF. He stated there would be a series of smaller air conditioning units and would be screened however, such have not yet been located. He stated the units would be placed in the best location associated with function and aesthetics.

Mike Hodder questioned the maximum height of the district.

Rob Houseman replied 2 1/2 stories not to exceed 30'; noting height is measured from natural grade half way between the peak and the eave. He stated the applicant would be proposing less than the maximum height.

Greg Cantwell stated the architect has continued to represent that from Clark Road the equivalent of a two-story house would be seen; noting the representation is not continually from Clark Road and the entire width of the building would be viewed.

Paul O'Brien questioned whether the property is landlocked from future development following the construction of the proposed dormitory and the potential second dormitory.

Lisa Braiterman stated she is unable to answer such until the Master Plan process is reviewed. She stated the footprint of the three dorms and the maintenance building and is about the same footprint of the proposed dormitory. She stated the proposed dorm is attractive and will meet the needs of the students.

Kathy Barnard stated the Board has not received the Town consulting engineer's comments.

John Thurston requested the applicant to stake footprint of the building and expressed concern for the building fitting into the neighborhood.

Vaune Dugan stated the scale of the parts on the ends of the structure is appropriate; noting she is more concerned regarding the center piece of the structure.

Kathy Barnard read the Purpose and Intent of the ROI District. She requested the applicant give additional consideration to the impact of the residential neighborhood.

Mike Hodder stated the Master Plan is a guide for zoning and should be listened to.

Rob Houseman stated the scale and mass relates to the district as a whole and noted the residents of Clark Road are not within the ROI District. He stated the intent of the district was to create adaptive reuse of the large residential homes that include medical offices and school uses. He stated the footprint is not 15,000 SF rather it is 7,500 SF and noted the average setback is greater than 40' on the southeast side of Clark Road.

Kathy Barnard stated the applicant needs to prove to the Board that the scale and mass of the proposed building maintains and enhances the appearance of the district.

It was moved by Mike Hodder and seconded by John Thurston to continue the Brewster Academy Site Plan Review application and public hearing to October 4, 2016, Tax Map 218-150. All members voted in favor. The motion passed.

22-24 North Main Street Trust

Subdivision ~ Condominium Conversion

Agent: Roger Murray III, Esq. and William M. Gregsak, PE, Gregsak Engineering, Inc.

TM #217-102

Case #201617

Rob Houseman reviewed the Planner Review for September 6, 2016 stating the applicant proposes to convert the existing five units at 22-24 North Main Street into condominiums; noting the condominium conversion constitutes a subdivision of land. He stated the Zoning Ordinance requires that all utilities be metered separately and requested the applicant confirm compliance with such. He noted the present lot is considered a lawfully existing nonconforming lot of record. He stated Unit 5 received a Variance for the removal of the cottage and the construction of a 2-story dwelling; noting the footprint noted on the site plan reflects the Variance approved footprint. He stated that once the new building is constructed a revised approval will be submitted for approval.

Vaune Dugan questioned whether the reconstruction of Unit 5 would trigger the Shoreland rules.

Rob Houseman replied no, the property falls within the Central Business District and the Town of Wolfeboro has received an exemption from the Shoreland Protection Act.

Roger Murray stated the lots are separately metered.

John Thurston questioned whether the drive access configuration remains the same.

Bill Gregsak replied yes, there are no proposed changes.

It was moved by Vaune Dugan and seconded by Stacie Jo Pope to accept the application as complete. All members voted in favor. The motion passed.

Chairman Barnard opened the public hearing.

Rob Houseman reviewed the following recommended conditions of approval:

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval;
Plan 1: Sheet 1 of 3, Condominium Site Plan (Minor Site Plan), Tax Map 217, Lot 102, 22-24 North Main Street, Wolfeboro, New Hampshire, Owner, 22-24 North Main Street Trust, Robert W. Hughes, Trustee, PO Box 510, Wolfeboro, NH 03894-0510, Prepared by James M. Lavelle, LLS, Gregsak Engineering, Inc., PO Box 271, Chester, New Hampshire 03036, Plan Dated August 10, 2016.
Plan 2: Sheet 2 of 3, Condominium Floor Plan, Tax Map 217, Lot 102, 22-24 North Main Street, Wolfeboro, New Hampshire, Owner, 22-24 North Main Street Trust, Robert W. Hughes, Trustee, PO Box 510, Wolfeboro, NH 03894-0510, Prepared by William M. Gregsak, PE, Gregsak Engineering, Inc., PO Box 271, Chester, New Hampshire 03036, Plan Dated July 18, 2016.
Plan 3: Sheet 3 of 3, Condominium Floor Plan, Tax Map 217, Lot 102, 22-24 North Main Street, Wolfeboro, New Hampshire, Owner, 22-24 North Main Street Trust, Robert W. Hughes, Trustee, PO Box 510, Wolfeboro, NH 03894-0510, Prepared by William M. Gregsak, PE, Gregsak Engineering, Inc., PO Box 271, Chester, New Hampshire 03036, Plan Dated July 18, 2016.
2. The applicant shall be responsible for the payment of all recording fees.
3. Each condominium unit shall be separately metered.
4. The applicant shall submit a recorded copy of the condominium documents for the Town records.
5. The applicant shall submit a Mylar plan for recording at the Carroll County Registry of Deeds.

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

It was moved by Mike Hodder and seconded by Stacie Jo Pope to approve the 22-24 North Main Street Trust Subdivision application, Tax Map 217-102. All members voted in favor. The motion passed.

**Tropic Star Development, LLC
Site Plan Review; Redevelopment of 70 South Main Street
Agent: Richard J. Friberg Jr., PE
TM #217-82
Case #201619**

Rob Houseman reviewed the Planner Review for September 6, 2016 stating the applicant proposes to raze the existing Sunoco Station, construct a 33'x60' structure to contain a bank with a drive through, provide ADA compliant access to the building, landscaping and new lighting. He stated the proposed plan would narrow the driveway on South Main Street and limit it to exit only; noting the Union Street driveway would be narrowed and used as an entrance only. He stated the Public Works Department has reviewed and approved the proposal. He stated the applicant proposes 10 parking spaces including one ADA compliant parking space and requested the applicant demonstrate compliance with the stacking requirements. Referencing storm drainage, he stated the proposal would decrease storm water runoff in all storm events; noting the improvements include the use of a water quality unit (Stormceptor) and Dee Sump basins. He stated the storm water management plan includes an Operations and Maintenance Plan that details the frequency of cleaning of the water quality unit. He stated the proposal includes Town water, sewer and electric. He requested the applicant clarify lighting, signage and litter storage and submit a financial security. He stated the plans submitted comply with the Town's Voluntary Design Review Guidelines.

Kathy Barnard questioned the monitoring wells on site.

Rob Houseman stated the monitoring wells will be disturbed during construction and therefore, will be replaced.

Randy Walker noted he is representing Tropic Star Development, LLC. He stated the proposal includes razing the existing service station and construct a 1,980 SF bank located on ¼ acre. He stated the site is currently 100% pervious however, will be slightly improved following completion of the development. He stated traffic flow will

improve significantly; noting a one way entrance off of Union Street and exit only on South Main Street. He stated the applicant is not requesting approval for signage at this time. He stated a financial security has not been submitted and requested such be placed as a condition of approval.

Kathy Barnard questioned the timetable for construction.

Randy Walker replied next year.

Paul O'Brien confirmed entry to the building would be from the back of the building and questioned the location of the ATM.

Randy Walker stated the ATM would be located in the lobby.

Vaune Dugan questioned whether the front entry door from the front of the building would be accessible.

Randy Walker replied no, the door is for aesthetic purposes only; noting the proposal only includes entry from the rear of the building.

Vaune Dugan confirmed there would not be a sidewalk in front of the building.

Randy Walker stated a sidewalk exists however, the door on the front of the building would not open or close.

Referencing Development Standards, Kathy Barnard stated the area directly in front of the front wall of the building shall be maintained as a pedestrian area and shall be improved with the appropriate amenities and to encourage pedestrian and/or customer use of the space.

Randy Walker stated the intent is to have sidewalks on three sides of the building and to be pedestrian friendly.

Kathy Barnard questioned the necessity of a front door for people to enter.

Vaune Dugan questioned the wheelchair ramp.

Richard Friberg, TEC, stated three wheelchair ramps are proposed and showed the location of such on the plans.

Vaune Dugan questioned the height of the sidewalk located in front of the building.

Richard Friberg stated the height varies and reviewed the grades of topography. He noted a sidewalk is proposed in front of the building that leads to the rear entrance.

Kathy Barnard stated the plan reflects "ent" for the front door of the building.

Richard Friberg stated a door is proposed however, such would not be an entrance.

Rob Houseman stated Section 175-92.1(5) reads "front entrance. The front wall of the principal building shall contain a front door providing access to the building for tenants, customers, or users of the building." He stated Ms. Barnard is questioning how the plan complies with that provision.

Richard Friberg stated that initially the bank had proposed windows and no door on the building facing South Main Street however, subsequently added the door. He stated it is not desirable for the bank to have two entrances however, if such is required then the interior floor plan would be modified to accommodate the second entrance. He stated the internal floor plan will be revised. He stated the existing flower garden is located on Town owned property however, the applicant proposes to widen the garden and provide access through the garden to access the site. He reviewed storm drainage and the maintenance plan for such.

Paul O'Brien questioned who would maintain the storm drainage system.

Richard Friberg replied the owner of the property.

John Thurston questioned the drive-up window.

Richard Friberg stated the proposal includes a drive-up ATM.

Jim Mitchell, Tropic Star Development, LLC, stated the interior layout is currently influx however, the anticipation is to provide an exterior ATM.

Mike Hodder confirmed that a drive-up teller window is not proposed.

John Thurston questioned signage.

Richard Friberg showed the proposed location of the free standing sign; noting such would accommodate site distance. He noted there would be an additional sign mounted to the building.

It was moved by Vaune Dugan and seconded by Stacie Jo Pope to accept the application as complete. All members voted in favor. The motion passed.

Chairman Barnard opened the public hearing.

Rob Houseman reviewed the following recommended conditions of approval:

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval;

Plan 1: Cover Sheet, C-1, Title & Index, Site Plans, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 2: C-2, Legend & General Notes, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 3: C-3, Demolition Plan, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 4: C-4, Layout & Materials Plan, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 5: C-5, Grading and Drainage Plan, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 6: C-6, Utility Plan, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 7: C-7, Lighting Plan, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 8: C-8, Erosion & Sediment Control Plan, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 9: C-9, Landscaping Plan, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 10: C-10, Construction Details, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 11: C-11, Construction Details, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by Richard J. Friberg Jr. PE, TEC Inc., 169 Ocean Boulevard, Unit 101, Hampton, NH 03842, Dated August 16, 2016.

Plan 12: R-1, Boundary & Topographic Survey, Tropic Star Development, LLC, 70 South Main Street Redevelopment, 70 South Main Street, Wolfeboro, New Hampshire, Assessors Map 217/082, Prepared by John P. Lynch, LLS, Control Point Associates, 352 Turnpike Road, Southborough, MA 01772, Dated July 7, 2016.

2. The applicant shall be responsible for the payment of all recording fees.
3. The applicant shall enter into a Construction Observation Agreement with the Town's consulting engineer. The cost shall be borne by the applicant.
4. Payment of financial security as specified in item #12 of the Planner Review.
5. The applicant's engineer shall submit a letter certifying compliance with the American's With Disabilities Act.
6. The applicant shall comply with Section 175-92.1.A.(5) requiring the applicant to incorporate an active front door for entrance to the site.
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.

Kathy Barnard asked if the conditions should include a Town easement for the applicant to go through the planting island.

Rob Houseman stated such is not required because the applicant has the right to access their property.

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

It was moved by Vaune Dugan and seconded by Stacie Jo Pope to approve the Tropic Star Development, LLC Site Plan Review application, Tax Map 217-82. Vaune Dugan, John Thurston, Kathy Barnard, Stacie Jo Pope, Brad Harriman, Paul O'Brien voted in favor. Mike Hodder abstained. The motion passed.

II. Action Item

**Wolfeboro Business Park, LLC
Release of Financial Security
Case #200910**

Rob Houseman stated he inspected the site throughout the construction of the project and performed a final inspection on 8/19/16; noting the project is now deemed complete and in full compliance with its conditions of approval.

It was moved by Kathy Barnard and seconded by Mike Hodder to approve the Release of Financial Security for Wolfeboro Business Park, LLC, Case #200910. The motion passed.

III. Public Comment

Referencing the Simmons' request for a building permit on a Class VI road, Suzanne Ryan questioned whether the Board received a copy of Mr. Owen's memo including the Class VI Road Policy.

Mike Hodder stated the Board has seen such.

Suzanne Ryan asked if the information was in the Board's packet.

Mike Hodder stated he doesn't recall however, does remember seeing the policy.

Suzanne Ryan questioned why such wasn't used as a guideline to consider the request; noting the minutes do not reflect such. She stated the policy includes criteria that could be used as a checklist. She asked if the Board used the resolution as a guide and if not, requested the Board develop a checklist that uses the Master Plan when considering requests for a building permit on a Class VI road. She stated such wasn't addressed by the Board. She stated the Board did not receive information from Dave Ford until after their review of the request. She submitted the scenic road zoning map, Section 674:41 and an excerpt from the Wiggin court case (2008). She recommended the Board be provided "A Hard Road to Travel" as a resource.

IV. Informational Items

The Board received the following informational items; HB 1202, revised 2016 Planning Board meeting schedule and a letter to and from Eric Keim and Pam McKittrick regarding the Simmons request for a building permit on a Class VI road.

V. Planning Board Subcommittee Reports

None.

VI. Approval of Minutes

The Board tabled the August 16, 2016 minutes to September 27, 2016.

VII. New/Other Business

None.

It was moved by Vaune Dugan and seconded by Stacie Jo Pope to adjourn the September 6, 2016 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 11:23 PM.

Respectfully Submitted,
Lee Ann Keathley
Lee Ann Keathley

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

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AUG 17 2016

WOLFEBORO
PLANNING DEPT.

The criteria for a waiver are:

1. That the specific waiver does not compromise the review of the application for the compliance with all applicable regulation.

As stated in the intent letter, the drainage has been designed in compliance with the Alteration of Terrain (AoT) regulations in anticipation that another dormitory will be proposed within a 10 year period. Since this design complies with the AoT requirements and an AoT permit is deemed to satisfy these criteria, we believe we have complied with the intent of these regulations.

2. That adequate and appropriate information has been provided to address the concerns of the abutters and the Planning Board.

In addition to satisfying the requirements of the AoT regulations, we have demonstrated compliance with the vast majority of design elements of the Stormwater Management Regulations (SMR). Specifically, our design has included the 25 year storm event and the 100 year storm event which are beyond the requirements of AoT. We have provided information relating to the Disconnected Impervious Cover and therefore provided the Effective Impervious Area as required by the SMR. Since none of the runoff leaves the site onto private property, no downstream abutter is impacted. We have detained the stormwater runoff rates to be equal or less than the post-development rates in all cases, except a 1" rain event which is a practical impossibility to retain when also trying to detain the larger storms of 10, 25 and 100 year storm events.

3. That the proposed waiver does not seek to deviate from the spirit of the Ordinance, Regulations and the intent of the Master Plan.

The purpose of the SMR is to "provide for the safe and attractive development of a site and guard against such conditions as would involve danger or injury to health, safety or prosperity by reason of: 1. Inadequate drainage or conditions conducive to flooding of the property or that of another; and 2. Inadequate protection for the quality of surface and groundwater.

Since we have treated greater than 88% of the newly created impervious runoff and detained the post-development stormwater runoff rates in all storms except the 1" rain event to be equal or less than the pre-development rates; and since none of the stormwater runoff goes onto land of a third party, we believe we have satisfied the intent of the SMR and the intent of the Master Plan.