

**TOWN OF WOLFEBORO  
PLANNING BOARD  
January 21, 2020  
MINUTES**

**Members Present:** Kathy Barnard, Chairman, Vaune Dugan, Vice-Chairman, Mike Hodder, John Thurston, Peter Goodwin, Members.

**Members Absent:** Brad Harriman, Selectmen's Representative, Susan Repplier, Member, Dave Alessandroni, Alternate.

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

*Chairman Barnard opened the meeting at 7:00 PM at the Planning Department Conference Room.*

**I. Introduction of Board Members**

Chairman Barnard introduced the members of the Planning Board and Staff.

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

N/A

**III. Public Comment**

N/A

**IV. Action Items**

**Pamela A. Clifford**

**Voluntary Merger**

**Tax Map and Lots 234-007 and 234-007-001**

Kathy Barnard read the item into the record and noted she and John Thurston had concerns

Matt Sullivan stated he was aware, attempted to speak with council but was unable to connect and recommended this merger be tabled until the February 1th meeting at 7:00 PM.

Mike Hodder questioned the issues.

Matt Sullivan replied there are several non-conforming aspects to these lots. They are focused around the number of structures and aspects of the structures, lot 7-1 has no primary structure; therefore, the accessory structure is non-conforming. Additionally, on lot 7 the non-conformity is that there are a number of accessory structures that exceed the number allowed per the acreage that's there. He noted in his review he stated, because the density is improving (fewer structures per acre) he felt it was coming into greater conformance with the zoning ordinance.

Kathy Barnard noted the Board required a resident on Pleasant Street remove a garden structure before proceeding with the subdivision and feels this is a similar situation. The zoning ordinance says accessory structures two per lot plus one additional structure for each 80,000 SF. She asked if the whole lot would be considered to calculate the number of accessory structures.

Matt Sullivan replied, it would still be non-conforming; the merger of the lots does not solve the issue but based on that requirement, it does bring it closer to compliance, but not into total compliance.

Kathy Barnard questioned the setback.

Matt Sullivan replied it does not meet the setback; it's an existing non-conforming structure so it's relieved by the merger because it loses any encroachment it might have into the setback. He also noted concern as some of the accessory structures do not appear to be permitted.

Peter Goodwin stated if both lots are pre-existing non-conforming lots 1) why is this merger an issue and 2) why merger those lots in particular. He questioned, if they are there already, is it really an issue to merge them.

John Thurston noted concern for the run off into Heath Brook. He recommended a condition be included to require seeding and grass. He also believed the other shed on the property does not meet the 20 ft. setback and preferred it be cleaned up.

Peter Goodwin stated if they own both these lots, and they aren't allowed to merge them, will there be any change in the way the lots exist. So if they don't merge them, they will be exactly the way they are now; merging them doesn't change them.

John Thurston noted concern for work force housing and housing lots; this is a prime building lot.

Matt Sullivan inquired from the Board what can be established as a condition outside of general zoning procedure.

Mike Hodder stated there are pre-existing conditions on both lots, non-conformity; merge the lots and the non-conformities gets better. There are no impediments to merging those lots; the setback issues remain as they're already pre-existing conditions and we have no idea as to how long they've been around but if they are in violation they should be rectified. However, if they're grandfathered and been around for a long time then there is nothing the Board can say. By not merging them the Board will be doing the landowner a disservice because there isn't a solid reason other than what is being looked at on the map which is taken from a satellite (which is not useful). Based on the evidence presented, the Board does not have any basis that there are existing conditions on these lots that would stop the merger. As far as the environmental degradation is concerned, whether the lots are merged or not, the condition remains. He believes the Board cannot force the land owner to make it better as a condition of merging.

Peter Goodwin agreed.

Mike Hodder stated this merger makes things better and does not see any reason why it shouldn't go through.

Kathy Barnard stated it does get rid of a non-conforming lot but was concerned for accessory structures.

Mike Hodder stated those accessory structures are an issue but they were there before this application came before the Board.

Matt Sullivan noted the density is lower but the number of structures that will be on one lot is increasing.

Vaune Dugan noted it's not an accessory structure without a primary structure anymore.

Kathy Barnard stated she was looking to Matt Sullivan to confirm the number of accessory structures.

Mike Hodder questioned what would change should they discover there are 15 structures on the lot; would that stop the merger.

Kathy Barnard stated it would be up to the Board to make that determination; is this coming more into non-conformity or coming more into conformance and would prefer more accurate information.

Matt Sullivan noted it's not time sensitive.

Mike Hodder stated he felt it unfair to hold up the landowner.

Mike Sullivan stated he will provide further information the Board was requesting i.e. why it's further in conformance and include the number of structures.

Peter Goodwin disagreed that the information would change anything. The structures are all there currently, the landowner is making 2 non-conforming lots into one non-conforming lot. There is no change that will occur if those 2 lots are merged.

John Thurston questioned what would happen if the lots are merged and the owner decides to make one of the current structures larger of livable space.

Matt Sullivan clarified that would not be permitted and will provide further information.

**It was moved by Peter Goodwin and seconded by Mike Hodder to defer granting the lot merger until February 11, 2020 at 7:00 PM. All members voted. The motion passed. 5-0.**

**Lindgren Trust (Peter Lindgren and Karen Zagula, Trustees)  
Voluntary Merger  
Tax Map and Lots 202-050 and 202-051**

Kathy Barnard read the item into the record.

Matt Sullivan stated this will increase conformity, road frontage, and compliance with setbacks and would recommend the merger.

**It was moved by Peter Goodwin and seconded by Mike Hodder to approve the Voluntary Lot Merger for Lindgren Trust (Peter Lindgren and Karen Zagula, Trustees), Tax Map and Lots 202-050 and 202-051. All members voted. The motion passed. 5-0.**

**V. Communications and Miscellaneous  
NHDOT Letter**

Matt Sullivan stated it's a general information request for the Rte. 28 project for environmental data and noted the state was not aware this letter was on its way; therefore, are working to clarify what is needed.

Kathy Barnard noted the Board needs to respond. Matt Sullivan replied, yes, but has requested guidance from the State first and they will meet in the next 2 weeks.

Mike Hodder noted concern for the old sugar maple plantings (put in the early 19<sup>th</sup> century) on the east side of Rte. 28 from Middleton, to approximately Cross Road or Pleasant Valley. Would like to see them cared for when they work on the road.

Matt Sullivan will add this to the next agenda to allow Board members to discuss and return with notes.

**VI. Work Session**

**1. Master Plan Implementation Next Steps**

- The Master Plan is completed, printed copies will be distributed to Planning Board members, Selectman, departments, along with 20 extras (copies can provided if requested) and a link will be placed online
- Discuss and determine how to proceed with updates (a plan/report)

2. Short Term Rental Committee
  - a. Review of Public Posting (Public Posting Attached)
  - b. Review of Membership
  - c. Discussion of Data Requests
  - d. Appointment of Public Members (Statements of Interest Attached)
    - o Chairman – Kathy Barnard
    - o Planning Board – two members - Susan Repplier and John Thurston
    - o Board of Selectman – one member (on agenda for following night)
    - o Chamber of Commerce – one member - Cindy Melanson
    - o Two Members at Large - Geordy Hutchinson and Peter Cooke
    - o Ex Officio Members – Fire, Police, Codes, Planning, and Town Manager
    - o Develop bylaws

**It was moved by Vaune Dugan and seconded by Mike Hodder to appoint Kathy Barnard, John Thurston, Susan Repplier, Cindy Melanson, Geordy Hutchinson, Peter Cooke as Members and Fire, Police, Codes, Planning and the Town Manager as Ex Officio Members of the Short Term Rental Committee. All members voted. The motion passed. 5-0.**

3. Wayfinding Sign Committee Next Steps
  - o Look at recommendations submitted at Public Hearing
  - o Vet out sign posts
4. Architectural Design Standards
  - a. Set Public Hearing Date - 02/18/2020
5. 2020 Work Program Prioritization
  - o Parking
  - o Drainage – need retention structure (special use permit)
  - o Filter Bed Road study
  - o CIP Update – additional of member of GWRSD - Suzanne Ryan is interested in being a member
6. 2020 Meeting Schedule Review
  - a. Finalize February Meeting Locations
    - o Meeting location changed to the Wolfeboro Inn for February 11<sup>th</sup> at 7:00PM in large function room
7. Discussion of 5-minute Public Comment Limitation
  - o Important that all have a chance to speak
  - o Obtain literature prior to the meeting to avoid reading at a meeting
  - o Chair keep public on topic
  - o Public only address the Board not the public
  - o Statement at the beginning of meeting re: expectations
8. Discussion – Foundation Certifications
  - o Policy as opposed to ordinance

**VII. New Business**

N/A

**VIII. Approval of Minutes**

January 7, 2020

**It was moved by Kathy Barnard and seconded by Mike Hodder to approve the January 7, 2020 Wolfeboro Planning Board minutes as amended. All members voted in favor. The motion passed. 5-0.**

**IX. 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 9:26 PM.

Respectfully Submitted,

***Cathleen LaPierre***

Cathy LaPierre

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