

**TOWN OF WOLFEBORO  
PLANNING BOARD  
July 10, 2018  
MINUTES**

**Members Present:** Kathy Barnard, Chairman, Vaune Dugan, Vice-Chairman, Brad Harriman, Selectmen's Representative, John Thurston, Mike Hodder, Peter Goodwin, Susan Repplier, Members.

**Members Absent:** Dave Alessandroni, Tom Brown, Alternates.

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

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

**I. Introduction of Board Members**

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

**II. Public Comment**

None

**III. Scheduled Appointments / Public Hearings / Public Forum**

**P&D Zimmerman Family LTD Partners  
Site Plan Review; Addition & Loading Dock  
Tax Map #218-17, Case #2018-14**

Kathy Barnard stated the P&D Zimmerman Family LTD Partners application has been withdrawn by the applicant.

**Yum Yum Shop/16 North Main Street, LLC  
Agent: Bryan D. Berlind, Land Technical Service Corp.  
Site Plan Review; Revision of Proposed Structural Waterfront Patio  
TM # 217-101, Case 2018-12**

Bryan Berlind with Land Tech representing the Yum Yum Shop, also known as 16 North Main Street LLC referenced the approval granted in March for Site Plan 1 to renovate i.e. new landscaping, parking layout and the addition. He stated the original proposal on Site Plan 1 showed a 2-tier deck, 4' from the water's edge. The owners are reintroducing the plan as a 16x27' (walk out from the back door) patio with 1 tier. The patio will have 4 tables, a zero setback with landscape and lighting similar to the front. The design takes full advantage of using the patio as a drainage structure; the waterfront will be filled with crushed stone and direct the roof runoff through patio pavers. The patio replaces a hardscape patio thus, a reduction in runoff and no change in direction of flow.

Matt Sullivan asked for clarification regarding pedestrian access being only via the interior of the building.

Bryan Berlind confirmed, yes that is the case and the stairwell shown on the rear patio will be used only by the owners and gated to the public.

Matt Sullivan asked if the only erosion control proposed is the silt fence installed adjacent to the lake.

Bryan Berlind replied correct.

Matt Sullivan asked if the applicant would be willing to place some low bush blueberries adjacent to the lakefront area for stabilization or something comparable.

Bryan Berlind responded yes.

Matt Sullivan stated relative to the lighting plan there are the 4 hydro pad LED pro lights, the ordinance allows for some limited up-lighting for landscaping purposes only, is this up-lighting part of the landscaping on the rear patio area and if not, is it dark sky compliant - the 4 pros and the additional recessed lights.

Bryan Berlind stated this was discussed in some length at the last hearing and approved; all the lights are very low wattage, set at 2 watts each and designed to lightly illuminate walking areas and plant structures.

Matt Sullivan asked if there is any way to add some directionality to that light to avoid impact to the abutting property. There is a residential structure right next to this patio, is there any anticipation this lighting will light up the interior of that structure?

Bryan Berlind replied he didn't believe it would as the lighting designer from Blue Ridge Landscaping warns its very low candle power type lighting.

Matt Sullivan stated the proposed drainage solution is appropriate and site security is not necessary; however, the Planning Board approved a plan that had striped parking and curb stops and that striping has not been done. He asked for assurance the striping would be completed as part of the approved site plan.

Bryan Berlind replied he is strictly representing the owners but believes they will do the striping as required.

Matt Sullivan stated a portion of lot and construction is within the flood plain but sees it as minimal impact.

Kathy Barnard stated there are 2 tables that are cornered off that are in the parking lot.

Bryan Berlind replied he had not seen them in any proposal but will put the owners and contractors on notice.

Kathy Barnard inquired as to when the parking lot will be completed.

Bryan Berlind responded he will consult with the owners and contractors.

Kathy Barnard asked if there are obstacles in the way of completion.

Bryan Berlind replied he is not at capacity to say as he is the surveyor not the general contractor and believes it might be helpful to restate the conditions of approval to this application.

John Thurston stated his concern for safety due to the parking lot set up.

Vaune Dugan stated the in route was closer to the Yum Yum Shop and people turned around, came out the easement in favor of 217-101 making a nice loop but that is no longer happening.

Bryan Berlind stated the legalities of the condominium is complicating the plan.

Kathy Barnard stated the Board is concerned for safety.

Bryan Berlind stated this application is separate from the first one.

Kathy Barnard disagreed.

Vaune Dugan stated prior to a new agreement the flow of traffic could remain the same until a new plan comes forward.

Bryan Berlind stated he felt striping would solve a lot the issues.

John Thurston stated he is concerned about adding more people by creating a patio prior to resolving the parking.

Mike Hodder asked if open year-round what the plan is for snow storage removal. If removed from site where will it go? Will trucks come, load and take? He stated he would like to make a condition the snow be removed off site as part of the approval and not pushed up against a building or into the lake.

Bryan Berlind stated he believed at the last hearing a letter was included from the contractor to store the snow off site.

Matt Sullivan stated the Board did not receive a contractor statement to that effect.

Mike Hodder asked to make that a condition of approval.

Bryan Berlind stated he did not object to that.

John Thurston stated his concern was where the snow would be pushed until it could be removed.

Mike Hodder stated in addition to how frequently the snow will be removed he is concerned if open year-round how the solid waste will be handled; abutters will not have smelly trash attracting and creating an issue with unwanted animals.

Bryan Berlind stated a portion of the interior addition is for storing trash and is contracted with Wakefield Disposal for every other day during the summer; there will be no outside storage of trash.

Peter Goodwin asked if the entire patio is a horizontal surface.

Bryan Berlind replied yes.

Mike Hodder stated his concern for the current loud music and did not recall that as being part of the original application and asked if there is a noise ordinance.

Matt Sullivan confirmed there is a noise ordinance; however, it did not apply in this case.

Mike Hodder asked a condition be added the music be turned down.

John Thurston stated the music plays off the water causing an echo and did not feel it should be a concern.

Bryan Berlind stated he has not heard these concerns beforehand; therefore, is at a loss for response.

Vaune Dugan suggested bringing a decision maker to get further in the process.

Bryan Berlind agreed.

John Thurston stated the 1 level of stairs going down does not have much property to prevent folks from going up and out the Garwood's/ Yankee Peddler side.

Bryan Berlind replied the perimeter of the patio will have a fence as well as a gate at the top of the stairs.

Vaune Dugan asked what the elevation of the patio is.

Matt Sullivan responded 512 on the top of the patio and 506/507 in some areas.

Vaune Dugan asked if there is a fence around that perimeter.

Matt Sullivan confirmed yes.

Mike Hodder stated he believes this should be considered at a later date due to the Boards concerns.

Kathy Barnard agreed.

Peter Goodwin stated the issues blocking this passage are associated with the plans that were approved but have not been done. Should the Board be worried or is this something that when their project is completed these will be done?

Kathy Barnard stated the project should really be finished.

Vaune Dugan asked if there is a bond.

Matt Sullivan replied no and the Planning Board needs to decide if these should be done prior to approval.

Peter Goodwin asked if the Board should make a stipulation to complete these before approving?

Vaune Dugan recommended Bryan Berlind work with the owners and decide on traffic and movement as that's the biggest safety issue before approval.

Bryan Berlind reiterated if the striping goes in it should clear up the traffic issue.

John Thurston asked for a timeline, break ground in July? August?

Bryan Berlind stated he was not certain.

Mike Hodder stated he is not inclined to move ahead on this until the solutions the owner offered are completed.

Vaune Dugan stated a clear in and out route needs to be addressed.

Peter Goodwin stated the current patio can be used; therefore, to continue this to get some answers is an appropriate way to go.

Kathy Barnard stated the consensus is to continue this in 2 weeks.

**It was moved by Mike Hodder and seconded by John Thurston to continue the 16 North Main Street, LLC Site Plan Review application and public hearing to July 24, 2018. All members voted in favor. The motion passed.**

**Robert King**

**Agent: Joanne Coppinger, Beckwith Builders, Inc.**

**Special Use Permit; Boathouse**

**Tax Map #228-30, Case #2018-11**

Joanne Coppinger with Beckwith Builders representing Mr. King stated the applicant proposes to construct a 900 square foot dug in boat house with eaves which required a special use permit application. This shoreline has

349' frontage and is allowed 5 boat slips based on that frontage, the boathouse will house 2 of those slips and have 3 additional slips outside the boathouse on a dock adjacent to the boathouse. There will be a retaining wall adjacent to the boathouse on 2 sides that will allow a walkway around the boathouse from the main house. The erosion control will involve a turbidity curtain. The project is considered least impacting unlike a docking structure as it is constructed over land.

Vaune Dugan asked if there are docks in the water as well.

Joanne Coppinger replied yes; however, that is not part of the discussion this evening as it was part of the DES permit where tonight is focused on the special use permit. She stated this was not a straight forward process as the special use permit guidance is geared towards vegetative wetlands not water bodies; therefore, is unclear on some points in the zoning ordinance regarding the impact of the proposal on the lake itself. Joanne read aloud ordinance 175-5 and addressed each finding:

- A) The boathouse does not directly impact the lake as it's constructed on land.
- B) No structures will be placed on the lake; therefore, there will be no impact to the lake i.e. flooding.
- C) This does not really apply as there will be no impact to stream flow; however, a town shore land permit and state shore land permit have been obtained.
- D) This structure is on the land rather than over the lake – minimal impact.
- E) Does not apply.
- F) Best practices will be enforced.
- G) Unclear on the esthetic value.

Vaune Dugan replied to G stating the selection of location where it was a perched beach would keep you from degrading shore land vegetation against the lake, although your replacing with other perched beach so it's just a water quality as you need to filter sediment from the land and lawn. A buffer is needed to keep things from flowing into the water body.

Joanne Coppinger stated a retaining wall and the structure itself will serve as a buffer.

Peter Goodwin stated regarding aesthetics the 2 abutting properties along the lake shore do not have boathouses; therefore, if you are looking from the lake this will substantially change the profile of that shoreline resulting in an aesthetic issue.

Joanne Coppinger agreed it will change the look of the shorefront in much the same way a house would however, boathouses are allowed and the rules buffer the impact which is why we are here.

Peter Goodwin stated his concern for wildlife and the change in how the animals will move up and down the shoreline.

Joanne Coppinger agreed there is a change and the State is satisfied with the proposal.

Vaune Dugan stated wildlife could reestablish itself.

Mike Hodder stated the DES does not make a valued judgement on our lands and is concerned about the impact on the lake and feels the requirements have not been met in the application.

Matt Sullivan stated the boathouse ordinance has existed since 2012 and in records found there have been 2 applications with no specific criteria that were addressed per 175-10.1; however, the criteria should be applied in this case despite the fact its not in a wetland itself or wetland buffer.

Peter Goodwin asked how is digging and pouring concrete to construct this boathouse on the shoreline less impactful than 5 slips in the lake.

Joanne Coppinger replied from a sky view you would have more construction over the existing lake than there would be with a boathouse.

Peter Goodwin stated for the lake itself; however, your making an extension of the lake making the lake bigger. Joanne Coppinger replied correct.

Peter Goodwin stated therefore, what you have in that house is part of the lake.

Joanne Coppinger stated it becomes part of the lake and the impact is over the land not the lake.

Mike Hodder stated many questions are being raised by the Board, requirements are not met, the application is incomplete and should be resubmitted.

Joanne Coppinger stated your ordinance and special use permit needs work as it is not clear and confusing as some of the requirements do not apply to boathouses.

Matt Sullivan stated he has error in this as he was of little assistance and late to respond to the applicant in supplying guidance.

Mike Hodder stated this should be in narrative form.

Joanne Coppinger stated she was not aware it should be in narrative form and offered to review the criteria verbally one by one.

Kathy Barnard stated it would be best if put in writing.

Joanne Coppinger asked if the hearing could be continued.

Mike Hodder stated the hearing could be continued without prejudice and suggested she re-present the application to the Board.

Joanne Coppinger asked if she could be heard in 2 weeks.

Kathy Barnard replied yes.

Mike Hodder replied yes.

**It was moved by Mike Hodder and seconded by John Thurston to continue the Robert King Special Use Permit application and public hearing to July 24, 2018. All members voted in favor. The motion passed.**

Kathy Barnard opened the public hearing for comments.

There were no comments from the public.

#### **IV. Action Items**

##### **CIP Committee Member Appointment (At Large Members)**

- Maximum of 4 members at large
- 2 existing members: Joyce Davis and James Shildneck
- To Serve: Suzanne Ryan/Paul Whalen

**It was moved by Mike Hodder and seconded by Vaune Dugan to nominate Kathy Barnard as Chairman of the CIP Committee . All members voted in favor. The motion passed.**

**It was moved by Mike Hodder and seconded by Matt Sullivan to appoint 4 members at large to the CIP Committee; Joyce Davis, James Shildneck, Paul Whalen, and Suzanne Ryan. All members voted in favor. The motion passed.**

**V. Approval of Minutes**

**It was moved by Peter Goodwin and seconded by Vaune Dugan to approve the June 19, 2018 minutes as submitted. All members voted in favor. The motion passed.**

**VI. Communications & Miscellaneous**

Matt Sullivan discussed an e-mail from Jerome Holden and stated he needed to reconvene the Sign Committee to address the issue in the community.

Brad Harriman recused himself from the discussion.

Vaune Dugan asked about not getting a response.

Matt Sullivan agreed and stated there will be a response.

Vaune Dugan stated the sign group needs to get back together.

Matt Sullivan agreed.

Kathy Barnard discussed the kiosk and the need to improve.

**VII. Unfinished Business**

**Master Plan – Introduction**

Matt Sullivan stated in speaking with the consultant they took the majority of this from the 2007 introduction section with minor adjustments. He stated the suggestions from the Board have been made to the draft.

Mike Hodder stated his concern for the matters of fact and grammatical errors and referenced:

P 1, para. 2, P 2, para. 1, P 2 para. 1 and P 5. He feels tourism is pushed and this master plan should direct the Town not the potential vacationers.

Peter Goodwin referred to P 3, para. 3 and stated he is opposed to “Wolfeboro is the premier...” as it should read “Wolfeboro is a premier...”

Kathy Barnard stated it will be revisited.

**Review CIP Materials**

Matt Sullivan stated the form will be distributed July 11, 2018 with the intent to have the first CIP meeting in one of the first weeks of August.

Kathy Barnard asked to send letters and forward to the 4 at large members.

Matt Sullivan responded yes and will take care of.

Kathy Barnard suggested addressing the format for August 21, 2018.

Matt Sullivan asked the Board if a round table or pure presentation format is preferred.

Vaune Dugan asked if the Board could do both.

Matt Sullivan stated possibly.

Vaune Dugan noted that it might be best to all do the same such as a PowerPoint presentation.

Peter Goodwin stated his concern for time and presentation should be brief.  
Matt Sullivan suggested a 5-10-minute overview with a standardized approach.

Mike Hodder prefers a handout with nuts and bolts.

Matt Sullivan suggested a brief introduction with a vision statement then break into groups with action steps, provide handouts and folks circulate as they please.

**VIII. New Business**

N/A

**IX. Planning Board Subcommittee Reports**

N/A

**X. Nonpublic Meeting**

N/A

**It was moved by Kathy Barnard and seconded by Vaune Dugan to adjourn the July 10, 2018 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.**

There being no further business, the meeting adjourned at 8:55 PM.

Respectfully Submitted,  
*Cathleen LaPierre*  
Cathy LaPierre

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