

**TOWN OF WOLFEBORO
PLANNING BOARD
January 7, 2020
MINUTES**

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

Members Absent: Dave Alessandroni, 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. Scheduled Appointments / Public Hearings / Public Forum

Timothy & Mary Kellogg

Formal Submission/Public Hearing

Subdivision/Boundary Line Adjustment (Create 3 lots from 2 existing lots)

Tax Map #217-176 & 177, Case #2020-01

Kathy Barnard read the item into the record.

Bryan Berlind provided the Certificate of Monumentation and computation of the form factor to Matt Sullivan and referred to his diagram. He noted both lots are serviced by municipal sewer and water, lots are in the village residential zone, was inspected and no wetlands were found, and are requesting a waiver for 174-7.D(5) & 174-7.D(6).

Kathy Barnard asked if the structure from the new lot was removed.

Brian Berlind confirmed it was.

Matt Sullivan noted the existing lot has a dwelling unit, even with the creation of this lot of 33,000 sq. ft. in size the lot is adequate for both a single family dwelling unit and an additional dwelling unit under the village residential lot standard requirements.

Kathy Barnard questioned if the second dwelling unit complies.

Matt Sullivan confirmed it does.

Mike Hodder referred to the Technical Review Committee sign off sheet and asked for the drainage and neighborhood to be addressed.

Matt Sullivan replied he would ask for additional information from the Public Works Director if the Board so requested.

Mike Hodder questioned Matt Sullivan's note.

Matt Sullivan clarified he was initially concerned about lot 217-177; however, it is compliant.

Mike Hodder questioned if Dave Fords concerns related to the steep slope.

Matt Sullivan replied, that's possible, generally Mr. Ford is concerned about subdivisions in any area close to the waterfront, this being one of them.

Kathy Barnard questioned whether Dave Ford was for or against approval.

Matt Sullivan replied Mr. Ford didn't recommend against approval but he was also not recommending approval as he was uncertain as to the existing drainage in place.

Kathy Barnard asked Bryan Berlind if he recalled Mr. Ford's comments.

Bryan Berlind addressed the coverage and stated Mr. Ford had commented at the TRC hearing how every new home or impervious surface contributes to a downstream problem. This will cause a new home; however, being in the village residential zone it is designed to be a densely populated zone.

Mike Hodder noted his concern related to the request for waivers; do they have anything to do with Mr. Ford's concerns.

Matt Sullivan replied the soil typology does have an impact on what the drainage patterns will be, but isn't clear that even with the proper soils information there would be any determination this Board could make that the subdivision would not be valid as a result.

Mike Hodder asked Matt Sullivan if he was confident the waivers could be granted as requested.

Matt Sullivan replied yes.

John Thurston asked Bryan Berlind to describe the lay of the land/grade.

Bryan Berlind replied the grade steadily falls downhill.

John Thurston noted it's an absorbent area and maybe one of the things Dave Ford is concerned about it is when you do the curb cut it would channel water down in that area. You want to make sure you don't draw in water.

Matt Sullivan noted Mr. Ford does the reviewing for driveway permits and suggested the driveway cut could be addressed by him.

Bryan Berlind noted this is a C slope.

It was moved by Mike Hodder and seconded by Vaune Dugan to grant waivers 174-7.D(5) & 174-7.D(6) for Timothy & Mary Kellogg Tax Map #217-176 & 177, Case #2020-01. All members voted in favor. The motion passed. 7-0.

It was moved by Mike Hodder and seconded by Vaune Dugan to accept the application as complete. All members voted in favor. The motion passed. 7-0

Chairman Kathy Barnard opened the public hearing for comments.

Anne Blodget stated Pleasant Street drainage is a huge issue.

John Thurston pointed out a large water leak was discovered that was contributing to the water run-off.

Anne Blodget noted wet basements are common in the area.

Stewart Robinson noted concern for the effect the subdivision will have on his property's value.

Matt Sullivan read the following conditions for approval noting an additional 7th condition:

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval:
Plan 1: Three Lot Subdivision Plan, Prepared for Timothy and Mary Kellogg, 56 and 60 Pleasant Street, Wolfeboro, New Hampshire, Tax Maps 217-176 and 217-177, Prepared by Bryan Berlind, LLS, Land Tech, P.O. Box 60, Ossipee, NH 03864, Dated November 9th, 2019.
2. The applicant shall submit a mylar plan for recording at the Carroll County Registry of Deeds.
3. The applicant shall be responsible for the payment of all recording fees.
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. The applicant shall be responsible for updated plans including original stamps and signatures from an L.L.S, C.W.S., and other applicable licensed professionals.
6. If granted, the applicant shall add a note to the final recorded plan indicated the approved subdivision regulation waivers.
7. The final plans shall reflect removal of the accessory structure as completed by the applicant prior to this evenings hearing.

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

It was moved by Mike Hodder and seconded by Vaune Dugan to approve the application for Timothy & Mary Kellogg with the 7 conditions of approval, Tax Map #217-176 & 177, Case #2020-01. All members voted in favor. The motion passed. 7-0.

**Virginia Taylor
Formal Submission/Public Hearing
2-Lot Subdivision
Tax Map #104-8, Case #2020-02**

Kathy Barnard read the item into the record.

Bryan Berlind stated the applicant wishes to subdivide the one lot into two in order to sell the farm on the remaining land and create a new lot where she can build a new home. Both lots are greater than 5 acres, lots are in the agricultural zone, located in the historic district and noted waivers are being requested. He provided the Certificate of Monumentation and referred to the diagram for the rest of his presentation.

Kathy Barnard asked if they are exempt from the form factor.

Bryan Berlind confirmed yes.

Matt Sullivan noted Bickford Road is a scenic road; no implications directly when it comes to this subdivision but in the event the town has to do work, it could be something that plays a role and although it's not a natural resource impact per say, there is an existing cemetery shown on the plan. Therefore, any excavations would be restricted within a proximity of the cemetery; however, based on what's proposed do not foresee an issue.

Kathy Barnard questioned access to the cemetery.

Matt Sullivan replied there is an easement to the cemetery.

It was moved by Mike Hodder and seconded by Vaune Dugan to grant waivers 174-9.B, 174-7.D(5) & 174-7.D(6) for Virginia Taylor, Tax Map #104-8, Case #2020-02. All members voted in favor. The motion passed. 7-0.

It was moved by Mike Hodder and seconded by Vaune Dugan to accept the application as complete. All members voted in favor. The motion passed. 7-0

Chairman Kathy Barnard opened the public hearing for comments.

Matt Sullivan read the following 6 conditions for approval:

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval:

Plan 1: Proposed Subdivision Plan – Soils Plan, Prepared for Virginia Taylor, 44 Stoddard Road, Wolfeboro, New Hampshire, Tax Maps 104-008, Prepared by Bryan Berlind, LLS, Land Tech, P.O. Box 60, Ossipee, NH 03864, Dated December 2nd, 2019.

Plan 2: Proposed Subdivision Plan – Based Subdivision Plan, Prepared for Virginia Taylor, 44 Stoddard Road, Wolfeboro, New Hampshire, Tax Maps 104-008, Prepared by Bryan Berlind, LLS, Land Tech, P.O. Box 60, Ossipee, NH 03864, Dated December 2nd, 2019.

2. The applicant shall submit a mylar plan for recording at the Carroll County Registry of Deeds.
3. The applicant shall be responsible for the payment of all recording fees.
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. The applicant shall be responsible for updated plans including original stamps and signatures from an L.L.S, C.W.S., and licensed septic designer.
6. If granted, the applicant shall add a note to the final recorded plan indicated the approved subdivision regulation waivers.

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

It was moved by Mike Hodder and seconded by Vaune Dugan to approve the application for Virginia Taylor with the 6 conditions of approval, Tax Map #104-8, Case #2020-02. All members voted in favor. The motion passed. 7-0.

John J. Rourke, M&A Living Trust & Thomas R. & Cheryl D. Perry

Formal Submission/Public Hearing

Minor Lot Line Adjustment

Tax Map #188-1-12 & 13, Case #2020-03

Kathy Barnard read the item into record.

Randy Tetreault stated this is an equal land swap located on Ambrose Drive. Form factor calculation was completed and the lot size by soil type was reviewed and meets the one acre lot size by soil type and was not certain if those were submitted with the original package but can enter into the record for review. He referred to the map for presentation.

Kathy Barnard confirmed that information was submitted and questioned if any waivers were requested.

Randy Tetreault confirmed no waivers were being requested.

Vaune Dugan questioned how the existing house was placed.

Randy Tetreault replied it was discussed at TRC and noted he brought a copy of the approved septic design. Wolfeboro does not have a foundation certification set back at the building permit stage so anyone coming in with a septic design for a proposed home location that is altered during construction etc., there is no check. He described the septic design process.

Mike Hodder commented on TRC and survey policy.

Matt Sullivan noted it's something that needs to be looked into and discussed for new dwelling unit construction.

Kathy Barnard stated it's an administrative thing and something should be put in place.

Matt Sullivan suggested the Board discuss after this application.

Mike Hodder recommended it be placed on the 2020 worksheet.

It was moved by Mike Hodder and seconded by Vaune Dugan to accept the application as complete. All members voted in favor. The motion passed. 7-0

Chairman Kathy Barnard opened the public hearing for comments.

Matt Sullivan read the following 5 conditions for approval:

1. The following plans, as amended by the Planning Board approval, are incorporated into the approval:

Plan 1: Boundary Line Adjustment Plan, Prepared for Thomas R. and Cheryl D. Perry/John R. Rourke M&A Living Trust, Ambrose Way, Wolfeboro, New Hampshire, Tax Maps 188-001-013 and 188-001-012; Prepared by Randolph Tetreault, LLS, Land Tech, P.O. Box 60, Ossipee, NH 03864, Dated December 2019.

Plan 2: Topographic Boundary Line Adjustment Plan, Prepared for Thomas R. and Cheryl D. Perry/John R. Rourke M&A Living Trust, Ambrose Way, Wolfeboro, New Hampshire, Tax Maps 188-001-013 and 188-001-012; Prepared by Randolph Tetreault, LLS, Land Tech, P.O. Box 60, Ossipee, NH 03864, Dated December 2019.

2. The applicant shall submit a mylar plan for recording at the Carroll County Registry of Deeds.
3. The applicant shall be responsible for the payment of all recording fees.
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. The applicant shall be responsible for monumentation and the submittal of the Certificate of Monumentation and updated plans including original stamps and signatures from an L.L.S, C.W.S.

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

It was moved by Mike Hodder and seconded by Vaune Dugan to approve the application for John J. Rourke, M&A Living Trust & Thomas R. & Cheryl D. Perry with the 5 conditions of approval, Tax Map #188-1-12 & 13, Case #2020-03. All members voted in favor. The motion passed. 7-0.

2020 Zoning Amendment Public Hearings

Kathy Barnard stated the Planning Board will need to hold a hearing, make a recommendation and noted no changes can be made to the following warrant article:

PETITION WARRANT ARTICLE: Amend Chapter 175, Part I, Article XXVII to remove the absolute restriction on drive-through restaurants and permitting their construction and operation on lots consisting of at least one (1) acre and corresponding modifications to the definition of "Restaurant, Carryout" within Section 175-175, Terms Defined.

Matt Sullivan noted he spoke to the petitioner and did not indicate they would be able to attend tonight's hearing. They did have one request for the Board: to provide some justification in either direction on how if you vote in favor of endorsing the warrant article or recommending it, providing some justification to the petitioner in either direction depending on the action this evening.

Kathy Barnard noted it's the same warrant article reviewed a couple of years ago. At that time it was determined a more thoughtful study was needed. She also confirmed this was recently added to the work program for 2020 for more careful study.

Chairman Kathy Barnard opened the public hearing for comments.

Suzanne Ryan asked for clarification as to where the 1 acre lots are located.

Matt Sullivan replied there are 12 one acre lots in various locations and provided some examples.

Mike Hodder confirmed the 12 are located in the Central Business District and discussed drive-through restaurants.

Suzanne Ryan questioned the correlation to the Master Plan, if it addresses it all.

Matt Sullivan replied it does not address restaurants in any way.

Suzanne Ryan asked if the EDC has weighed in or commented on this.

Matt Sullivan replied they were made aware of the public hearing but did not recall if they weighed in on the issue in 2017 but there was no direct feedback this year.

Mike Hodder referred to minutes from December 20, 2016 and stated the EDC did not send a representative to address the issue either for or against.

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

Matt Sullivan noted the Board should either recommend or not recommend via vote.

Kathy Barnard stated she had technical concerns and felt the first course of action would be to study it to address the stacking issues; we really need a specific definition for restaurants/drive-through.

Mike Hodder stated he didn't see how the Board could recommend it since it wasn't recommended on the 2017 warrant and the town has voted overwhelmingly to oppose the issue raised here. As for justifications raised by the petitioner, he suggested reviewing the minutes of the December 20, 2016 public hearing on this issue as well as the minutes of tonight's issue. He recommended the Board not recommend this petition warrant article.

Vaune Dugan noted concern for current restaurants and pointed out there are a number of restaurants that offer carry-out in town.

It was moved by Mike Hodder and seconded by Vaune Dugan to not recommend PETITION WARRANT ARTICLE: Amend Chapter 175, Part I, Article XXVII to remove the absolute restriction on drive-through restaurants. Kathy Barnard, Brad Harriman, Peter Goodwin, Mike Hodder, Vaune Dugan, and Susan Repplier voted in favor. John Thurston abstained. The motion passed. 6-1

§ 175-1 through *§ 175-215; to remove all references to "Percent Coverage" within zoning district "Setback requirements; height requirements; coverage" sections and replace with "Percentage maximum allowable lot coverage". This amendment maintains all existing percentage requirements for allowable lot coverage.

Kathy Barnard stated the item is new and was brought to the Board by town council.

Matt Sullivan confirmed council recognized an issue; we indicate within our dimensional standards for each of the districts a percent coverage. The problem with the way it's written is, it didn't indicate whether that was a maximum or minimum allowed coverage.

Vaune Dugan questioned why "impervious" is not included.

Matt Sullivan replied the Board could make that change, would recommend it for clarity and suggested adding the following wording: maximum allowable impervious lot coverage.

Kathy Barnard questioned if it's ok to add.

Matt Sullivan confirmed yes, it's not something that requires an additional hearing or public notice as it's a non-substantial change per council's advice.

Kathy Barnard questioned the wording.

Matt Sullivan replied it would read "percentage maximum allowable impervious lot coverage".

Chairman Kathy Barnard opened the public hearing for comments.

Suzanne Ryan questioned the wording "all zones" and "residential R district".

Matt Sullivan replied what's provided is intended to be an example.

Suzanne Ryan referred to the slide on presentation and asked what it will say on the ballot.

Matt Sullivan replied it will say exactly what was in the public notice language but it clearly says in all zoning districts.

Vaune Dugan noted it's not a change, just a clarification.

Matt Sullivan reviewed the notice.

Suzanne Ryan stated it should say *all* zoning districts and asked how this will affect the telecommunications ordinance.

Matt Sullivan confirmed it doesn't and is ok with including "all" in the wording.

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

It was moved by Mike Hodder and seconded by John Thurston to amend § 175-1 through § 175-215 to state: to remove all references to "Percent Coverage" within all zoning districts "Setback requirements; height requirements; coverage" sections and replace with "Percentage maximum allowable impervious lot coverage". This amendment maintains all existing percentage requirements for allowable lot coverage. All members vote in favor. The motion passed. 7-0.

It was moved by Mike Hodder and seconded by John Thurston to recommend amendment § 175-1 through § 175-215 as presented and move to the town warrant. All members voted in favor. The motion passed. 7-0

Kathy Barnard noted the following items were continued due to poor weather:

§ 175-44(E) General Provisions, Signs, Placement of Signs; To repeal and replace the existing language within 174-44(E) with language that prohibits all signage from the public right-of-way, with the exception of off-premise business directional signage, which is required to be placed within the public right-of-way.

Such business directional signage may only be placed in right-of-way where it does not pose a public safety hazard, and only on approved, permitted, Town-owned posts at intersections, within the Bay Street Limited Business District, Wolfeboro Falls Limited Business District, and Central Business District and at designated locations. Business directional signs shall be limited to a maximum of two within the town per business. Only one post per intersection shall be permitted. Signs and sign posts shall be uniform in size and shall conform to this ordinance's restrictions. Signage in existence as of 04/01/2019, which does not conform to the requirements of this section, shall be designated as lawfully existing non-conforming sign, both on private and public property, with the exception of those that present a hazard to public health and safety. Pre-existing non-conforming signage shall expire at the time that the business ceases operation. At such time, the sign may not be re-established for a new business.

Kathy Barnard noted this was continued due to poor weather. Several years ago it was discovered that no permits were being issued. The committee has spent a great deal of time putting something together to allow businesses to have these business directional signs.

Brad Harriman recused himself.

Chairman Kathy Barnard opened the public hearing for comments.

Troy Lucas thanked the Board for their extensive efforts on this matter. He noted several business owners (about 14) met to discuss and put together a letter of what is important to them along with suggestions. He distributed a copy to the Board and discussed.

Corinne Ferguson, president of Wolfeboro Food Co-op, stated vacationers/summer residents contribute a great deal to the merchants and wayfinding signs have aided in helping those customers find businesses not located on Main Street. She noted businesses in Back Bay are invisible to folks and would like to be allowed three double backed signs per business instead of the two.

Matt Sullivan noted the many of the recommendations in the amendment would require another public hearing due to being substantial in nature. If the Board chooses to take action on any of these proposed amendments this evening we would want to continue the public hearing to the night of January 21st.

Jerome Holden noted concern for several items, i.e. the changes do not include the Pine Hill Road District and stated he submitted his suggestions to the Board via the letter he proceeded to review.

Mike Hodder questioned if his concerns were brought to the Wayfinding Sign Committee.

Jerome Holden replied yes.

Roger Murray member of the committee, stated the goal was to come up with an ordinance that was workable; he is surprised to discover some feel the committee are trying to phase out the signs as he was part of many meetings. He doesn't feel it makes sense to adopt an ordinance and then allow folks not to comply. He questioned #4.

Matt Sullivan clarified the ordinance as written is the town right-of-way only, it does not contemplate the state right-of-way and perhaps that portion could be written more clearly.

Kathy Barnard suggested it could be changed "public right-of-way."

Mike Hodder questioned if Matt Sullivan felt it best to strike "town right-of-way" and amend the ordinance to reflect "public right-of-way."

Matt Sullivan stated he was not recommending that change.

John Thurston said there was a reason it wasn't put in the state right-of-way; to allow signs to be placed on town owned property.

Peter Goodwin suggested the change could include deleting the word "town" and leaving as "right-of-way".

Roger Murray stated one of the reasons it was written as it is, was to avoid placing signs on private property. He questioned 7C.

Matt Sullivan reviewed and stated he agreed with Mr. Rogers's comment pertaining to 7C. Council made a change he did not agree with in the updated version to change the wording to "any" as it should say "all".

Roger Murray suggested adding "s" to "operation".

Vaune Dugan asked committee members why couldn't there be back to back signs on the posts.

Matt Sullivan stated it's not that you can't have them back to back, the maximum allowed is two, and so back to back would be treated as two signs, not one.

Vaune Dugan asked why.

Matt Sullivan replied the reason was due to concern about the volume of posts available and the equity in allowing all businesses to have the ability to have a sign on a post.

Julie Jacobs, member of the Wayfinding Sign Committee, stated this was supposed to have the word "pedestrian" as these are pedestrian signs to be used when walking not driving.

John Thurston stated it could be worded in many different ways but the goal is to open it up to folks coming in on buses and to those who might be driving as well.

Roger Murray stated on the last full line on 7C there should be an "s" on signs.

Jerome Holden suggested larger letters on specific signs.

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

It was moved by Vaune Dugan and seconded by Peter Goodwin to amend 7.(C) to include the word "all" instead of "any" and add 2 "s" and delete letter "a" in front of the second line. Kathy Barnard, Susan Repplier, Mike Hodder, Vaune Dugan, Peter Goodwin, and John Thurston voted in favor. The motion passed. 6-0.

Susan Repplier suggested addressing #5 and compromising by changing the number allowed to 4.

Mike Hodder disagreed as the Board should stand by the subcommittee as they put a great deal of time and effort and came up with something that can allow for businesses to place signs. Otherwise, this will be held off on, it won't make it to the 2020 warrant and once again businesses won't be able to place any signs.

Matt Sullivan stated this is a good starting point and should give the ordinance a chance.

Peter Goodwin stated 4 signs on a post will limit to 12 businesses which precludes a lot of businesses out there and feels 2 signs are adequate.

It was moved by John Thurston and seconded by Mike Hodder to move warrant article #5 Wayfinding Sign Ordinance proposed language 175-44(E) as amended to the town warrant. Kathy Barnard, Mike Hodder, Peter Goodwin, Vaune Dugan, and John Thurston voted in favor. Susan Repplier abstained. The motion passed. 5-0-1.

Article XXVI, Personal Wireless Service Facilities; To amend Article XXVI, Personal Wireless Service Facilities to bring the ordinance into compliance with state and federal law regarding modifications to existing facilities and duration of special exceptions, to establish a process for expedited Planning Department review of Eligible Facilities Requests in compliance with New Hampshire RSA 12:K; to permit such facilities by special exception in all districts except the Shorefront Residential District, to require camouflage of all facilities not subject to eligible facilities requests, and to make minor changes to certain sections of the ordinance, including but not limited to the definition of fall zone and the specifications of material and color of facilities which extend above vegetation.

Kathy Barnard stated there is an approval process that requires special exceptions and site plans for new facilities.

Matt Sullivan stated the need for camouflage was discussed and had made the suggestion to clarify the location section of ordinance that all facilities are required to be camouflaged. He noted the fall zone definition was revised and clarity was provided pertaining to painted gray towers.

Chairman Kathy Barnard opened the public hearing for comments.

Suzanne Ryan asked for clarity regarding camouflage.

Matt Sullivan referred to his presentation and explained.

Suzanne Ryan referred to 175-164(A) page 8 and questioned mounting.

Matt Sullivan clarified.

Suzanne Ryan questioned 175-165(B) page 10 #1.

Matt Sullivan clarified no changes.

Suzanne Ryan referred to her letter, see attached.

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

It was moved by Mike Hodder and seconded by Peter Goodwin to recommend Article XXVI, Personal Wireless Service Facilities as presented and move to the town warrant. Kathy Barnard, Brad Harriman, John Thurston, and Susan Replier, Mike Hodder, and Peter Goodwin voted in favor. Vaune Dugan abstained. The motion passed. 6-1.

§ 175-96 and 175-96.1 - Pine Hill Road Development District, Permitted Uses and Special Exception Uses; To amend the Permitted Uses within the Pine Hill Road Development District to include the following: Retail, Businesses, and Contractors Yard, Light (with specific conditions required). Further, to amend the Permitted Uses section to remove the following uses: Printing plant, community services, assembly operations, storage and use of heavy industrial and mechanical equipment, metal shops, laundries, and cleaning establishments. To amend the uses permitted by Special Exception within the Pine Hill Road Development District by adding Light Industry as permitted and removing Kennels as a permitted uses.

Brad Harriman recused himself.

Matt Sullivan noted the changes made were non-substantial and all based on legal comment.

Chairman Kathy Barnard opened the public hearing for comments.

Elaine Hazeltine, resident on Pine Hill Road, asked for clarification regarding setbacks on contractor yards.

Matt Sullivan clarified the heavier the equipment, the larger the set back while the smaller equipment, a smaller set back applies.

Elaine Hazeltine noted concern as an abutter to a company and asked for clarification as to time of day or limitation to starting and stopping work. She also noted concern for debris permitted and questioned how or if that will be addressed in the ordinance.

John Thurston asked for clarification as he felt her location and the company she abuts has no bearings on what is being proposed.

Matt Sullivan agreed and stated her location relating to the company is a preexisting non-conforming use; it was not approved as a contractor's yard under this ordinance.

Elaine Hazeltine asked if that meant it was grandfathered.

Matt Sullivan confirmed yes.

Elaine Hazeltine noted concern for permitting contractors yards.

Vaune Dugan suggested "contractors yard-light" (use a hyphen instead of a comma after contractor's yard).

Elaine Hazeltine noted concern for "retail" and "business services" as she feels the definitions are too broad.

Matt Sullivan read the business services definition for clarification.

Suzanne Ryan referred to her letter regarding boundaries and asked for clarification.

Matt Sullivan replied the boundaries are defined in 175-2; they know exactly where it begins/ends and it's shown on the most recent copy of the zoning map and referred to map.

Suzanne Ryan continued to read from her letter (attached).

Kirk Beswick, Taylor Community, sent a letter to the Board that summarized their position and noted concern for contractor's yards and compared Pine Hill to the Bay Street Limited District and asked which is lighter usage.

Matt Sullivan replied Bay Street Limited District.

Kirk Beswick suggested to consider wrapping it into one district to control the usage by extending Bay Street; maybe rethink this. Also suggested when or if there is a need for industrial usage maybe create another district where there aren't a lot of residents.

Matt Sullivan stated we don't get a lot of questions about industrial uses. We do get more than any other use, questions about contractor's yards/storage of vehicles; it's the number one industry in this community, and would argue the zoning is not reflective of that. When surveying the community less than 5% is zoned commercially and emphasized this is not a proposed boundary amendment, this is seeking only to respond to the comments heard last year and at the master plan hearing. What's proposed is a direct request to what's been heavily requested at the Planning Board level and what was asked at previous hearings.

Anne Blodget stated senior housing is an attractive use and contractor's yards are not economic development.

Kathy Barnard noted senior housing will be addressed in the 2020 work program.

Mike Hodder noted the guy that mows my lawn, removes my snow etc., needs somewhere to store their stuff; we need these services and they need a place to store their items for business.

Sandra Snider suggested companies put up a barrier.

Kirk Beswick stated he agreed with Mike Hodder's statement regarding contractors needing places to store their stuff; are asking it not be near a person's house.

Suzanne Ryan noted she is opposed to placing these contractors on Pine Hill Road and asked the Board not to move forward.

Kathy Barnard explained if light industry is not allowed, industry will remain. The Board was trying to address it.

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

Mike Hodder stated it's important to give the folks who have grown their business out of their garage and driveways and require more space, just that, a place to store their things for their business.

Kathy Barnard noted the importance of balancing all of the needs in the community.

Peter Goodwin noted the need to cover things i.e. salt and so forth will protect our watershed/environment which requires space and a proper place to put things.

It was moved by Mike Hodder and seconded by Vaune Dugan to recommend § 175-96 and 175-96.1 as presented and move to the town warrant. Kathy Barnard, Peter Goodwin, Susan Repplier, and John Thurston voted in favor. The motion passed. 6-0.

§ 175-175 - Terms Defined, Habitable Space; To amend the current definition of Habitable Space to define habitable space exemptions to include toilet rooms on the first floor only and remove full bathrooms as habitable space.

Chairman Kathy Barnard opened the public hearing for comments.

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

It was moved by Mike Hodder and seconded by Vaune Dugan to recommend § 175-175 as presented and move to the town warrant. Mike Hodder, Vaune Dugan, Peter Goodwin, Brad Harriman, Kathy Barnard, Susan Repplier, John Thurston voted in favor. The motion passed. 7-0.

§ 175-47 - Building Codes; To amend the current Building Codes section, by removing the references to specific 2003 and 2002 codes and replace with a broad reference to the current adopted State Building Code under RSA 155-A and RSA 155-A:10.

Chairman Kathy Barnard opened the public hearing for comments.

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

It was moved by Mike Hodder and seconded by Peter Goodwin to recommend § 175-47 as presented and move to the town warrant. All members voted in favor. The motion passed. 7-0.

§ 175-175 - Terms Defined, Light Industry; To amend the definitions portion of the ordinance to add a definition for Industry, Light that includes manufacturing and assembly of products predominantly for previously prepared materials, adds accessory/permitted uses within industry, light, and defines prohibited activities such as those that significant external effects and pose significant risks to public health, safety, and welfare.

Matt Sullivan stated the intent is to allow for certain assembly processes of light materials that are already sort of formed off site and then brought into a facility that doesn't impact the abutting properties via smoke, noise, dust or other public nuisances; this is a contained facility which is what this definition would refer to.

Kathy Barnard stated at the last public hearing someone mentioned adding traffic but Matt Sullivan had said that's something that's looked at through the special exception process.

Matt Sullivan confirmed it is, and also something the Planning Board will look at too.

Chairman Kathy Barnard opened the public hearing for comments.

Suzanne Ryan is concerned for the word "predominately".

Matt Sullivan replied if the Board agreed, the word "predominately" could be removed. The reason it was written in, was due to not knowing if the materials were not being wholly refined in advance.

Mike Hodder stated the word gives the Board flexibility to be able to decide if it should be permitted or not.

Susan Ryan asked how many places in the Pine Hill Road District can support this type of industry.

Matt Sullivan stated it's impossible to define that as it could be a small space required.

Suzanne Ryan asked if this is for the entire town.

Matt Sullivan confirmed yes.

Vaune Dugan asked to change it to "light industry" not "industry, light".

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

It was moved by Peter Goodwin and seconded by Mike Hodder to recommend § 175-175 as presented with the change "light industry" and move to the town warrant. All members voted in favor. The motion passed. 7-0.

Article XXA Cotton Mountain Historic-Agricultural District; to amend Article XXA by adding Dimensional Requirements, Setback requirements; height requirements, Permitted Uses, and Special Exception Uses in order to establish reasonable restrictions that align with the adjacent Residential/Agricultural District where none were pre-established. To further clarify section 175-126.1 as follows: The Cotton Mountain Historic-Agricultural District Zone requires a minimum lot size of 10 acres for all contiguous land of parcels within 250' of the following roads as they are shown on the Zoning Map:

- (a) Stoneham Road from the Brookfield Town line to Stoddard Road, excluding that area already included in the North Wolfboro Historic District.
- (b) Jenness Farm Road from Stoneham Road to Cotton Valley Road excluding Tax Map 18, Block 9, Lots 2, 3, and 4 (New Tax Map 137, Lots 4, 3, and 2). (Note: This subsection was amended by the Board of Selectmen 4-25-2007 to change "Dallas Road" to "Jenness Farm Road.")
- (c) The North Wakefield Road from Stoneham Road to the Wakefield Town line

It is intended to preserve the natural resources of forest, field and open space within the Agricultural District to maintain and further protect the Town's rural character.

Matt Sullivan stated this was intended more as an overlay district; however, due to how several sections were worded it was actually its own stand-alone district with no permitted uses or dimensional standards. The language was also clarified within the description of where the zone is.

Chairman Kathy Barnard opened the public hearing for comments.

Suzanne Ryan questioned footage.

Matt Sullivan replied 250 ft. was a change made aligned with the historic district and existing ordinance.

Suzanne Ryan asked if public utility lines are a given.

Matt Sullivan replied, yes and this was something flagged by council.

Suzanne Ryan stated she wanted to see “public utility” on 175-176 removed.

Matt Sullivan replied if you do that, you have to have another public hearing.

Mike Hodder did not feel it’s necessary to go forward with the change.

Suzanne Ryan questioned removing cemeteries.

Matt Sullivan stated that refers to public cemeteries.

Peter Goodwin stated a cemetery needs to be away from certain things such as water sources; therefore, needs to go through some approval process.

Kathy Barnard suggested adding “public” to cemeteries.

Suzanne Ryan reiterated she’d like to see “C” and “D” removed and “public” added to cemeteries.

Matt Sullivan noted that’s a substantial change which requires another public hearing.

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

It was moved by Mike Hodder and seconded by Kathy Barnard to amend C and D for Article XXA Cotton Mountain Historic-Agricultural District and continue the public hearing to January 21, 2020. Susan Repplier, Brad Harriman, Peter Goodwin, John Thurston and Vaune Dugan voted against. The motion failed. 2-5.

It was moved by John Thurston and seconded by Mike Hodder to recommend Article XXA Cotton Mountain Historic-Agricultural District as presented and move to the town warrant. All members voted in favor. The motion passed. 7-0.

III. Public Comment

N/A

IV. Action Items

Partial Release of Financial Security; Pine Hill Road Storage II, TM #190-24

Matt Sullivan stated a site inspection was completed, \$47,236.48 is to be released. A copy of the adopted site plan has been provided to the Board.

Mike Hodder questioned bollards.

Matt Sullivan confirmed they were filled with concrete three days prior.

It was moved by Mike Hodder and seconded by Kathy Barnard to release the security bond in the amount of \$47,236.48 for Pine Hill Road Storage II, Tax Map #190-24. All members voted in favor. The motion passed. 7-0.

V. New Business

Kathy Barnard asked that the 5 minute rule be added to the work session.

Mike Hodder disagreed as it is not an issue and feels it's a restraint of free speech.

Vaune Dugan stated it prohibits others from speaking.

Peter Goodwin agreed and suggested holding someone to speaking about the issue.

VI. Approval of Minutes

December 17, 2019

Corrections: Page 2, 14th paragraph, strike extending and replace with "over-extended"

Page 5, 12th paragraph, strike 350 ft. and replace with 250 ft.

It was moved by Kathy Barnard and seconded by Mike Hodder to approve the December 17, 2019 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed. 7-0.

VII. Planning Board Subcommittee Reports

N/A

It was moved by Kathy Barnard and seconded by Mike Hodder to adjourn the January 7, 2020 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 10:43 PM.

Respectfully Submitted,

Cathleen LaPierre

Cathy LaPierre

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

- **PETITION WARRANT ARTICLE: DRIVE-THROUGH RESTAURANT AMENDMENT**
- ***§ 175-1 THROUGH *§ 175-215; “PERCENT COVERAGE” AMENDMENT**
- **175-44(E) GENERAL PROVISIONS, SIGNS, PLACEMENT OF SIGNS AMENDMENT**
- ***ARTICLE XXVI, PERSONAL WIRELESS SERVICE FACILITIES AMENDMENT**
- ***§ 175-96 AND 175-96.1 - PINE HILL ROAD DEVELOPMENT DISTRICT, PERMITTED USES AND SPECIAL EXCEPTION USES**
- **§ 175-175 - TERMS DEFINED, HABITABLE SPACE AMENDMENT**
- **§ 175-47 - BUILDING CODES AMENDMENT**
- **§ 175-175 - TERMS DEFINED, LIGHT INDUSTRY AMENDMENT**
- **ARTICLE XXA COTTON MOUNTAIN HISTORIC-AGRICULTURAL DISTRICT**

2020 PROPOSED ZONING AMENDMENT PUBLIC HEARING #2

01.07.2020

PUBLIC HEARING PROCEDURE

- ***Copies of all amendments available at front of Great Hall***
- ***Amendments will be reviewed per posted agenda***
- ***Amendments will be briefly presented by Planning Director***
- ***Chair will open the public hearing for each amendment individually***
- ***Chair will close the public hearing following all comments***
- ***Planning Board will discuss modifications to amendment (if any)***
- ***After the public hearing for each amendment, the Board will vote in one of the following manners:***
 1. ***To continue the public hearing for the amendment to a date, time, and location certain in January.***
 2. ***To recommend the amendment and post to the Town warrant.***
 3. ***To NOT recommend the amendment for posting to the Town warrant.***

PETITION WARRANT ARTICLE: DRIVE THROUGH RESTAURANTS (175-175)

EXISTING LANGUAGE:

- RESTAURANT, CARRYOUT

A commercial establishment open to the general public which, by design of physical facilities or by service or packaging procedures, permits or encourages the purchase of prepared ready-to-eat foods intended to be consumed either on or off the premises. Restaurant drive-through's are prohibited.

PROPOSED LANGUAGE LANGUAGE:

- RESTAURANT, CARRYOUT

A commercial establishment open to the general public which, by design of physical facilities or by service or packaging procedures, permits or encourages the purchase of prepared ready-to-eat foods intended to be consumed either on or off the premises. ~~Restaurant drive-through's are prohibited.~~

PETITION WARRANT ARTICLE: DRIVE THROUGH RESTAURANTS (175-175)

EXISTING/PROPOSED LANGUAGE:

- § 175-91 Permitted uses, Commercial C1 Central Business District
 - E. Commercial Establishments
 - (1) Offices.
 - (2) Restaurants.
 - (3) Banks.
 - (4) Indoor theater.
 - (5) Similar community services.
 - (6) Restaurants, Carryout

PUBLIC HEARING

ORDINANCE SECTIONS 175-1 THROUGH 175-215

EXISTING/PROPOSED LANGUAGE:

- Remove references to “Percent Coverage” within zoning district “Setback requirements; height requirements; coverage” sections
- Replace with “Percentage maximum allowable lot coverage”

Example – Residential (R) District

- § 175-80 Setback requirements; height requirements; coverage.
 - D. ~~Percent coverage~~ **Percentage maximum allowable lot coverage**: 30%. [Note: Lots equal to or smaller than 0.25 acre: 40%.]

PUBLIC HEARING

175-44(E) GENERAL PROVISIONS, SIGNS, PLACEMENT OF SIGNS AMENDMENT

A History:

- 2011 - An amendment to the Town of Wolfeboro Zoning Ordinance was approved that allowed the placement of “Business Directional Signs” within the public right-of-way
- The Planning Board developed the ordinance language at the request of downtown business owners in order to provide wayfinding signs for pedestrians in the greater downtown area.
- 2014 - Public Works Director brought to the attention of the Planning Board that signs were being installed on public and private property without approvals and, in some cases, were creating a hazard and safety issues
- 2015 - Planning Board appoints Wayfinding Sign Subcommittee to focus on developing a plan for pedestrian wayfinding signage
- Committee Members: Kathy Barnard, John Thurston, Peter Goodwin, Paul Zimmerman, Roger Murray, Mary DeVries, and Julie Jacobs
- Fall 2016 - Committee met regularly until project needed to be put “on hold” due to staff transition
- Later 2017 – Committee reconvened and developed draft ordinance after site visits and detailed review of existing signage

175-44(E) GENERAL PROVISIONS, SIGNS, PLACEMENT OF SIGNS AMENDMENT

Existing Language

E. Placement of signs.

- (1) All signs, except for business directional signs, shall be prohibited within the public right-of-way. Signs shall be permitted within the setback area provided its placement does not cause a safety hazard or impede the sight distance associated with the entrance/exit to the site or to the traveling public.
- (2) Business directional signs shall be limited to one at each intersection where travelers must change direction from one public way to another to reach a particular business, to a maximum of two within the Town for the business. Such signs shall be uniform in size and shall conform to the following specifications:

Sign Element	Specification
Width	36 inches
Height	6 inches
Letter height	Maximum of 4 inches
Material	1/2-inch to 3/4-inch wood board or equivalent

- (a) Directional information, including one arrow figure only, shall be provided on each sign.
 - (b) The Town may remove a sign if it is not properly maintained or if business operations cease. The location of all business directional sign posts shall be approved by the Director of Public Works, and the posts shall be pressure treated, four inches by four inches, post painted white or Public Works approved alternative.
- (3) No sign shall be so designed or so placed as to endanger, obscure, confuse or otherwise create a hazardous condition to motor vehicles or pedestrians.
- (4) No sign shall project above the roofline of the building to which it is affixed.

175-44(E) GENERAL PROVISIONS, SIGNS, PLACEMENT OF SIGNS AMENDMENT

Why?

- **Interest in allowing additional business directional signage through permitting process**
- **Significant concern for safety and obstructions created as a result of business directional signage**
- **Definition of appropriate areas by Planning and Development Department**
- **Ensure consistency in post construction and sign construction**
- **Need to acknowledge existing legally and illegally nonconforming signage that has been in place for many, many years on both public AND private property**

175-44(E) GENERAL PROVISIONS, SIGNS, PLACEMENT OF SIGNS AMENDMENT

Proposed Language Summary

- To repeal and replace the existing language within 174-44(E).
- Prohibits all signage from the public right-of-way, with the exception of off-premise business directional signage.
- Business Directional signage allowed ONLY within the Town public right-of-way.
- May be place on approved, permitted, Town-owned posts at intersections, within the Bay Street Limited Business District, Wolfeboro Falls Limited Business District, and Central Business District and at designated locations.
- Maximum of two (2) business directional signs within the town per business.
- Only one (1) post per intersection shall be permitted.
- Signs and sign posts shall be uniform in size and shall conform to this ordinance's restrictions.
- Signage in existence as of 04/01/2019, which does not conform to the requirements of this section, shall be designated as lawfully existing non-conforming sign, both on private and public property, with the exception of those that present a hazard to public health and safety.
- Pre-existing non-conforming signage shall expire at the time that the business ceases operation. At such time, the sign may not be re-established for a new business.

PUBLIC HEARING

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

Objectives:

- Compliance with state and federal law regarding modifications to existing facilities and duration of special exceptions
- Establish process for expedited Planning Department review of Eligible Facilities Requests in compliance with New Hampshire RSA 12:K
- Permit NEW facilities by special exception and site plan review in all districts except the Shorefront Residential District
- Require camouflage of all facilities not subject to eligible facilities requests
- Other minor changes to certain sections of the ordinance, including definition of fall zone and the specifications of material and color of facilities which extend above vegetation.

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

~~§ 175-161 Location requirements for new non-camouflaged exterior facilities.~~

~~New non-camouflaged personal wireless service facilities shall be permitted in the following Zoning Districts:~~

- ~~▪ A. Commercial C2, Wolfeboro Center, Pine Hill Road, and Route 28.~~
- ~~▪ B. General Residential - GR1 (outside those areas serviced by Town sewer and or water).~~
- ~~▪ C. General Residential - GR2.~~
- ~~▪ D. General Residential - GR3.~~
- ~~▪ E. Agricultural - AG.~~

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

§ 175-161. Location requirements for new facilities.

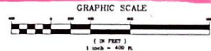
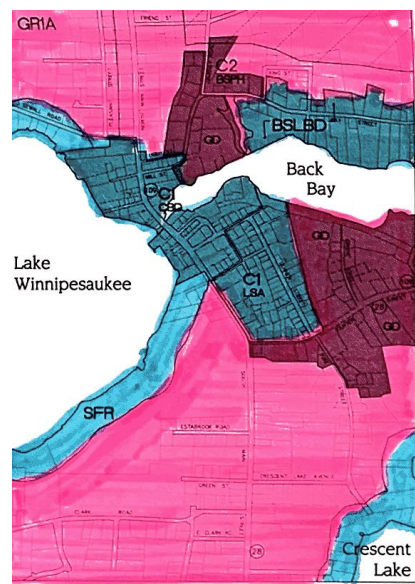
New personal wireless service facilities shall be permitted by Special Exception in all Zoning Districts with the exception of the Shorefront Residential District, where they are prohibited.

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

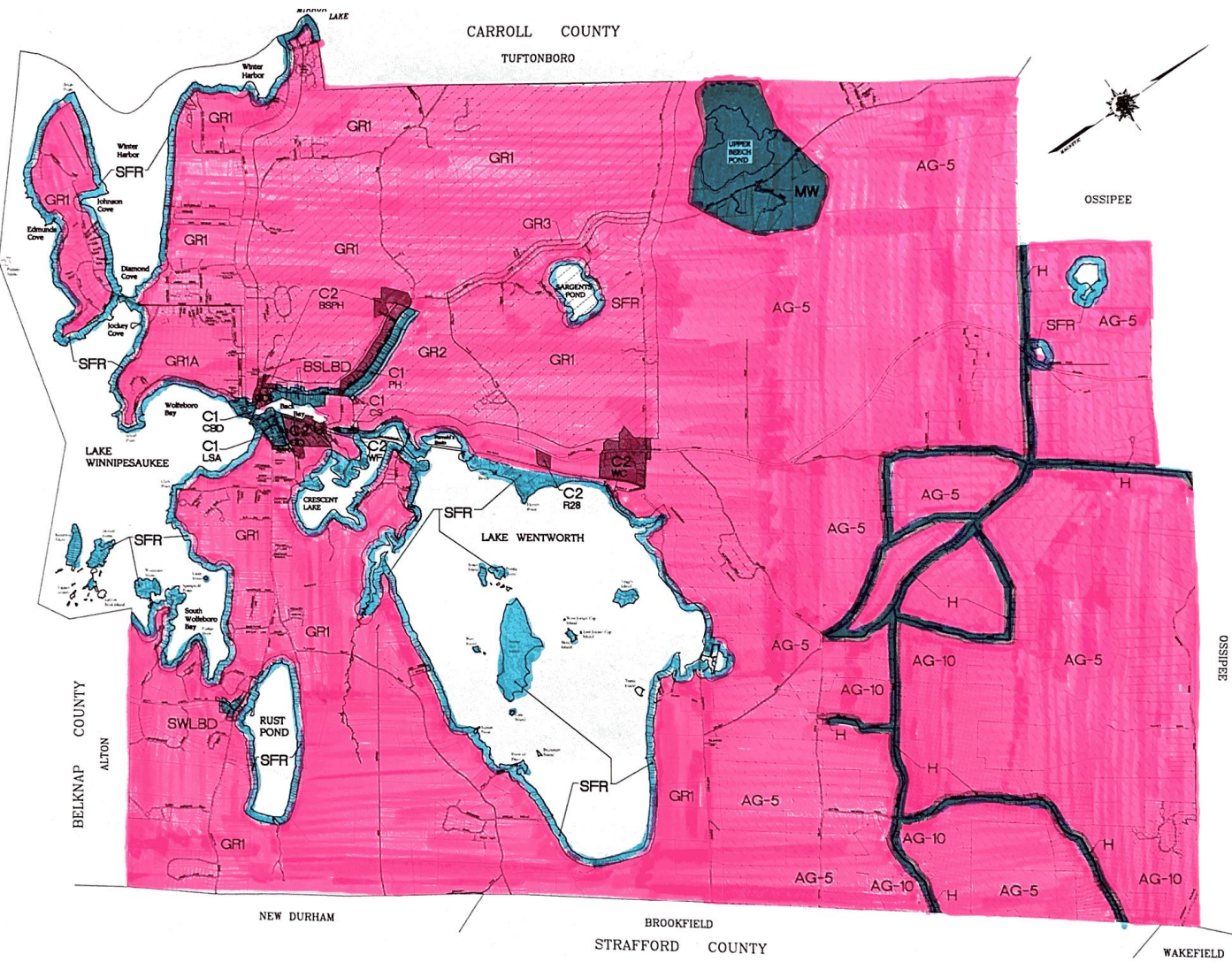
- **Adds the following zoning districts/areas:**
 - **Municipal Watershed District**
 - **Bay Street Limited Business District**
 - **C1 Central Business District**
 - **Cotton Mountain Historic District**
 - ***Eastern portion of Pine Hill Road***

PUBLIC HEARING

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES



- MW
- SFR
- GR1
- GR1A
- GR2
- GR3
- BSLBD
- C1 (CBD)
- C1 (LSA)
- C1 (PH)
- C1 (CS)
- C2 (GD)
- C2 (WC)
- C2 (R28)
- C2 (BSFH)
- C2 (WF)
- AG-5
- AG-10
- H
- UNDESIGNATED RESIDENTIAL DISTRICT



ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

Objectives:

- Bring ordinance into compliance with NH RSA 12:K AND US 47 U.S.C. 1455 and 47 C.F.R. 1.6100.

- Define Collocation

The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

- Define process for “Eligible Facilities Requests”

Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- *(i) Collocation of new transmission equipment;*
- *(ii) Removal of transmission equipment; or*
- *(iii) Replacement of transmission equipment.*

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

Objectives (cont.):

- **Define Substantial Modification (Summary)**
- **Increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet**
- **Increase the height of eligible support structure by more than 10% or more than ten feet, whichever is greater**
- **Adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance**
- **For support structures, adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet**
- **Includes installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets**
- **Involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other Includes any excavation or deployment outside the current site**
- **Defeats the concealment elements of the eligible support structure**
- **It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment**

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

- **Define Process for Review of Eligible Facilities Requests**
- *All requests must be either approved or denied by the Planning Department within forty-five (45) days of receipt, unless extended*
- *Shall notify the Applicant in writing within fifteen (15) days of receipt of the Application, whether or not the Application is complete*
- *Upon receipt of a timely written notice that a Request is deficient, the Applicant shall have fifteen (15) calendar days from its receipt of such notice to supply the missing documents or information.*
- *Following a supplemental submission, the Planning Department will have 10 days to notify the Applicant that the supplemental submission did not provide all of the documents or information identified in the original notice delineating missing information.*
- *Failure to act. In the event the Planning Department fails to approve or deny a Request within the timeframe for review (including any extensions), the Request shall be deemed granted.*

ARTICLE XXVI PERSONAL WIRELESS SERVICE FACILITIES

Objectives:

- **Minor Administrative Amendments**
 - **Addition of catastrophic failure to fall zone section**
 - **Clarify allowance of galvanized steel rather than gray painting ONLY**
 - **Clarify compliance requirements with FCC Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation and remove incorrect references**
 - **Removal of §175-173, Terms, which included illegal restriction of special exception and site plan approval terms**

§ 175-96 AND 175-96.1- PINE HILL ROAD DEVELOPMENT DISTRICT, USES AMENDMENTS

- **Proposed Language Summary**
 - **Amend the Permitted Uses within the Pine Hill Road Development District to ADD:**
 - **Retail**
 - **Business Services**
 - **Contractors Yard, Light (with specific conditions required)**
 - **Amend the Permitted Uses within the Pine Hill Road Development District to REMOVE:**
 - **Printing plant,**
 - **Community services**
 - **Assembly operations**
 - **Storage and use of heavy industrial and mechanical equipment**
 - **Metal shops**
 - **Laundries and cleaning establishments**
 - **To amend the uses permitted by Special Exception within the Pine Hill Road Development District by ADDING Light Industry as permitted and REMOVING Kennels as a permitted uses.**

PUBLIC HEARING

§ 175-175 HABITABLE SPACE DEFINITION

Existing Language

HABITABLE SPACE

A space in a building suitable for living, sleeping, eating or cooking. ~~Bathrooms, toilet rooms, closets, halls, storage or utility spaces and~~ similar areas are not considered habitable spaces.

Proposed Language

HABITABLE SPACE

A space in a building suitable for living, sleeping, eating or cooking. Closets, halls, storage, toilet rooms on the first floor only, or utility spaces and similar areas are not considered habitable spaces.

Why?

- Installation of full bathrooms in accessory structures potentially leading to conversion of accessory structures to dwelling units or living spaces
- By removing full bathrooms and restricting to floor one, will allow for 'shop' bathrooms, while discouraging conversion to habitable space

PUBLIC HEARING

§ 175-47 – BUILDING CODES

Existing Language

A. All construction in the Town of Wolfeboro shall conform to:

- (1) 2003 International Residential Code, as recommended and maintained by the Council of American Building Officials.**
- (2) 2003 International Building Code as recommended and maintained by the Building Officials and Code Administrators International, Inc.**
- (3) 2003 International Energy Conservation Code, as recommend and maintained by the Building Official and Code Administrators International, Inc.**
- (4) 2003 Life Safety Code, NFPA 101, as adopted by the National Fire Protection Associates, Inc., and approved by the American National Standard Institute.**
- (5) 2002 National Electrical Code, ANSI/NFPA 70, as adopted by the National Fire Protection Association, Inc., and approved by the American National Standards Institute.**
- (6) 2003 International Plumbing Code, as recommended and maintained by the Building Officials and Code Administrators International, Inc.**
- (7) 2003 International Mechanical Code, as recommended and maintained by the Building Officials and Code Administrators International, Inc.**
- (8) Applicable state law and codes, and current Town ordinances and construction requirements.**

§ 175-47 – BUILDING CODES

Proposed Language

A. All construction in the Town of Wolfeboro shall conform to the most recent codes as referred to as the “State Building Code” or “New Hampshire Building Codes” under Hampshire RSA 155-A:1 as amended in accordance with RSA 155-A:10.

Why?

- Existing references are outdated
- Currently regulated by State Building Code and do not anticipate changes to this status

PUBLIC HEARING

§ 175-175 LIGHT INDUSTRY DEFINITION

Proposed Language

Light Industry is the manufacturing, production, processing, fabrication, assembly, repair, or packaging of products predominantly from previously prepared or refined materials. The storage, warehousing, distribution, or wholesaling of finished products shall be considered accessory to and incidental to the use within light industry use. Light industry does not include uses with significant external effects, as indicated below or which pose significant risks to public health, safety, and welfare including, but not limited to: storage of chemicals, poisons, pesticides, explosives, or other hazardous or toxic materials. Further, light industrial uses shall not create excessive smoke, noise, dust, soot, vibration, odor, or other public nuisance.

Why?

- Currently no definition of “Industry” despite being Special Exception permitted use in PHRDD
- Related to 2020 PHRDD amendment that allows “Light Industry” but removes “Industry” use

PUBLIC HEARING

ARTICLE XXA: COTTON MOUNTAIN HISTORIC-AGRICULTURAL DISTRICT

Existing Language

§ 175-126.1 Purpose and intent.

The Cotton Mountain Historic-Agricultural District Zone is amended to increase lot size from five to 10 acres, including all contiguous land of the present landowners and continuing the preservation of natural resources of forest, field and open space of the Agricultural District in furthering the Town's rural character.

Proposed Language

Existing Language

§ 175-126.1 Purpose and intent.

The Cotton Mountain Historic-Agricultural District Zone requires a minimum lot size of 10 acres for all contiguous land of parcels within 250' of the following roads as they are shown on the Zoning Map:

ARTICLE XXA: COTTON MOUNTAIN HISTORIC-AGRICULTURAL DISTRICT

§ 175-126.2 Dimensional controls.

Dimensional controls shall be as follows:

A. Minimum lot area: 435,600 square feet.

B. Minimum lot frontage: 400 feet.

§ 175-126.3 Setback requirements; height requirements.

A. Setback requirements.

- (1) Front yard (street): 30 feet.**
- (2) Side yard: 25 feet.**
- (3) Rear yard: 25 feet.**

B. Maximum height permitted: 30 feet, for structures with roofs with a pitch of less than 10/12, and 35 feet if 10/12 or greater. However, the height restrictions shall not apply to appurtenant structures, such as church spires, belfries, cupolas, domes, chimneys, flagpoles, antennas or similar structures; provided, however, that no such structure shall exceed a maximum footprint of 144 square feet.

C. No building shall be closer than 20 feet to any other building on the same lot, except for private garages.

ARTICLE XXA: COTTON MOUNTAIN HISTORIC-AGRICULTURAL DISTRICT

§ 175-126.4 Permitted uses.

A. One of the following dwelling unit structures is permitted per lot:

- **(1) One single detached dwelling per lot.**
- **(2) One single detached dwelling per lot with one accessory dwelling unit.**

B. Accessory structures.

C. Accessory uses.

D. The seasonal, outside storage of items of personal property on residential lots, provided that such items must be placed on the lot to the side or rear of the dwelling, but their use for living and/or business while so stored is prohibited.

E. One home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).

F. The keeping or harboring of all livestock in accordance with the New Hampshire Department of Agriculture's Best Management Practices.

G. Farm, agriculture, farming.

H. Veterinarians, animal hospitals.

I. No more than two signs per business, including add-on signs, each not over 16 square feet in area.

J. Accessory uses.

K. Horticultural establishments.

§ 175-126.5 Special Exception uses.

A. Conversion of a single-family dwelling unit existing as of March 10, 1987, into a bed-and-breakfast, subject to sign provisions.¹

B. Recreational use.¹

C. Public utility lines, substations, radio or television transmission facilities and the like.¹

D. Cemeteries for human beings.

ARTICLE XXA: COTTON MOUNTAIN HISTORIC-AGRICULTURAL DISTRICT

Why?

- Original 2005 Article #6 intended as overlay zoning district to Residential Agricultural (RA) District
- Not codified in this manner, but instead drafted as standalone district without dimensional standards OR permitted uses
- The proposal is to incorporate all dimensional controls and all Permitted and Special Exception uses with the exception of Churches, and Contractor's yards.
- Also clarifies definition of district boundaries.

PUBLIC HEARING

January 7, 2020 Personal Wireless Ordinance Proposed Changes Planning Board

It is clear that what you are doing is to keep a step ahead of an Application for new or collocation of a Wireless proposal...in compliance with the FCC regulations, which by the way are still taking comment from large cities in opposition to some of the regulations which take some towns/cities control away.

I see you trying to do two things with this update

- 1) comply with FCC
- 2) Write in with the non camouflaged section a way for the downtown 5G on polls, street lamps and so forth.....(but it is all jumbled together and not defined)

I like the stronger statement as to co-location and expedited application process

However...

I have asked the question why are you allowing Towers (and non camouflaged in ALL zones by special exception

You have reserved the shore front.....but not given equal thought to view shed areas.

My guess is 5G short range poles

I think you should re think

With the evolving technology (fifth generation) that MAY eventually come our way....large Macro traditional stand alone cell towers that we are familiar with broadcast a long way so you do not need a lot of them they will diminish, and I doubt we will see many more with in Wolfeboro... especially with the strong co-location provision.

What is important for Planning is to understand a) the rollout of 5G will be centered on the cities first and in most densely populated areas of each city (downtowns, near hospitals , industry , etc) then in the rest of the cities as well as suburban but also densely populated areas, then along the major highways, and finally in the smaller cites and towns. This is exactly the way wireless has rolled out, and this will be no different as it's an extension.

What we MAY be seeing is lots and lots of small cells being hung up on street lamps, poles and rooftopsshort range so there has to a large number of them in a DENSELY packed network.....it is expensive for carriers to install and that is why it makes since for them to target densely populated areas first.....It will be come a challenge for Wolfeboroat best

Because you have not even done an updated map or a consolidated map nor is the town web site correct...showing coverage....I think you are misguided in allowing NON camouflaged any ware in town at this time

You need to know what we currently have to see what we need....

We have the Water Tank that carries two or three carriers.....we have town approved antennas for Bennett Hill to Add AT&T and Verizon upgrade there and others such as the old Bell building

The major towers are not the issuethe issue is where will the town want the poles, what type and what do you want them to look like,,and does anyone know HOW a signal will eventually be provided to Wolfeboro or by who as there are many providers....No they don't...but the infrastructure needed will vary depending on who eventually does provide.

The Town in that regard has a lot of discretion, although your current rules do not indicate this.....No carrier or third party like Crown Castle, American Tower wants to get into a fight with the Town as that only slows them up and cost them money.....more work needs to be

done on section 175-161 to distinguish where non camouflaged Macro towers can go and then something written for the infrastructure in the event the town gets 5G

so.....the Town should be proactive and do some research and decide what things it wants, who should build it (the Town should and the lease the space on the poles) before you adopt Section 175-161 and it seems to conflict with 175-164 and 175-165

To circle back.....I a resident of Cotton Mountain and concerned for the surrounding mountain areas totally opposed section 175-161.....if you can respect and limit cell facilities on the shore front you then have the authority to limit or as a minimum not state these area are subject to NON Camouflaged facilities....but better yet the view shed areas need to be defined and then prohibited as well as the shore front

Thank you
Suzanne Ryan

Board Members please go to T-Mobile site ...it shows the apps for Verizon and AT & T this shows everything except US Cellular

<https://www.t-mobile.com/coverage/let-comparison-map>

There is also a US Cellular site (I don't have that)

January 7, 2020

Planning Board Pine Hill Zoning Amendment

First and again lets look at the direction the residents wanted via the UNH Survey Center 2016. Only 15% thought the land area need or be provided for Commercial and lite industrial uses, and less than 1/2 believed it is important for the town to provide it.....on the other hand in addressing Residential growth in the downtown Wolfeboro Falls AREA AND ADJACENT was favorable by 41 & 31%.

The proposal as written: Purpose on the surface sounds good...to protect the form and function of Pine Hill Road...good so far.....but it says the "Corridor". Where does the "corridor" begin and end? 2011 zoning amendment to Pine Hill states "as proposed on the zoning map" If this is to go thru I feel you need to be specific where these uses you propose are allowed #1 on a zoning map.

Then you go on to say under Purpose to provide for: business and office facilities, (great) contractor facilities (spell it out is this meant to be contractors yard lite?) and sales and services associated with contractors facilities.....(I see no definition for contractors FACILITIES)

So next I tried to see what was in and what was out....for changes
Removed: Printing plant, community services, laundries/cleaning establishments, kennels
Storage and use of heavy industrial or mechanical equipment (good)
Moved: assembly operations to Light Industry..and moved metal shops to light industry with in manufacturing processing fabrication assembly (NOT GOOD)
Added: storage to include storage of equipment
Same Kept: Contractors Yard Light (we have it on Rt 109 out of town)
Also kept.... Business services and Retail (good)

But ADDED Light Industry.....This is where I feel the residents and as a taxpayer myself you are off the rails...and feel the area is not suitable for such.....what you've taken out is insignificant as to what you propose to add by deffiniton.....and uses allowed in it....and the word "predominantly" previously prepared....is to subjective....

The Town of Wolfeboro is in great shape as far as zoning goes, people are not banging down the Planning Department door with applications for Light Industrial or much commercial for that matter.... Wolfeboro has a position, "The Oldest Summer Resort in America" (Not the new Light Industry town) Wolfeboro has a vibrant downtown; except for for or five larger cities, where else does that exist today?

Meredith struggles, Laconia down town is loosing rather than gaining business and it's low cost housing has place a huge burden on social services and Lakes Region Hospital growing pressure from to many patients they treat can not pay.....On the other hand.....

Wolfeboro has a lot of prime real estate that provides great tax revenue. It has a hospital and good facilities for senior citizens who also provide a lot of discretionary income for the stores and services that virtually no other town of its size has. There is great recreation all around areas of town, Both summer and winter , activities abound. It should continue being what it isbecause virtually no other town of its size in NH (except perhaps Dartmouth or Keen) offers the ambiance Wolfeboro has.....and neither of them have a huge lake.

What Wolfeboro does not have are any large industries, and few smaller industries. Why? It has no direct interstate access, no railroad, and no easy route to Boston. If you were to draw rings around cities that attract Millennials, even perhaps, including Nashua and Manchester, Wolfeboro is not within any orbit. Bringing in workforce housing and 5G will not solve the problems of distance, lack of infrastructure, lack of easy access, lack or easy travel thru town, and lack of things for younger people to do, especially in the winter.

Then there's the reality that most younger people are gravitating to warmer climates ...a problem that all the northern tier states are experiencing .

Planners solutions for every town/city see to be the same.....but the reality is that the solutions for many cities are very different.

Wolfeboro is unique and diverse as shown by the demographics , natural resources, open space and land uses,,as outlined in the Master Plan.....and of course the lake that we are spending much need dollars on to preserve....

What Wolfeboro needs is to simply get better at what it is.....a pleasant, interesting and very attractive place to live for older citizen, particularly those who have family who want to come and visit them.

It would be a shame to ruin what Wolfeboro is in some misguided attempt to become something different...

So my request is Keep it simple.....make some of the changes you have done with in the existing text and do not propose Light Industry

Thank you
Suzanne Ryan
Wolfeboro NH