

TOWN OF WOLFEBORO
PLANNING BOARD
October 6, 2020
MINUTES

I. Call to Order: Chairman Barnard opened the virtual meeting at 7:00 PM..

Kathy Barnard read the following script:

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order #2020-04, this Board is authorized to meet electronically. **However, the Planning Board has jointly decided to proceed with a 'hybrid' meeting format allowing for members of the public and Board to attend and participate in the meeting in-person or virtually.**

In accordance with RSA 91-A: 2, III, the Board has one member joining the meeting remotely, which a public body has the authorization to allow.

In accordance with Emergency Order #12, for members of the public, this is to confirm that we are:

1. Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means through GoToMeeting. All members of the public and Board have the ability to communicate contemporaneously during this meeting through the GoToMeeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #+1 (646) 749-3122 followed by the audio access code 918-242-429, or by video following the directions on the Town of Wolfeboro Website posted on the home page under the Virtual Town Meeting Login Information page.
2. Providing public notice of the necessary information for accessing the meeting; we previously gave notice to the public of how to access the meeting in-person or using GoToMeeting and in, and instructions are provided on the Town of Wolfeboro website at wolfeboronh.us on the Virtual Town Meeting Login Information page.
3. Providing a mechanism for the public to alert the public body during the meeting if

there are problems with access; If anybody has a problem accessing the meeting via phone or computer, please immediately call 603-391-8489 OR email planningdirector@wolfeboronh.us In the event that the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Thank you.

II. Introduction:

At this time I would like to take a roll-call vote of ALL members present. For those participating virtually, please indicate why your attendance is not reasonably practical and if you have any other individuals present in the room with you.

Members Present: Roll call: Kathy Barnard – yes, Peter Goodwin – yes, attending remotely (acknowledged no one is present with him), Brad Harriman – yes, Mike Hodder – yes, Susan Repplier - yes, Vaune Dugan - yes, Julie Jacobs (alternate) - yes.

Members Excused: John Thurston

Staff Present: Matt Sullivan, Director of Planning and Development, Mary Jane Shelton, Recording Assistant.

Votes taken during this meeting will be via roll call vote for all members.

Kathy Barnard asked Julie Jacobs, as alternate, to sit in for John Thurston. Kathy Barnard then reviewed the procedures for public hearings.

III. Scheduled Appointments/Public Hearings:

(A.) Stephen Fish Trust

**72 Parker Island Road - Tax Map & Lot #226-4 - Case #2020-24
Special Use Permit - Dug-in Boat House - Formal Submission/Public Hearing
Agent: Paul Goodwin, Watermark Marine Systems**

Vaune Dugan recused herself as the applicant is her client.

Paul Goodwin, as agent for the applicant, described the project as construction of a dug-in boat house on Parker Island Road. He advised the project had been approved by DES and that there is a wetlands permit for this project, as well as being approved by the

Governor's Council and signed off on by the Army Corp. of Engineers. He then presented the plan, approved by DES, stating it meets the previous DES regulation for a 900 sq. foot boat house. Paul Goodwin then addressed the roof overhang issue brought up by the Town Planner's review. He stated that the footprint of boat houses are allowed to be 900 sq. feet in the state regulation. This is the definition of footprint under the Wetlands Statute (RSA 42-A) while the definition under Shoreland Statute (RSA 42-B) regulates structures differently. DES allows a 1 ft. overhang, so the boat house is 900 sq. feet with a 1 ft. overhang. This relates to the regulation prior to December 15, 2019, when there was no 900 sq. foot limitation. The challenge now is the way that DES qualifies a boat house as a water dependent structure, they no longer count the water portion. So now a boat house has to be looked at as only the roof overhangs and the walls, and the part that covers water is no longer counted in the square footage of the structure.

Paul Goodwin stated that this proposed structure was approved under the previous DES regulations for both Shorelands and Wetlands prior to December 15, 2019, and met the 900 sq. foot rule. The concept is that once the boat house is built, the shoreline moves back, altering the setback lines. Paul explained that DES is double dipping when it states that area is counted as an impervious surface when it is no longer over land. Despite that rule changing, the proposed project meets the previous rule.

Kathy Barnard asked Matt Sullivan if this meets our zoning ordinance requirement. Matt responded that the definition of footprint per the ordinance is similar in that it does not incorporate the overhang of the roof. Matt reviewed the specific language of the boat house ordinance and determined that it is based on footprint and stated that overhangs are not an element of footprint.

Paul Goodwin made reference to the M&A Development project on White Gate Road was approved in 2018 with a 1 ft. roof overhang. It was an 892 square feet structure which was approved and has been built.

Paul Goodwin then addressed the Planner Review comment/concern about stormwater management. He stated that typically the roof water on a dug-in boat house goes directly back into the lake alleviating concern about sediment and is acceptable to DES. In this project, the site is unaffected by the boat house. The roof runoff is the only stormwater and goes directly into the lake. There is no regrading or re-contouring of the land to change the sheeting or infiltration into the land. It is a relatively flat site.

The other comment on the Planner Review related to a discrepancy noted in the impact to the bank in the amount of 114 sq. feet in the application, while the DES permit indicates 2,865 sq. feet of bank impact. Paul Goodwin stated he did not feel it was a discrepancy but a result of the way DES requires the plans to be filed. Bank is defined as only from full lake up to the change in slope. In this case it is basically up to the front of

the boat house (lakeward of the boat house). When Watermark Marine did the math, they referred to that as bank impact. The DES asks for the bank impact separate from upland impact. He feels it is not a discrepancy but rather a factor of how it is calculated. The bank impact is 114 sq. feet and the boat house impact itself is 899 sq. feet. The boat house is upland, and the bank impact is where their jurisdiction is.

Matt Sullivan asked for clarification of the 2,865 sq. foot impact cited on the application. Paul Goodwin stated that represented the total impact of the project including temporary access.

Paul Goodwin then handed out and reviewed the Construction Sequence which was missing from the application.

Matt Sullivan then asked Paul Goodwin to walk the Board through the Special Use B-1 and B-2 responses from the application. The consensus of the Board members stipulated that the B-1 and B-2 responses were clearly represented for the record in the application and a reading of such was not necessary.

Peter Goodwin commented, in agreement with the Conservation Commission notation, that having boats shrink wrapped and stored on dry land would be less costly, and questioned the necessity of this project. Paul Goodwin responded that the boat house would provide year round protection and, because it was recessed, would not pose an intrusion into New Hampshire waters.

Mike Hodder commented that shrink wrapping and using a retractable seasonal dock system would also pose no intrusion into the lake waters adding that the boat house is a personal choice rather than an environmentally sound choice.

Mike Hodder then asked for clarification of stormwater controls that would be put in place. Paul Goodwin stated that the only stormwater change to the property relates to the roof of the boat house and thus clean rainwater is collected from the boat house roof and piped directly into the lake. Based on the topography, any stormwater on land adjacent to the boat house will be just as it is currently.

Mike Hodder asked, and Matt Sullivan confirmed, that he is comfortable with the Construction Sequence presented at this meeting.

Mike Hodder mentioned there is no signed survey accompanying the application. There is only a reference to a scanned document which states specifically that it is not a survey. Paul Goodwin stated that the document which states it is not a survey is actually his drawing and he is not a surveyor. He further stated there was a survey when the subdivision was created. Mike Hodder stated there is a survey dated December 28, 1979 referred to in the application, and the copy provided with the application is dated January

3, 1979. Mike Hodder stated that a signed survey is required as part of a Special Use permit application. Matt Sullivan commented that he also questioned that issue and explained that, upon investigation, determined that the intent of the signed survey is to verify the distances between structures and the lake shown on plans when they involve a wetlands setback or buffer. That is not the case with a boat house application as that measurement between the structure and wetlands is not necessary.

Matt Sullivan stated, for the record, that his interpretation of the ordinance, for boat houses specifically with respect to Special Use permits, do not require survey dimensions for the boat house construction itself.

Mike Hodder further questioned whether the ordinance required a survey. Matt Sullivan responded that the ordinance states a plan must be provided that is stamped by a licensed land surveyor, but felt it was subject to interpretation. In this particular case, Matt Sullivan stated he was willing to accept the scanned documents and survey reference.

Kathy Barnard expressed concern that, going forward, the Board should review the ordinance with respect to this issue/requirement and it was recommended that a review of same be included in a future work program so that both the Board and the Planner would review the boat house ordinance concerning survey plan requirements.

Kathy Barnard then asked Matt Sullivan if he was confident that this application meets the standards that the Board is required to look at. Matt Sullivan responded that he felt the primary issue raised was the overhang issue, which he now believes probably should not have been raised as it is beyond the regulatory power of the ordinance. He further stated that the ordinance is clear that it is a footprint based maximum size. He would suggest that the ordinance does not put in place any overhang restriction.

Julie Jacobs asked about the appearance and function of the boat access doors at the waterside entrance of the boathouse, especially during winter months, and the impact of ice. Paul Goodwin provided a description and functionality of the same.

A motion was made by Mike Hodder, and seconded by Brad Harriman, to accept the application as complete. Roll call vote: Brad Harriman - yes, Mike Hodder - yes, Peter Goodwin - yes, Susan Repplier - yes, Julie Jacobs - yes, Kathy Barnard - yes. Application is accepted as complete unanimously by a 6-0 vote.

Public Comment Opened -

Dave Chappell, an abutter, stated that the plans were not posted on the website so he did not have the opportunity to review in advance. Matt Sullivan responded that he takes responsibility for failing to post the plans, although it was indicated as being available on the website in the abutter notices. He did mention that his office did not receive any calls notifying him or requesting copies of said plans.

Secondly, Dave Chappell expressed concern about the effects of blasting since the land consists of granite ledge.

Thirdly, Dave Chappell expressed concern about the effects his property and landscaping may experience as a result of the trees that are to be taken down in connection with this project.

Dave Chappell also commented on how far inland the boat house extends.

Dave Chappell then expressed further concern about the effects of construction equipment, etc. considering how narrow the access path is and its proximity to his property line.

Lastly, Dave Chappell commented that prior to purchasing his property he made a point of taking into consideration the amount of water frontage of the abutting properties. His research, using Town tax records, showed waterfront footage of the subject property as less than what would be allowed to construct this new boat house. However, the plan accompanying the application shows additional waterfront footage, over and above that recorded with the town tax map, making the addition of the boat house feasible based on the waterfront requirements.

Matt Sullivan responded that the 1979 survey, although difficult to read, shows 240 feet water frontage which corresponds with the Watermark plan. Although the tax map shows 210 feet, he stated that the survey takes precedence over that as tax maps are notorious for not being as accurate as surveys.

Paul Goodwin also added that the reason for the 1979 survey was a 30 foot boundary line adjustment which was added to the subject property. He further identified that there is a measurement of 204 feet as a tie line on the plan, plus 30.28 feet added in 1979.

Paul Goodwin offered that they use a licensed blasting subcontractor, who will be required to adhere to whatever notifications and procedures are applicable. He is unsure at this time how much blasting may be required.

As for tree removal, Paul Goodwin assured the Board that his firm normally and directly handles the tree removal and will hire a Wolfeboro based company if the removal is beyond their ability. He does not anticipate any issues.

Paul Goodwin addressed the abutter's concern regarding the distance that the boat house extends inland. Based on DES requirements, no portion of the structure is allowed over public submerged lands. The applicant owns the land behind the shoreline and the roof overhang follows the shoreline and is just inside said shoreline. Thus, the proposed boat

house is not pulled back any further than the minimum requirement to have it not cover any public submerged lands.

Paul Goodwin then addressed his firm's procedures for heavy equipment access, which is a requirement of the Shoreland Permit. He also added that some of the work may be done by barge access as well to the extent possible.

Dave Chappell remarked that he took issue with the fact that a purchaser of property cannot rely on tax map information to make informed decisions. In his personal experience, he did not anticipate the potential of a two boat slip boat house being allowed to be built 20 feet from his property line based on the information available to him at the time he purchased his property.

Karen Janosky, identifying herself as an abutter and a landscape architect, inquired about the drainage in the area of the existing swale would be resolved, as it was not included in the plans. She also posed questions regarding the temporary access way. The access way is very narrow, especially in two specific areas where it runs between the existing garage and her property line and between an existing rock wall and her property line. She pointed out that a portion of the rock wall would need to be removed in order to achieve the 20 foot access. Karen Janosky also pointed out that a number of trees that are not indicated on the plan would need to be removed to clear the access way and asked if there would be a jurisdictional concern. Lastly, she brought attention to the fact that there is an easement requiring her to maintain vegetation along the subject property line and her concern that heavy equipment would affect that vegetation.

Matt Sullivan responded that the Board's jurisdictional concern between the 50 ft. line from the water and the 150 ft. line is primarily what is referred to as an unaltered area. There is a relationship between that unaltered area definition and tree removal, but it is not something the Board would review as part of this Special Use permit process. That would be part of the Shoreland Review process, but it is appropriate to ask the applicant to address it for the abutter's edification.

Paul Goodwin advised that they may have to remove, and later rebuild, the referenced rock wall. He further described his company's process, procedures and precautions when performing construction via a narrow temporary access way. To address the impacts, Paul Goodwin stated you need to look at the wetlands approval. There is no tree cutting requirement once you are outside the 50 ft. setback and in this instance the 50 ft. setback changes with the new shoreline inside the boat house. Paul Goodwin further stated that within the wetlands permit application they were required to address the shoreland regulations. The wetlands permit application is a part of the Wolfeboro building permit application within the shoreland district. The unaltered area, natural state, etc., as well as the tree cutting approval, were part of the wetlands approval, which is the shorelands approval for New Hampshire. There is an overlap between the two.

Matt Sullivan asked Paul Goodwin to define what is meant by “restored to a natural woodland state” relative to the temporary access pathway referenced in the application. Paul Goodwin stated the goal is to not make it look like a temporary access pathway after completion of the project and to comply with the terms of the easement requiring a vegetative visual buffer on the property line. Matt asked and received verification from Paul Goodwin that the trees marked on the plan with the red X’s are those which are slated for removal and approval was received to do so.

Kathy Barnard asked if all of the information being presented is on file in the Planning Board office and available for viewing by interested parties. Matt Sullivan responded that some of the information relates to a separate shoreland permitting process and is not contained within the Planning Board records. Paul Goodwin then added that the abutters were noticed on December 9, 2019 and the information being referred to is in the Conservation Commission and DES files. Matt Sullivan then offered to provide that information to the abutters present after the meeting. Kathy Barnard assured the abutters that the information that was previously to have been posted to the website is available for their viewing at the Planning Board office.

Kathy Barnard then stated that this application meets the requirements in the zoning ordinance. Further, the Conservation Commission has reviewed the application, suggesting some alternatives, and the Planning Board’s role is to consider those Conservation Commissions comments. Kathy Barnard stated the application does comply with all of the Planning Board requirements.

Matt Sullivan then presented the following six recommended conditions for approval:

1. The following plans, as amended to the date of approval, shall be incorporated into the approval:

Plan 1. Existing Conditions Plan. Owner Stephen Fish Trust, 2540 Handasyde Ave., Cincinnati, OH 45208. Project Location: 72 Parker Island Road, Wolfeboro, NH 03894, Tax Map 226 Lot 004, prepared by Watermark Marine Systems, dated December 6, 2019.

Plan 2. Proposed Conditions Plan. Owner Stephen Fish Trust, 2540 Handasyde Ave., Cincinnati, OH 45208. Project Location: 72 Parker Island Road, Wolfeboro, NH 03894, Tax Map 226 Lot 004, prepared by Watermark Marine Systems, dated December 6, 2019.

2. All of the documentation submitted in the application package by the applicant, including the survey as presented, 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.

3. The applicant shall add the Planning Board approved Construction Sequence to the final Proposed Conditions Plan.
4. The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan including, but not limited to:
 - a) Turbidity Curtain
 - b) Cofferdam
 - c) Silt Fencing
5. **An inspection by the Town shall be required of erosion and siltation devices prior to construction.**
6. The applicant shall be responsible for all recording fees.

Mike Hodder made a motion, and was seconded by Susan Repplier, to approve Case #2020-24, Tax Map 226-004, for a Special Use Permit with the six conditions set forth by the Planner. Roll call vote: Mike Hodder - yes, Susan Repplier - yes, Julie Jacobs - yes; Brad Harriman - yes, Peter Goodwin - yes, Kathy Barnard - yes. Application is approved unanimously by a 6-0 vote in favor.

Vaune Dugan resumed her position as a voting member for the following hearings.

**(B.) Johnson Family Trust
61 & 65 Summer Lane - Tax Map & Lot #260-28 & 30 - Case #2020-26
Reconfiguration of Non-Conforming Lots - Formal Submission/Public Hearing
Agents: Bryan Berlind, L.L.S., Land Tech Service Corporation**

Bryan Berlind presented a plan depicting a reconfiguration of two non-conforming lots, sometimes referred to as a lot line adjustment. Both lots are in the shorefront residential zone and front onto Lake Winnepesaukee. The larger lot, Tax Map 260-30, is non-conforming due to lack of necessary road frontage. The smaller lot, Tax Map 260-28, is also non-conforming due to lack of road frontage as well as being too small, being less than an acre. The landowner wishes to enlarge the smaller lot, and increase the lot loading capacity of that lot to a four bedroom sustainable lot for a future home (the subject of the next application). The applicants also wish to increase the water frontage of the larger parcel. The larger lot is 1.14 acres and will not become any more non-conforming after the lot line adjustment. The smaller lot will increase in size from .147 acres to .612 acres, becoming slightly more conforming.

Kathy Barnard confirmed with Matt Sullivan that the shore frontage complies in both lots and there will be no negative issue with Summer Lane.

Matt Sullivan stated that the proposal brings both lots into more conformance.

Mike Hodder made a motion, which was accepted by Vaune Dugan, to accept the application as complete. Roll call vote: Brad Harriman - yes, Peter Goodwin - yes, Mike Hodder - yes, Vaune Dugan - yes, Susan Repplier - yes, Julie Jacobs - yes, Kathy Barnard - yes. Application is accepted as complete by unanimous vote (7-0).

Kathy Barnard opened the Public Hearing:

There were no members of the public who were present or wished to comment. Kathy Barnard closed the Public Hearing.

Matt Sullivan then presented the following five recommended conditions for approval:

1. The following plan, as amended to the date of this approval, is adopted by reference as part of this approval:
Plan 1. Reconfiguration of Non-Conforming Lots Plan, Owner/Applicant: Mathew and Martha Johnson (Johnson Family Trust), 24 Catalpa Drive, Atherton, CA 94024. Project Location: 65 Summer Lane, Wolfeboro, NH 03894, Tax Maps 260-028 and 260-030, prepared by Brian Berlind, L.L.S., Land Tech Service Corporation, P.O. Box 60, 6 Old Route 28, Ossipee, NH 03864, dated August 19, 2020.
2. The applicant shall submit the mylar plan for recording at the Carroll County Registry of Deeds and be responsible for the payment of all recording fees.
3. The applicant shall be responsible for monumentation and the submittal of the Certificate of Monumentation and updated plans.
4. 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.
5. A final Boundary Line Adjustment Plan shall be submitted with an original stamp and date by a Licensed Land Surveyor.

Mike Hodder made a motion, which was seconded by Vaune Dugan, to approve Case# 2020-26, Tax Map 260-028 and Tax Map 260-030, Application for Reconfiguration of Non-Conforming Lots with five conditions set forth by the Planner. Roll call vote: Brad Harriman - yes, Mike Hodder - yes, Peter Goodwin -

yes, Vaune Dugan - yes, Susan Repplier - yes, Julie Jacobs - yes, Kathy Barnard - yes. Application was unanimously by a 7-0 vote.

(C.) Johnson Family Trust

65 Summer Lane - Tax Map & Lot 260-28 - Case #2020-25

Special Use Permit - Encroachment in Wetlands Buffer - Formal Submission/Public Hearing

Agent: Bryan Berlind, L.L.S., Land Tech Service Corporation

Peter Cooperdock, C.W.S., Fernstone Associates

Matt Sullivan stated for the record that this project represents a substantial improvement to the subject lot. It clearly decreases the encroachment into the setback and buffer as well as installation of a state approved septic system.

Bryan Berlind presented the specifications of the project. The subject property is the smaller lot described in the prior application which will be slightly increased in size. There are currently two dwellings on the property. One cabin is too close to the sideline and the water's edge and the second cabin is also too close in proximity to the lake and wetlands. The proposal is to remove both cabins and replace them with a single family dwelling, new septic system and well. The new dwelling will be mostly conforming and intrude less into the wetland buffer. There will be a 693 sq. ft. reduction in the shorefront setback with implementation of this project. Bryan Berlind further described the setback improvements that will be achieved as well as a reduction in hardscape.

Mike Hodder made a motion, and Vaune Dugan seconded the motion, to accept the application as complete for a Special Use Permit, Case #2020-25. Roll call vote: Mike Hodder - yes, Brad Harriman - yes, Peter Goodwin - yes, Vaune Dugan - yes, Susan Repplier - yes, Julie Jacobs - yes, Kathy Barnard - yes. Application was approved as complete by a vote of 7-0 in favor.

Kathy Barnard opened the Public Hearing.

Mike Hodder asked if there were any changes or impact to the easement with access to the newly configured lot. Both Bryan Berlind and Matt Sullivan confirmed that the deeds to both properties include the easement and the easement will survive the reconfiguration.

Mike Hodder observed that the septic system for the reconfigured property seems to intrude into the 75 ft. well setback. He inquired how you can have an encroachment of a well by a septic system. Bryan Berlind states that he could get a waiver from the state, especially in light of the fact that it is a pre-developed lot.

Brad Harriman questioned and Bryan Berlind explained the rationale and possible setbacks required for the dry wells at the end of the driveway.

Kathy Barnard stated that the Conservation Commission had favorably reviewed this application and the Planning Board made note of the Commission's comments related to the water source.

Peter Goodwin commented on the positive effect of this project by creating less nonconformity in two waterfront lots and would like to see more of these types of projects in the future.

Matt Sullivan then presented the following recommended conditions for approval:

Conditions to Be Met Prior to Signing of Plans:

1. The following plan, as amended to the date of approval, is hereby incorporated into this approval with original signatures and stamps of Licensed Land Surveyor or Professional Engineer, as applicable:

Plan 1. Proposed Special Use Permit for New Home, Owner/Applicant: Matthew and Martha Johnson (Johnson Family trust), 24 Catalpa Drive, Atherton, CA 94024, project location: 65 Summer Lane, Wolfeboro, NH 03894, Tax Map 260-028, prepared by Bryan Berlind, L.L.S., Land Tech Service Corporation, P.O. Box 60, 6 Old Route 28, Ossipee, NH 03864, dated August 19, 2020.

2. 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.
3. The applicant shall be responsible for payment of all recording fees.

Conditions to Be Met Prior to any Building Permit Approval or Construction Activity:

4. The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan including silt fencing (silt sock).
5. **An inspection by the Town shall be required of siltation devices prior to construction.**
6. The applicant shall be required to monument the edge of Wetlands in compliance with 175-9.1 Wetlands Boundary Monumentation. This includes:

- (1) Wetlands shall be delineated by a State of New Hampshire Certified Wetlands Scientist. Markers should be placed at 50' + / - intervals along the total wetlands boundary following its general contour.
- (2) Care shall be taken to ensure that markers are placed with the appropriate spacing at points closest to any proposed or existing structure located on the property.
- (3) The cost shall be borne by the applicant/developer or their successors in interest.
- (4) The applicant shall be responsible for submitting a letter of certification of the posting to the Code enforcement Office prior to the issuance of any building permit.

Kathy Barnard commented that this is an overall improvement to the subject premises and then closed the Public Hearing.

Mike Hodder made a motion, which was seconded by Vaune, to approve Case #2020-25, Special Use Permit - Encroachment in Wetlands Buffer, 65 Summer Street. Roll call vote: Brad Harriman - yes, Peter Goodwin - yes, Mike Hodder - yes, Vaune Dugan - yes, Susan Repplier - yes, Julie Jacobs - yes, Kathy Barnard - yes. Board unanimous approves the application for Special Use Permit by a vote of 7-0.

2021-2030 Capital Improvement Program

Kathy Barnard gave an overview on the report from the Planning Board's CIP Committee regarding the 2021-2030 Capital Improvement Plan Document.

Matt Sullivan gave a very detailed explanation of the contents of the Capital Improvement Plan, referencing the specifics shown on the 2021-2030 CIP Index Spreadsheet.

Kathy Barnard further explained the purpose and benefit of the capital reserve accounts as a good planning tool. Matt Sullivan added that the capital reserve accounts also provide transparency as to the scope and funding of projects.

Mike Hodder pointed out that, in the narrative, each project indicates a vote of CIP Committee members who evaluated each project based upon three criteria: need, urgency and relation to a recommendation of the Master Plan. He also requested that a copy of the CIP be forwarded to the Chairperson of the Economic Development Committee.

Kathy Barnard asked if there was any public comment with respect to the CIP. There being none, the public hearing was closed and Kathy Barnard asked for a motion to approve the 2021-2030 Capital Improvement Program and refer it to the Board of

Selectmen and Budget Committee for their use in preparing the 2021 Town of Wolfeboro budget.

Vaune Dugan made a motion, which was seconded by Susan Repplier, to approve the 2021-2030 Capital Improvement Program. Roll call vote: Brad Harriman - yes, Peter Goodwin - yes, Mike Hodder - yes, Vaune Dugan - yes, Susan Repplier - yes, Julie Jacobs - yes, Kathy Barnard - yes. The vote was unanimous 7-0 in favor.

IV. Action Items

Review under RSA 41:14-a, Acquisition or Sale of Land, Buildings, Modification
Tax Map-Lot 217-091, Granting of Easement for Encroachment into Lake Avenue,
'Latchaw Building'

Matt Sullivan explained that the owners of the Latchaw Building, Cross Neck Road Inc., in the process of reviewing a real estate transaction performed a survey on the property and identified an area of encroachment on the western side of the building as it sits on Lake Avenue. Under RSA 41:14-a, the Board of Selectmen must seek comment and recommendation from the Planning Board, as well as the Conservation Commission, prior to granting an easement for encroachment.

Kathy Barnard commented that the easement does not seem to impact any public safety or right of way issues.

Mike Hodder made a motion which was seconded by Vaune Dugan that the encroachment does not have any impact upon public safety nor the public right of way. Roll call vote: Mike Hodder - yes, Brad Harriman - abstain, Vaune Dugan - yes, Peter Goodwin - yes, Susan Repplier - yes, Julie Jacobs - yes, Kathy Barnard - yes. Motion was approved by a vote of 6 in favor, 1 abstaining.

V. Public Comment: None

VI. Other Business:

First November Meeting/Public Hearing Date Change:

It decided that there would be only one Planning Board meeting in November on the third Tuesday. The Planning Board will still hold the second meeting later this month on October 20, 2020.

VII. Approval of Minutes:

9/15/2020 Planning Board Minutes:

A motion was made by Mike Hodder, and seconded by Vaune Dugan, to accept the September 15, 2020 minutes of the Planning Board. Roll call vote: Peter Goodwin - yes; Vaune Dugan - yes, Julie Jacobs - yes, Brad Harriman - yes, Mike Hodder - yes, Kathy Barnard - yes. Minutes of the September 15, 2020 meeting were approved with a vote of 7-0 in favor.

VII. Adjournment:

Motion to adjourn was made by Mike Hodder and seconded by Vaune Dugan. Roll call vote: Brad Harriman - yes, Mike Hodder - yes, Julie Jacobs - yes, Vaune Dugan - yes, Susan Repplier - yes, Peter Goodwin - yes, Kathy Barnard - yes. Vote to adjourn was unanimous (7-0 in favor).

There being no further business, the meeting adjourned at 9:19 PM.

Respectfully submitted,
Mary Jane Shelton
Recording Assistant

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