

**Town of Wolfeboro
Planning Board
Great Hall at Wolfeboro Town Hall - 84 South Main Street
Tuesday, July 19, 2022
7:00 PM**

I. Call to Order - 7:00 PM

II. Members Present: Kathy Barnard, Chairman, Mike Hodder, Vice- Chairman, Brad Harriman, Selectmen's Representative, John Thurston, Member, Vaune Dugan, Member, Peter Goodwin, Member, Doug Breskin, Member, Julie Jacobs, Alternate

Staff Present: Tavis Austin, Director of Planning and Development

III. Public Hearings:

(a) TCW PROPERTY DEVELOPMENT, LLC-PETER FORD – 27+ South Main St – Tax Map #217-91-Case #2022-07 – Site Plan Review – Deck with Stairs – Formal Submission/Public Hearing – Continued from July 05, 2022

Chairman Barnard spoke to the proposed request, she invited Mr. Peter Ford to speak about the project.

Vaune Dugan excused herself from this Public Hearing as she was absent from last meeting and doesn't not have the information.

Julie Jacobs will be a voting member for this Public Hearing.

Mr. Ford spoke to the request to build a Deck and stairs onto the back of 27 South Main St. and the two new dining establishments, Local Topia and the Wicked Loon.

He addressed, with permission from the Board of Selectmen he will be moving the propane tanks to the side of the adjacent building (Downtown Grill) to an area approved by the Board of Selectmen within Cate Park; they will be screened by shrubbery.

He spoke to the concern about Trash, and will have roll out dumpsters, and off-site dumpsters.

He explained that he has requested that his employees park off-site all to alleviate the parking issue in Town.

John Thurston asked about the Gas Bottles and if they are located on private property.

Mr. Ford stated that they have worked with the BoS on this issue and will be leasing a piece of Cate Park

Peter Goodwin asked what will happen if Mr. Ford no longer uses this building and what new owners would do in following thru with same rules.

Tavis Austin said that is change of occupancy issue.

The Board addressed Mr. Ford's waiver requests.

John Thurston asked about lighting and if Mr. Ford would comply with changes in lighting if needed.

Mr. Ford stated he would comply, and these lights are not part of the application, as these are existing lights.

Julie Jacobs asked about signage.

The signs will comply.

Brad Harriman stated that all new construction will comply, explained the leasing of the land for the Propane Tanks that the BoS approved last meeting.

Tavis Austin suggested adding to the waiver for off-site trash removal.

Mike Hodder stated that the applicant is willing to comply and include the request in the conditions of approval.

Chairman Barnard asked for a motion.

Mike Hodder moved to approve the series of waivers submitted by the applicant in writing on June 7, 2022, including summary narrative in series. Peter Goodwin seconded the motion, all in favor motion passed.

Chairman Barnard stated the application is now complete and asked for a motion.

Mike Hodder moved to approve the application as complete, John Thurston seconded the motion. All in favor.

Chairman Barnard opened for Public Comment: **None**

Tavis Austin read the Conditions of Approval:

Conditions of approval:

1. The following plans, as amended to the date of this approval are incorporated into the approval:
Plan Set: *Materials* as received on June 08, 2022.
2. Applicant shall submit a detail addressing ultimate location of condensers, propane, and trash facilities. Such shall clearly demonstrate compliance with the Site Plan Regulations and applicable IBC and NFPA Codes and be on file with the Town prior to the issuance of any building permit for this structure.
3. Applicant shall be responsible for the payment of all recording fees for Notice of Decision.
4. All 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.

Chairman Barnard read the Finding of Facts as follows:

- The applicant has asked for a list of Waivers and has justified all waivers, he is compliance with the site plan regulations
- The lighting issue has been addressed by the Board, and the applicant agreed if new lights are installed, they will be Dark Sky compliant
- The Propane Tank issue has been addressed with Mr. Ford and the Board of Selectmen
- The AC units have been addressed with Site Plan regulations being met.
- Trash receptacles have been addressed, and the applicant has met the regulations. He will follow regulations for trash removal.
- Storm water issue, certain regulations, don't need to be met.
- Parking – The Applicant has offered to have employees park off-site or use the Town offered Trolley Service
- Change of use from office use to restaurant use is appropriate for the Dockside area along with the rear deck that will fit the location
- The project is an overall improvement to the area.

Mike Hodder moved to approve the application with Finding of Facts as stated, with recommended conditions of approval offered. Peter Goodwin seconded the motion, all in favor, motion passed

Vaune Dugan returned to meeting.

IV. Discussion Items:

(a) STR – update

Tavis Austin spoke to the changes made, he contacted Town Counsel, and she sees no issue with the wording.

Kathy Barnard asked the Board if they want the sub-committee to meet in regard to STR's.

Mike Hodder doesn't believe it is necessary to meet anytime soon. He is waiting to hear back from surrounding towns and how they handle their STR's, he will report back once he gets information from them.

Vaune Dugan asked about preexisting STR's showing burden of proof.

The Board discussed the wording and changes.

Kathy Barnard stated when the sub-committee meets again it will take into consideration the Boards concerns.

(b) ADU discussion

Tavis Austin stated he was asked for Data to support any possible wording changes and gave an update on current numbers of ADU's and potential ADU's. Attached and detached.

The Board had further discussion and questions regarding ADU's, and possible solutions and wording changes.

Mike Hodder asked Brad Harriman if the Board of Selectmen would have any information of excess capacity with the Town Sewer System by the end of the year

Brad doesn't believe they will have the information that soon.

Linda Murray spoke about the Sewer Treatment Plan.

Tavis Austin presented to Town Counsel what had been written so far. Counsel responded; She saw no problem with the wording, but suggested that the Board come up with ideas to grant waivers; a waiver request form may have to be created.

John Thurston stated that the Board should bring the issue to Public Forum.

Kathy Barnard asked the Board if they agreed to bring to Public Forum.

The Board agreed

Peter Goodwin asked if the wording changes would be made before they do.

Kathy Barnard asked Tavis to make corrections as needed and put a Public Notice in the paper and on the Town Webpage, that the Board will hold a Public Form on ADU's on August 16th scheduled Planning Board Meeting.

(c) Multi-Family update

Tavis Austin suggested the Board look at the running list he provided, that is where he made changes.

Tavis read the changes he made.

Vaune Dugan reviewed as suggested and pointed out some contradictions.

Board reviewed and made changes and updates to this section as discussed.

Kathy Barnard requested that Tavis continue with changes and the Board will revisit at next meeting.

Tavis stated that he included the email chain from Town Counsel so the Board can see what was discussed.

Mike Hodder mentioned that the CIP guidelines that were adopted by the Board of selectmen, he feels this should be addressed with himself, Kathy Barnard, and Tavis Austin, with a suggested list from the Planning Board.

V. Public Comment

None

VI. Other Business:

John Thurston spoke to a Facebook Post regarding Bridge Falls Path, and the volunteer group that recently cut down significant amount of shrubbery, and natural vegetation. He stated that there is a Shorefront Protection Act that was violated, he would like Tavis to address this with the Town Manger.

Tavis Austin stated that this would be a Code Enforcement Officer issue.

Mike Hodder stated he agreed with John Thurston and his concerns, and it needs to be addressed.

Kathy Barnard asked Tavis to have the Code Enforcement Officer follow-up with this.

Review Minutes July 05, 2022:

Mike Hodder moved to approve the minutes from July 5, 2022, Peter Goodwin seconded the motion, Vaune Dugan abstained, motion passed.

Mike Hodder made a motion to adjourn, Kathy Barnard seconded the motion, all in favor, meeting adjourned.

Respectfully Submitted,

Jennifer Baraldi