

**TOWN OF WOLFEBORO**  
**PLANNING BOARD**  
**June 6, 2023**  
**DRAFT MINUTES**

**I. Call to Order at 7:00 p.m.**

**II. Introduction of Planning Board Members**

Chair Kathy Barnard called the meeting to order in the Great Hall, 84 South Main Street, at 7:00 p.m.

**Members Present:** Kathy Barnard (Chair), Doug Breskin (Vice-Chair), Brad Harriman (BOS Representative), Vaune Dugan, Peter Goodwin, Robert Murray, John Thurston.

**Alternates Present (who vote if designated by the Chair):** Julie Jacobs, Jane Nielsen, Steve Webster.

**Staff Present:** Tavis Austin, Director of Planning and Development.

**III. Public Hearings:**

- a) **ROBERT BECKWITH, 16 LIBBY STREET, Tax Map & Lot #217-13, Case #2023-06:**  
**Conditional Use Permit – Accessory Dwelling Unit – Formal Submission/Public Hearing.**

**J. Thurston made a motion to Continue the Public Hearing for this Case #2023-06 to 6/20/23 at 7:00 p.m. Seconded by D. Breskin. Approved Unanimously (7-0-0).**

- b) **WOLFEBORO TENNIS CLUB, 22 CLUB LANE, Tax Map & Lot #132.6, Case #2023-05:**  
**Site Plan Review for Expansion of Covered Pavilion and Deck and Storage Shed –**  
**Formal Submission/ Public Hearing.**

Jim Kedersha for Wolfeboro Tennis Club: We're adding a Storage Shed, 12'x24', for maintenance equipment for clay tennis courts. For the existing pavilion, a 20'x24' Extension is proposed (10'x24' enclosure plus 10'x24' open area w/ deck above), for meetings and social functions.

Board Comments, Applicant Responses:

- J. Thurston: Concern about stormwater runoff, does the Applicant propose mitigation?
- Jim Kedersha for Wolfeboro Tennis Club: We have a Boundary Survey [showing wetlands].
- R. Murray: Does ADA apply? The Plan isn't labeled to show what you're doing, how can anyone tell what we're approving? I don't think Waivers are necessary.
- Chair K. Barnard: They need the 173-15E, Items #1-#4.

- R. Murray: We need a labeled Plan and Elevations showing what you propose to do. We should note this property is not on Town Water or Sewer. It appears that you're not subject to Stormwater Regulations. You're not proposing lighting. I don't think you need any Waivers.
- Jim Kedersha and Larry Klein for Wolfeboro Tennis Club produced two drawings, not previously seen by the Board, with additional information about the proposal. They discussed the drawings with the Board. In lieu of labels identifying "existing" and "proposed" construction, they used a color code in several 3-D renderings.
- D. Breskin: Are the proposed dimensions 10'x24' or 12'x24'?
- Larry Klein: Correct dimensions are 10'x24' (enclosed addition) and 12'x24' (storage shed) and 10'x24' (overhead deck w/ open area below).

***V Dugan made a motion to grant a Waiver to the Boundary Survey. Seconded by K. Barnard. Approved unanimously (7-0-0).***

- V. Dugan: the ADA compliance needs certification.

***Motion to accept the Application as complete. Seconded. Approved unanimously (7-0-0).***

***Chair K. Barnard made a motion to Approve Case #2023-05 subject to Conditions based on finding the project complies with Zoning Standards, Site Plan Review Regulations, with Waivers as Approved Specifically for Parking Requirements, Lot Coverage, Applicable Setbacks, and the Noise Regulations. Seconded by J. Thurston. Roll call vote: K. Barnard (Yes), D. Breskin (Yes), B. Harriman (Yes), J. Thurston (Yes), P. Goodwin (Yes), R. Murray (Yes), V. Dugan (Yes). The motion passed (7-0-0).***

**c) NICK LAGANAS of CARROLL COUNTY CONSTRUCTION and SALLY B. WICKERS TRUST, 510 PINE HILL ROAD, Tax Map & Lot #128-2, Case #2023-07: Subdivision – 2 Lots – Formal Submission/ Public Hearing.**

Randy Tetreault of Norway Plains Assoc, for the Applicants: the proposal is to subdivide an existing 59-acre lot into two lots. He requests Waivers for Existing Lot because it is already developed. The new 2-acre lot is not on Town water, it will have a well and septic. NH State has approved this subdivision.

***R. Murray made a motion to grant Waivers. Seconded by J. Thurston. Approved unanimously (7-0-0).***

***D. Breskin made a motion to accept the Application as complete. Seconded by V. Dugan. Approved unanimously (7-0-0).***

Abutter Concerns, Applicant Responses, Board Comments:

- Dave Percy (Abutting Property Owner): I've owned the well rights on the Subject Property for 45 years, there are Wetlands on this property.
- Randy Tetreault, Norway Plains Assoc: We had this area mapped by a Wetland Scientist, shown on the plan. Mr. Percy has a Well Easement and a Water Line Easement on this property, which we've located and shown on the plan.
- T. Austin's Outline of Record for this Case:

- 1) The Planning Board has firsthand information [from Abutting Property Owner Dave Percy's testimony today] that suggests that the proposed lot is in conflict with the well easement; however, we don't have anything in writing or submitted to us, showing that.
  - 2) The Planning Board has the submitted Subdivision Plan that shows the previously mapped and recorded Well Easement as located outside of the proposed new lot.
  - 3) The Planning Board has the plan submitted showing where the Limits of Wetlands are, based on the boundary of the proposed new lot and within the interior of the proposal, so it's up to the board. Without having something tangible to look at and say, "Here's where I have the right to put a well," which is different than the map [survey submitted by Norway Plains Assoc], it's difficult for the Planning Board to act differently than what the licensed professionals have been provided.
- Dave Percy, Abutting Property Owner: When the original driveway went up with the house behind me, they had to go around my well to go above it. So that's means that that was wet when they surveyed it 45 years ago. So this area is still going to be wetlands. That's the reason the driveway went where it did. It went way up around the well because I owned that well.
  - Chair K. Barnard: Okay, well, we don't really have anything other than what the surveyor has presented to us today. You have given us your observations of the last 40 to 50 years. We don't have anything else to go on.

**K. Barnard made a motion to Approve Case #2023-07 as submitted, finding the project complies with General Residential District [GR] requests, no Special Use Permit [SUP] to be granted, adequate on-site well and septic provisions, NH DES and NH DOT permits in hand. Seconded by D. Breskin. Roll call vote: K. Barnard (Yes), D. Breskin (Yes), B. Harriman (Yes), J. Thurston (Yes), P. Goodwin (Yes), R. Murray (Yes), V. Dugan (Yes). The motion passed (7-0-0).**

- d) **FERNCLIFF TRUST, 161 SEWALL ROAD, Tax Map & Lot #229-22, Case #2023-08:**  
Subdivision – 5 Lots – Formal Submission/Public Hearing.

**K. Barnard made a motion to Approve Case #2023-08 as submitted with three Conditions of Approval, finding the project complies with requirements of the VR Zone and adequately delineated setbacks. Seconded by D. Breskin. Roll call vote: K. Barnard (Yes), D. Breskin (Yes), B. Harriman (Yes), J. Thurston (Yes), P. Goodwin (Yes), R. Murray (Yes), V. Dugan (Yes). The motion passed (7-0-0).**

- e) **TCW PROPERTY DEVELOPMENT LLC and PEAPOD LLC, 31 SOUTH MAIN STREET, Tax Map & Lot #217-90, Case #2023-09: Site Plan Review – Addition of 2<sup>nd</sup> Floor Deck – Formal Submission/ Public Hearing.**

**K. Barnard made a motion to Approve Case #2023-09 as submitted with Conditions finding the project complies with C-1 Zoning and addresses the comments made by Board Members and the Public. Seconded by D. Breskin. Roll call vote: K. Barnard (Yes), D. Breskin (Yes), B. Harriman (Yes), J. Thurston (Yes), P. Goodwin (Yes), R. Murray (Yes), V. Dugan (Yes). The motion passed (7-0-0).**

#### **IV. Discussion Items**

##### **a) HUNTER'S BOUNDARY LINE ADJUSTMENT, *PRELIMINARY***

**K. Barnard made a motion to Approve this project, finding that: it meets Zoning Regulations, consolidates existing lots, no Waivers are required, there are no public concerns, and there is no impact to existing buildings. Seconded by D. Breskin. Roll call vote: K. Barnard (Yes), D. Breskin (Yes), B. Harriman (Yes), J. Thurston (Yes), P. Goodwin (Yes), R. Murray (Yes), V. Dugan (Yes). The motion passed (7-0-0).**

P. Goodwin: I sent info regarding the Master Plan, let's review this at the next PB meeting.

#### **V. Public Comment**

#### **VI. Minutes**

#### **VII. Motion to Adjourn**

**At 10:15 p.m. P. Goodwin made a motion to adjourn. K. Barnard seconded the motion. The motion passed unanimously.**