

**TOWN OF WOLFEBORO  
PLANNING BOARD  
November 20, 2018  
MINUTES**

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

**Members Absent:** John Thurston, Member, Dave Alessandrini, Alternate.

**Staff Present:** Matt Sullivan, Director of Planning and Development.

*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**

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

**Philip K. Spencer & Frederick A. Piehl Revocable Trust**

**Agent: Bryan Berling, L.L.S.**

**2 Lot Boundary Line Adjustment**

**Tax Map #071-001 and 071-002, Case #2018-29**

Kathy Barnard read the item into record and asked the applicant to go over the application, waivers and noted the letter of authorization was received.

Bryan Berling stated this will be a lot line adjustment where 2 lots are entering, will be reconfigured, and 2 lots remain. Mr. Piehl owns Lot 1 and his frontage is a conforming lot. Lot 2 owned by Mr. Spencer is nonconforming by way of area. Mr. Piehl would like to sell 1.6 acres to Mr. Spencer behind his current lot. Parcel A has been flagged for wetlands, there is no change in road frontage by this lot line adjustment and are requesting the following waivers 1) waiver for scale of the plan to make it a more user-friendly document 174-7 B4 scale 2) relates to 174-7 D3 site and applies more for Mr. Piehl's features to adjust the lines between the 2 lots to avoid a large expense and 3) pertains to 174-7 D4, D5, & D6 soils; Mr. Spencer's land had tests while Mr. Piehl's did not. He stated the request for waivers are met based on this being a large parcel of land, a non-conforming lot becomes more conforming and no new lots are created nor are there proposed buildings.

Peter Goodwin questioned the reasoning for the lots being adjusted.

Bryan Berling responded Mr. Spencer is feeling cramped on 2 acres and this would put him at 3 acres.

Vaune Dugan questioned the wetlands and setback markings.

Bryan Berling stated he would better label the wetlands boundary and its buffer should that be a condition of approval on a second plan.

**It was moved by Mike Hodder and seconded by Vaune Dugan to grant the waivers. All members voted in favor. The motion passed.**

**It was moved by Peter Goodwin and seconded by Mike Hodder to accept the application as complete. All members voted in favor. The motion passed.**

Kathy Barnard opened the public hearing for comments.

Matt Sullivan read the following 5 conditions of approval:

1. The following plans, as amended to the date of this approval, are adopted by reference as part of this approval:  
Plan 1: Proposed Lot Line Adjustment Plan, Prepared for Philip K. Spencer (71-2) and Frederick Piehl (71-1), Wolfeboro, NH, Tax Map 071-002 and 071-001, Prepared by Bryan Berlind, Land Tech, 60, Ossipee, NH 03864, Dated October 23<sup>rd</sup>, 2018.
2. The applicant shall be responsible for monumentation and the submittal of the Certificate of Monumentation and updated plans stamped by a Licensed Land Surveyor
3. The applicant shall submit the Mylar plan for recording at the Carroll County Registry of Deeds.
4. Payment of all recording fees.
5. 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.

Vaune Dugan asked if there is another plan being submitted on a larger scale.

Matt Sullivan responded Mr. Berlind is amendable to enhancing the wetlands buffer on the plans.

Bryan Berlind replied that's correct and agreed to provide a secondary plan that shows the smaller parcel at larger scale as part of Condition 1.

There being no comments or questions from the public, Kathy Barnard closed the public hearing.

**It was moved by Mike Hodder and seconded by Vaune Dugan to approve the application with the 5 conditions including the addition of smaller inset on the larger plan for Philip K. Spencer & Frederick A. Piehl Revocable Trust, 2 Lot Boundary Line Adjustment, Tax Map #071-001, Case #2018-29. All members voted in favor. The motion passed.**

**IV. Action Items**

N/A

**V. Approval of Minutes**

N/A

**VI. Communications & Miscellaneous**

**NH Municipal Association Article "Preparing for 5-G Wireless Facility Applications in the Public Right-of-Way"**

Matt Sullivan discussed the article provided and potential/preparation needed for the town. See attached.

Vaune Dugan asked if scaled pictures can be provided.

Matt Sullivan replied that's an unknown.

Mike Hodder noted the need to have a strong transmitter and his concern for the aesthetic interruption as well as the unknown and untested side effects of millimeter wave. There will need to be an ordinance put in place that they are hung with the best possible protection for the people near by them.

Vaune Dugan asked about timing.

Matt Sullivan replied possibly 2019 or further out.

Peter Goodwin noted they are short range devices; these are different from cell towers.

Victor Drouin stated on the small pole attachments he's seen 300-400 of them and can provide the Board with more information and noted the town can mandate what is collected on a revenue. Millimeter wave is nonexistent/wouldn't apply here; fiber would be used.

Matt Sullivan asked when the technology will be implemented.

Victor Drouin replied they are doing a high 4G that will evolve as they are prepping but the 5G won't occur for some time and offered to provide any information he had to the Board (based on his 30+ years of experience) to distribute as desired.

Mike Hodder stated it would be beneficial and welcomed Victor Drouin to assist the Board/join them when the time comes to respond to this.

## **VII. Work Session**

### ***Pine Hill Road Development District Petition Warrant Article Review***

Brad Harriman recused himself.

Matt Sullivan stated this is for feedback purposes only and pertains to the area where the waste water treatment is – the district would extend a 100 ft wide path back from the boundary of Filter Bed Road to avoid spot zoning.

Kathy Barnard questioned why the 3 residents on Varney Road were included.

Victor Drouin replied the goal would be to extend that Pine Hill district down Filter Bed as most of it's used commercially; it fits and increases property values and would like to have it considered/included.

Peter Goodwin questioned what commercial activity is actually being done in the southern 8-9 lots.

Victor Drouin replied his own personal business he purchased, the Kimball sawmill, Seamus Keating a neighbor has his construction business, the sewage treatment plant, the Taylor Community, Goodhue and Hawkins and continuing there is Tinkers Flooring and Winnepesaukee Lumber.

Peter Goodwin stated there is only 2 commercial properties, and asked if it's grandfathered, is it necessary to change the zoning.

Seamus Keating with Keating Builders stated the business is not commercial and operates on a variance. There is a great deal of commercial activity and property being used and very few homes in that area; he would like to see the area zoned commercial to see it grow. His business would like to improve on the area and grow but are limited based on the zoning.

Vaune Dugan asked if residents have been communicated with.

Seamus Keating stated they have been spoken to and have a good relationship with folks on the road.

Susan Repplier asked for examples of what he is intending to do.

Seamus Keating stated he would like to build a cabinet store, make it look proper, create a place of business and employ more people; however, is unable to do that currently.

Mike Hodder asked if he could do retail.

Seamus Keating responded no, he would like to do that, and this would provide that opportunity.

Mike Hodder stated his concern for the abutters who are not present.

Matt Sullivan noted they were not notified as the Board cannot personally notify on a petition; however, if this moves forward each abutter will be properly notified.

Kathy Barnard stated there will be a public hearing and folks will be noticed properly.

Matt Sullivan suggested the Board give some indication if they intend on supporting the petition or if there should be 2 petitions.

Kathy Barnard stated she felt it best there be 2 separate courses, 2 separate petitions and the Public Hearing will be held for Victor Drouin's petition.

Matt Sullivan noted the petition should be submitted to hold public hearings to allow for all owners to have input.

***Pine Hill Road Development District Planning Board Listening Session***

Matt Sullivan stated all property owners were individually noticed to extend the existing Pine Hill District and the purpose of tonight is collect feedback from the property owners in order to move forward.

Vaune Dugan noted it's important to find out if the residents would like to have the business opportunity to become more commercial or preserve residential qualities.

Mike Hodder noted the responsibility is to do what is best for the town.

Vaune Dugan suggested moving forward and have a public hearing.

Member of the public stated he was in the middle of all the activity and wanted to know what the proposal was about, find out what was going on and wondered if there would be a tax increase or if there is a property increase if it were to be rezoned commercial.

Matt Sullivan responded he will provide that information for the Public Hearing as he did not have that currently.

Vaune Dugan asked if the uses were provided to the residents in the notices.

Matt Sullivan replied he did provide the zoning documentation in the notices, but it could be clearer in the next letter that goes out.

Member of the public asked if rezoning would open it up for 2 domiciles to exist on the same property.

Matt Sullivan responded a duplex could be placed on the property but not 2 separate dwellings.

Member of the public asked when a hearing would be scheduled.

Matt Sullivan responded January 8<sup>th</sup> and 22<sup>nd</sup>.

Brad Harriman stated he was in favor to rezone the area commercial. He hopes word reaches the people and folks attend the hearings to offer input.

Peter Goodwin noted the importance of providing folks who aren't able to attend, the ability to submit their input and opinion.

Kathy Barnard stated it might be helpful to know what the variances are for the next meeting this is discussed.

#### **Zoning Amendment Review**

Matt Sullivan reviewed the Zoning Amendment document dated 11/13/2018 (attached to these minutes).

##### **Amendment #1: Expansion of Non-Conforming Structures (175-43)**

Matt Sullivan reviewed proposed non-conforming structure language that would supplement the existing language in 175-43. A discussion took place regarding the proposed non-conforming structure language. Several amendments were suggested for clarification in phrasing.

The Board resolved to revisit the footprint vs. habitable floor area discussion at the 12/4/2018 meeting. A new amendment will be presented to the Board at the 12/4/2018 meeting.

##### **Amendment #2: Terms Defined (175-175)**

Matt Sullivan reviewed the amendments to the lot line definition based on the Board's determination on lots with multiple lines of frontage.

##### **Amendment #3: Parking Standards**

Matt Sullivan reviewed the parking standard amendments proposed to remove the waiver provisions and replace it with an "alternative" approach.

##### **Amendment #4: Article IVA: Overlay District: Affordable Nonprofit Housing for the Elderly and Affordable Nonprofit Workforce Housing**

Matt Sullivan presented an amendment to the Affordable Housing Ordinance that will bring it into compliance with modifications to the NH RSA's related to phasing.

##### **Amendment #6: Landscaping, Streetscaping, and Buffering Standards (175-153 – 175-158)**

Matt Sullivan reviewed the amendment to remove standards from the Zoning Ordinance and transition them to the Site Plan Review Regulations with the ability to waive.

##### **Amendment #7 – Bay Street Limited Business District Boundary Amendment**

Matt Sullivan reviewed a discrepancy in the BSLBD district along Pine Hill Road. This area has been indicated on the Zoning Map to be in the commercial zone but an amendment to the zoning district description is needed. Two parcels are proposed to be added.

##### **Amendment #8 – Business Directional Signage**

Matt Sullivan indicated that a Wayfinding Sign ordinance is scheduled to be presented by the Committee. The Committee will be meeting in the coming weeks to finalize its recommendation.

#### **Master Plan Population Chapter Review**

Kathy Barnard asked that the Board consider delaying the update to the Master Plan Population Chapter until after the 2020 Census is available. Currently, data is either from 2010 and outdated, or based on American Community Survey data which is sample based.

The Board resolved to delay the Population Chapter until decennial census data from 2020 is available.

#### **VIII. New Business**

N/A

#### **IX. Planning Board Subcommittee Reports**

N/A

**X. Nonpublic Meeting**

N/A

**It was moved by Peter Goodwin and seconded by Vaune Dugan to adjourn the November 20, 2018 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.**

There being no further business, the meeting adjourned at 9:25 PM.

Respectfully Submitted,

*Cathleen LaPierre*

Cathy LaPierre

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