

**TOWN OF WOLFEBORO
PLANNING BOARD
January 3, 2017
MINUTES**

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

Member Absent: Brad Harriman, Selectmen's Representative, Dave Alessandrini, Alternate.

Staff Present: Matt Sullivan, Director of Planning and Development, Lee Ann Keathley, Secretary.

Chairman Barnard opened the meeting at 7:02 PM at the Wolfeboro Town Hall Great Hall.

I. Scheduled Appointment

Heidi von Gotz Cogean/Constance O'Brien

Agent: Jim Rines, White Mountain Survey & Engineering Co.

Site Plan Review; Winery and Retail

Tax Map #148-12

Case #201628

Kathy Barnard noted Suzanne Ryan submitted to the Board a NH Municipal Association publication relative to multiple Board memberships serving on more than one Board at the same time, dated May 2006. She stated the publication speaks to fairness of the review process and invalidation of decisions made by the Boards relative to such.

Mike Hodder stated the statute allows for joint membership of boards; noting he does not worry of impartiality of either or both boards. He stated the Planning Board and ZBA application address separate issues however, if the Chair would prefer that he recuse himself then he would.

Kathy Barnard requested Mr. Hodder recuse himself in the interest of the applicant and the Town.

Mike Hodder recused himself.

Matt Sullivan stated the applicant proposes the conversion of an existing shed to a winery and exchange a portion of the existing antique retail area (20'x30') with wine retail sales area; noting the Bed and Breakfast and antique retail area would remain. He stated the property has received a Variance to allow for a winery (tasting room, retail sales of bottles and other accessory sales), a Special Exception to allow for Agriculture (grape growing) and a Special Exception for a Bed and Breakfast in a single family dwelling (June 2006). He stated the property received Site Plan approval in August 2006 for the Bed and Breakfast.

Jim Rines stated that since there are no exterior physical changes proposed, the application would ordinarily be heard and approved by the Technical Review Committee. However, he stated that since the proposed use required a variance, Rob Houseman had opined that the applicant should pursue site plan approval through the Planning Board. He stated the property is owned by Constance O'Brien however, Heidi von Gotz Cogean is scheduled to take title to the property prior to 12/31/16. He stated the applicant was granted a variance on 7/17/16 to allow the importation of fruit to the proposed winery in addition to a special exception for the use. He stated the applicant intends to maintain the Bed and Breakfast and convert a small portion of the retail space in the barn from antique sales to wine tasting/sales; noting wine production would occur in the small out building west of the barn. He stated the applicant proposes a 15' tasting bar where individuals purchasing the wine produced on the property may have a small taste before deciding on the purchase. He stated no water service or sewage

disposal is required due to the limited amount of time prospective buyers are on site and noted wine related sales will occur such as jelly, crackers and logo glassware. He stated the applicant intends to grow grapes in the area between the barn and Route 28. He stated the winery will take deliveries two times per year (generally three pallets in the spring and five pallets in the fall) that are delivered in a box truck and not a tractor trailer truck. He stated locally grown fruit for wine production will be purchased; noting the nature of the deliveries are minimal and via the owner's pickup truck. He stated cranberry juice is purchased from other wineries and delivered in three 55 gallon drums every other year via a box truck. He stated once a year the winery would take a delivery of bottles via a tractor trailer. He noted the business is a family run business, retail sales would be limited to seasonal hours of operation and would not be year round. He stated the winery's license is for a small production winery, meaning they are limited to producing no more than 1,000 cases of wine per year. He stated the vats are rinsed twice per year; noting no soap or bleach is used in the process. He stated the applicant does not propose additional lighting and since the antique retail is being exchanged for retail wine sales, no new parking is required. He stated there are no pre and post development drainage changes due to there being no proposed physical changes to the site.

Kathy Barnard asked if there would be a loading area for deliveries.

Jim Rines replied no, since the deliveries only occur twice per year and delivered by a box truck.

Kathy Barnard asked if the grapes will be grown elsewhere on the property.

Jim Rines stated there is an additional area where grapes could be grown however, the expansion of such would depend upon the success of the business.

Kathy Barnard questioned the next type of license required for additional production.

Heidi von Gotz Cogean stated the license she currently holds allows for up to 1,000 cases therefore, 1,000+ would be the next level of licensed required by the State.

Vaune Dugan questioned signage.

Jim Rines stated the intent is to utilize the existing sign (re-lettered).

Matt Sullivan questioned the size of the interior space.

Jim Rines replied 20'x30'.

Matt Sullivan asked if there would be use of glassware.

Heidi von Gotz Cogean replied yes.

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

Chairman Barnard opened the public hearing.

Kathy Barnard asked when the business would open.

Heidi von Gotz Cogean replied May.

John Thurston asked if fire exits were clarified reviewed by Tom Zotti.

Jim Rines stated he did not know however, Mr. Zotti signed off on the proposal.

Matt Sullivan reviewed the following recommended conditions of approval;

1. The following plan, as amended to the date of this approval, is adopted by reference as part of this approval:
Sheet 1 of 1, 2016 Site Plan, Heidi von Gotz Cogean, 458 Center Street, Wolfeboro, New Hampshire, Tax Map 148 Lot 12, prepared by Jim Rines, PE, LLS, White Mountain Surveying and Engineering, Inc., PO Box 440, Ossipee, NH 03864, Dated November 15th, 2016.
2. No modification to the exterior of the building shall be permitted in conjunction with this use, including outdoor storage/display/sale of materials.
3. Payment of all recording fees.
4. All federal, state, and local permits to be received by the Town of Wolfeboro.
5. Zoning Board of Adjustment approvals, dated July 17, 2016, Case #11-SE-16 and Case #10-V-16, and any conditions attached thereto shall be adopted by reference.
6. 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.
7. Any expansion of the retail tasting area shall require further review by the Zoning Board of Adjustment and Planning Board.

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 Heidi von Gotz Cogean/Constance O'Brien Site Plan Review, Case #201628, Tax Map #148-12, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

II. Public Comment

Claude Roessiger stated as a longtime resident of the community, he hears more and more about preservation of the Town and its rural community. He stated he and a number of residents have taken initiative to further the maintenance of the rural character of the Town. He questioned the Planning Board would be interested in following such and whether it is even the role of the Board to participate in such.

Kathy Barnard stated the Master Plan emphasizes the maintenance of the Town's rural character and zoning districts have been established to support such. She questioned how the group intends to proceed.

Claude Roessiger stated he did not know rather, the group only knows what they want to achieve. He stated it is their intent to include the entire community, create an awareness and move forward with an action plan.

Kathy Barnard stated such is the process of the Planning Board and informed Mr. Roessiger of the Board's intent to begin an update to the Master Plan in 2017.

Paul O'Brien asked if the citizen survey is available to the public.

Matt Sullivan replied no.

Paul O'Brien questioned how such could be made available.

Kathy Barnard stated it would be available once the survey is completed.

Stacie Jo Pope stated there are two additional steps prior to releasing information relative to the survey; distribution of a paper survey and an online survey. She noted the update to the Master Plan would be a great opportunity for Mr. Roessiger and the other citizens to participate.

Claude Roessiger questioned the number of residents polled by the UNH survey.

Paul O'Brien replied close to 60% of the Town was surveyed; noting the survey questions were developed by UNH.

John Thurston questioned the goal and/or intent of the group and what they would like the Board to consider.

Claude Roessiger stated they see a deterioration of rural areas of the Town and are concerned where it will lead. He questioned the extent by which the community will act to see the rural areas preserved and questioned whether everything is being done to preserve those areas.

Stacie Jo Pope stated there are different ways and alternatives to preserve large tracts of land other than through zoning.

III. **Work Session**

Town of New Durham, Green Oak Excavation Permit

Matt Sullivan reviewed his memo regarding such and requested approval by the Board to forward such to the New Durham Planning Board.

It was moved by Kathy Barnard and seconded by Mike Hodder to forward Staff's memorandum regarding Green Oak Excavation Permit, dated December 30, 2016, to the New Durham Planning Board. All members voted in favor. The motion passed.

January 17, 2016 Public Hearings

Kathy Barnard reviewed the 1/17/17 Public Hearing agenda on zoning changes.

Wetlands Conservation Overlay District

Staff reviewed the changes to such.

Accessory Dwelling Unit

Staff reviewed his and Town Counsel's recommended changes to the ADU Ordinance.

The Board discussed notification in change of ownership and requested adding ADU; owner occupancy to the tax card following approval; noting such would be handled administratively. The Board discussed requiring two parking spaces for the ADU and agreed not to require such.

Following review and discussion of the proposes changes recommended by Staff and Town Counsel, the Board agreed to the following additional changes;

- Page 1; Purpose; remove bullet format
- Page 1; Purpose, (a); strike "of affordable housing" & replace with "and diversity of housing"
- Page 1; Purpose; strike (c)
- Page 1, Criteria for Approval, 2.; strike last sentence and add "in a common wall" to the end of the previous sentence
- Page 1, Criteria for Approval, 3.; strike "including the ADU"
- Page 2, A.; strike "location"
- Page 2, B.; strike "(1)"
- Page 2, B. (2); strike "access" and replace with "entry door"
- Page 2, B.; combine B. and (2) into one paragraph
- Page 2, B.; to read as follows; "Immediate neighborhood impact: that the proposal maintains the aesthetic continuity for the primary dwelling unit as a SINGLE FAMILY DWELLING. The entry door is not visible to the public way."
- Page 2; reformat lettering
- ADU Questions, 4th question; strike "entry way(s)" and replace with "entry door"
- ADU Questions, 6th question; strike "including the ADU"
- ADU Questions; strike question #9

Lakes Region Planning Commission Appointments

Kathy Barnard stated she spoke to Roger Murray III; noting he is interested in continuing as a Commissioner.

Matt Sullivan stated he would be willing to serve as a Commissioner; noting he spoke to LRPC to ensure such would be appropriate.

It was moved by Paul O'Brien and seconded by Mike Hodder to recommend the appointment of Matt Sullivan and Roger Murray III as Commissioners to the Lakes Region Planning Commission. All members voted in favor. The motion passed.

Committee Meeting Appointments

Matt Sullivan recommended the Board schedule regular quarterly individual meetings with the EDC, Conservation Commission and Heritage Commission at its work sessions to allow for more communication.

The Board agreed to such.

Work Session with Town Counsel

Kathy Barnard stated the document submitted by Ms. Ryan from the NH Municipal Association affects both the ZBA and Planning Board and noted she feels both Boards benefits from having joint membership and requested Town Counsel address such at a future work session.

Mike Hodder stated the document came from the NH Municipal Association and is not the statute. He stated the ZBA does not review the same issues as the Planning Board.

IV. Informational Items

None.

V. Planning Board Subcommittee Reports

None.

VI. Approval of Minutes

December 20, 2016

Corrections: Page 1, Public Hearings, 3rd paragraph, 2nd line; insert "C1" prior to "district"
Page 5, Public Comment, 4th paragraph, 2nd line; change "room" to "rooms"
Page 5, Public Comment, 7th paragraph, 5th line; insert "and why existing inn and hotel owners did not have access to the study" following "study"
Page 6, 4th paragraph/motion; insert "Kathy Barnard opposed."

It was moved by Paul O'Brien and seconded by Mike Hodder to approve the December 20, 2016 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed.

VII. New/Other Business

- Deliberative Session scheduled for 2/7/17
- Planning Board meeting scheduled for 2/7/17 has been rescheduled to 2/14/17
- Dates to declare candidacy for Planning Board positions are January 25-February 3

It was moved by John Thurston and seconded by Mike Hodder to adjourn the January 3, 2017 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 10:00 PM.

Respectfully Submitted,

Lee Ann Keathley

Lee Ann Keathley

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