

**TOWN OF WOLFEBORO  
PLANNING BOARD  
August 15, 2017  
MINUTES**

**Members Present:** Kathy Barnard, Chairman, Vaune Dugan, Vice-Chairman, Brad Harriman, Selectmen's Representative, Mike Hodder, Members.

**Members Absent:** Paul O'Brien, Peter Goodwin, John Thurston, Members, Dave Alessandroni, Alternate.

**Staff Present:** Matt Sullivan, Director of Planning and Development, Lee Ann Hendrickson, Administrative Secretary.

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

**I. Introduction of Board Members**

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

**II. Public Hearings/Scheduled Appointments**

**Town of Wolfeboro Municipal Electric Department**

**Agent: Jim Shannon**

**North Wolfeboro Scenic Road Tree Trimming**

Jim Shannon reviewed a PowerPoint presentation, see attached (not including photographs). He noted the intent of the proposal is to perform trimming/re-clearing of the power lines in the North Wolfeboro area (Chick Road, Haines Hill Road, North Wolfeboro Road, Stoddard Road, Trask Mountain Road and Upper Trask Mountain Road); noting it has been 12 years (2005) since any large scale trimming has been performed. He stated he conducted a field review with Kirk Titus, Tree Warden, on 6/20/17.

Vaune Dugan verified all of the trees are located within the public right-of-way.

Jim Shannon stated that some of the tree trimming/removal is at the request of the property owner; noting 90% of trees are located within the right-of-way.

Vaune Dugan asked if the property owners are offered the wood.

Jim Shannon replied yes; noting the trees are cut in movable lengths and placed on their property.

Kathy Barnard confirmed the Tree Warden had no issues with the proposal.

Jim Shannon confirmed such and noted that Mr. Titus recommended additional trees for trimming.

Matt Sullivan asked if there would be any stonewall disruption.

Jim Shannon replied no.

Matt Sullivan stated the Town received a grant

*Chairman Barnard opened the public hearing.*

Matt Sullivan stated the public notice included Upper Trask Mountain Road; noting such is not a designated Scenic Road however, was included in the proposal.

Claude Roessigner requested gentle trimming of the trees. He noted there is a tree that has not been included however, is not in good shape and would like it to be included.

Suzanne Ryan asked if the stumps of the trees would be removed.

Jim Shannon stated the stumps are cut down level to the ground as best as possible.

Suzanne Ryan asked if brush trimming is proposed.

Jim Shannon replied yes, ground cutting from the edge of the road to the stonewalls.

Suzanne Ryan asked if there are other trees that would be trimmed.

Jim Shannon replied yes, if the limbs are around the wires.

Suzanne Ryan asked how far above and below would the trimming include.

Jim Shannon replied 20' total; 10' each way and 15' above.

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

Vaune Dugan stated she drove by the trees and was pleasantly surprised at the number of trees flagged; noting they were "far & few between".

Mike Hodder stated the proposal is sensible from a safety point of view.

Brad Harriman noted the tree trimming/removal is necessary.

Kathy Barnard stated she drove the area as well and noted the area is heavily wooded yet the proposed cutting is minimal.

**It was moved by Vaune Dugan and seconded by Mike Hodder to support the Scenic Road Maintenance Program which addresses safety issues following review of the North Wolfeboro Tree Trimming proposal and the Tree Warden's letter. All members voted in favor. The motion passed.**

### **III. Public Comment**

Suzanne Ryan stated that at the 8/1/17 Planning Board meeting, she was attempted to speak during the public comment portion of the meeting however, was told that if the item being spoken about is on the agenda that they cannot talk about it. She stated that if the agenda notes public comment then the Board must entertain such. She distributed and reviewed excerpts from Knowing the Territory; noting public comment is permitted at meetings.

Vaune Dugan stated public comment is on the agenda of every meeting.

Suzanne Ryan stated she was told she couldn't talk about the item because it was on the agenda.

Kathy Barnard stated she thought it was previous practice of the Board and feels such should be reviewed by the Board; noting it was not her intent to restrict comment.

Mike Hodder stated he thought that if public comment is noted on the agenda that the Board must allow it regardless if the comment is related to an agenda item.

Suzanne Ryan stated she has never had an issue with the way the Planning Board meetings have been run. She stated there was no opportunity for her to speak to comment at the meeting because there was no formal public hearing on the matter.

**IV. Action Item**

**Lot Merger; Tax Map #213-11 & 213-13, Decastro Family Trust**

Matt Sullivan stated the lot merger would result in the creation of a single 1.01 parcel with approximately 202' of shore frontage and 200' of road frontage on Broadside Road. He noted the lot merger would reduce the nonconformity of the existing structure which is currently bisected by the existing lot line.

**It was moved by Vaune Dugan and seconded by Brad Harriman to approve the Decastro Family Trust Lot Merger, Tax Map 213-11 and 213-13. All members voted in favor. The motion passed.**

**V. Approval of Minutes**

**August 1, 2017 Site Walk**

**It was moved by Mike Hodder and seconded by Brad Harriman to approve the August 1, 2017 Wolfeboro Planning Board Site Walk minutes as submitted. All members voted in favor. The motion passed.**

**August 1, 2017 Regular Meeting**

**Correction:** Page 5, 12<sup>th</sup> paragraph; change "The motion passed" to "The motion failed."

**It was moved by Mike Hodder and seconded by Vaune Dugan to approve the August 1, 2017 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.**

**VI. Communications & Miscellaneous**

The Board was provided the following information; CIP Committee minutes, dated 8/4/17 and Hoagland Notice of Decision.

**Zoning Amendments**

**Steep Slopes Ordinance**

Matt Sullivan reviewed the following recommended revision to the Steep Slopes Ordinance, 175-27.7 Applicability.; "This article shall apply to all areas with a slope of 15% or greater, as shown on the Town 's Steep Slopes Map or shown via site-specific topographical survey, and where the proposed site disturbance is greater than 20,000 square feet."

Mike Hodder asked if the applicant would be responsible for the site-specific topographical survey.

Matt Sullivan replied yes.

Mike Hodder noted such would be an additional financial burden.

Matt Sullivan agreed however, noted that without the revision the intent of the ordinance is not being met.

Vaune Dugan noted the ordinance only applies to over 20,000 square feet. She recommended further clarifying the proposed language; noting that how it is currently worded, it could interpreted to include areas of less than 15% grade.

Matt Sullivan recommended application of the ordinance to site disturbance greater than 20,000 SF of 15% or greater slopes. He stated he would revise the language for review by the Board.

### **Abandonment**

Matt Sullivan reviewed the following recommended revision to 175-43 Nonconforming uses.; “Any *nonconforming use that is discontinued or abandoned for a period of one year or more, or abandoned via a change of use, cannot be resumed.*”

Vaune Dugan asked what happens if there is a decrease in use category.

Mike Hodder stated the revision provides for a remedy however, he does not feel that such will receive public support. He stated he would be in favor of the revision if it were supported by the public.

Kathy Barnard stated the revision clarifies the Board’s decision regarding the issue of abandonment. She stated she would like to seek comment from the absent Planning Board members.

Matt Sullivan stated more thought should be given to what constitutes a change of use; noting he would conduct further research.

### **Wetlands Conservation Overlay District – Technical Review Committee**

Matt Sullivan reviewed the following recommended revision to 175-10.A. Special uses.; “A special use permit application for the development of a single-family home on a lot which requires no State Wetlands Bureau dredge and fill permit for house placement, driveway crossings, site grading and/or septic and well placement shall be processed by the Planning Board Technical Review Committee in accordance with 175-184, Minor site plan review.

Matt Sullivan stated the revision removes the TRC authority to review Special Use Permit applications.

Mike Hodder stated he supports the proposed zoning amendment.

Kathy Barnard agreed with Mr. Hodder. She requested revising the membership to include a member of the Conservation Commission.

Matt Sullivan stated 175-184 narrowly outlines members of the TRC; noting such doesn’t include the Conservation Commission.

### **ADU**

Matt Sullivan stated he erred in some of the posting requirements for the zoning changes last year; noting that if the zoning district consists of less than 100 properties, that each property owner has to be individually noticed. Therefore, he noted the zoning amendments are not in effect; noting the amendments need to be renoticed and move to Town Warrant.

Kathy Barnard asked if the Town has received any ADU applications.

Matt Sullivan replied no.

## **VII. Unfinished Business**

N/A

## **VIII. New Business**

Matt Sullivan stated the Foss Field building is scheduled for ground breaking next month.

Vaune Dugan asked if there is an encroachment and whether the lots were merged.

Matt Sullivan replied no.

Matt Sullivan stated the ZBA approved a Special Exception for the NH Boat Museum.

**IX. Planning Board Subcommittee Reports**

CIP Committee: meeting scheduled for 8/25/17

TRC: reviewed a patio off Wilson Center, Brewster Academy on 8/9/17

**X. Nonpublic Meeting**

N/A

**It was moved by Mike Hodder and seconded by Vaune Dugan to adjourn the August 15, 2017 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.**

There being no further business, the meeting adjourned at 8:11 PM.

Respectfully Submitted,

*Lee Ann Hendrickson*

Lee Ann Hendrickson

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

## North Wolfeboro Tree Trimming:

*(Within this presentation there are street maps with yellow dots which indicate tree take-downs.)*

- Chick Road
- Haines Hill Road
- North Wolfeboro Road
- Stoddard Road
- Trask Mountain Road
- Upper Trask Mountain Road

### Tree Trimming:

- Trimming represents the single most controllable method of nuisance outage avoidance due to wildlife and vegetation "contact faults."
- Scenic Road rules and procedures will be adhered to.



### **Roads to be trimmed are designated as Scenic Roads through the provisions of (RSA 231:157-158):**

- *"Trees along the scenic road shall not be cut, damaged or removed without prior written consent of the Planning Board or other designated municipal body."*
- *This pertains to trees **within** the highway right-of-way with a minimum circumference of 15 inches measured at a height of 4 feet from the ground.*