

# **TOWN OF WOLFEBORO**

## **PLANNING BOARD**

**February 1, 2022**

### **MINUTES**

**Call to Order:** Chair Kathy Barnard opened the meeting at 7:00 PM.

**Members Present:** Kathy Barnard, Chairman, Mike Hodder, Vice-Chairman, Brad Harriman, Selectmen's Representative, Peter Goodwin, Member, Vaune Dugan, Member, John Thurston, Member, Julie Jacobs Alternate, Doug Breskin Alternate

Absent – Sue Repplier

Doug Breskin - Voting

**Staff Present:** Tavis Austin, Director of Planning and Development

#### **I. Public Hearings:**

- (a) Daniel Deveraux c/o – Bucky & Joy Holdings, LLC 399 Pleasant Valley Road – Tax Map# 235-15 – Case #2022-03 – Subdivision – 2 Lots – Formal Submission/Public Hearing.

Chairman Kathy Barnard gave an overview of the project, waiver granted by ZBA on the project. Kathy asked Randy Tetreault to speak to the reason for waiver, and if the application is considered complete, they will open for public hearing and comments.

Randy gave a short presentation, on why the waiver is being granted. This is a two-lot subdivision, 8-acre parcel being divided into 3 1/2 acre and 4 1/2-acre parcel. The deeds were conveyed so that is why they are shaped the way they are. The parcel requested waiver from the ZBA, because both lots are under 5 acres, which need state approval. They will be going to the state for final approval but wanted local approval first. Recently approved septic. Wetland's map has been completed and Randy showed this on the topography plan.

Kathy asked that he speak to the driveway access. The driveway encroaches a little bit but there is an included 15 ft access easement.

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John Thurston had a question about the driveway, he wanted to see where the 15-foot easement was on the Map, and which lot. Randy explained that there is a driveway on either side, because of the existing structure,

Peter Goodwin, the easement makes sense since there is an existing building. Also asked what happens to the hut on property. Randy said that it will stay. Owner Dan D. said the neighbor to the right owns the hut and it doesn't impede on his project, and he will not ask owner to move it.

John Thurston asked the board if this where acceptable. And if they thought this setting a precedent. With Tavis speaking to the question stating the reasons why it was acceptable.

Mike Hodder asked about the rods on the property and if they are on Pleasant Valley Road, and Randy said they are due to the lay out in the area. Mike stated that the original lot is out of form factor, and asked if this brings the property into conformity with the regulations if it was not subdivided? Randy said yes.

Kathy asked for board to consider the waiver. Mike Hodder made the motion to grant the waiver, and Vaune Dugan 2<sup>nd</sup> the motion. All in favor, motion passed

Kathy asked to consider the application complete, Mike Hodder made the motion to approve, Vaune Dugan 2<sup>nd</sup> the motion. All in favor, motion passed.

Vaune Dugan wanted a condition added regarding the septic. Condition was added.

Tavis spoke to the following conditions,

- 1. The following plans, as amended by the Planning Board approval, are incorporated into the approval:**
- 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., and licensed septic designer
6. *Applicant shall submit proof of State Subdivision Approval prior to recordation of the Mylar.*

## **II. Discussion Items:**

### **(a) Board Comments on Special Exception**

Special Exception by ZBA on proposal of building lot.

Kathy asked the address of proposed waiver. Tavis stated there is no address but is listed as 260-090 on the tax map. And as S. Main Street, title work needs to be completed.

Mike Hodder would like to refer to BOS for comments on numbers 4 & 5 listed on the request before addressing.

Mike Hodder also wants to know what lots will be affected. Tavis said 90 & 91.

Julie stated that it is a driveway which has been plowed.

John Thurston stated that would be lot 91, also wants to know if has been septic approved.

Tavis said we will pass on more comments on this issue.

### **(b) Stormwater Update**

Kathy gave an overview on what changes and requirements by the Planning Board will be made to one looking to build. The regulations were adopted in 2014 and the proposed ideas will be an amendment to the regulations. Tavis would like a copy from all Board members suggestions and comments.

John Thurston continued with remarks on what he believes these changes and regulations will do and that they will be stricter. These changes will be updated in

the Storm Water Management Plan manual. John referred to Tavis for explanation.

Tavis, made a statement on how the town could move forward regarding Storm water Management, and what resources to use.

Doug Breskin gave his comments regarding the issue and how he likes simplicity and would like to have verbiage contained and or changed in the Draft before final changes are made.

Peter Goodwin had issues with some of the wording Doug mentioned in changing. Feels that the wording needs to be carefully reviewed.

Doug has passed along his recommendations in written form to Tavis.

Discussion continued among the Board members on the language of changes, to take into consideration. Notes were taken for consideration of Doug's suggestions to put into the amended regulations.

Kathy and Vaune suggested that this be completed in time for the public to know that they are taking the review seriously.

Kathy asked Tavis if this will be addressed by Tavis and have it ready for the first Meeting in March.

Mike Hodder would like to meet again before this is brought forward, as to understand all the changes that have been presented.

Tavis agreed that yes this can be done and we can push meeting to April.

Tavis requested that the Board turn in all there questions and concerns by 5the end of the week for his review.

**(c) Discussion re: COA/Bond**

Tavis said at the last meeting there was discussion of construction observation agreements and project surety (bonding). The relevant sections for the site plan regulations are:

**§173-16. Surety required; amount; term**

The applicant shall post an acceptable financial surety prior to final sign-off of the plan approved by the Planning Board. The final surety shall be in amount sufficient to ensure the completion of al roads (pubic or private) drainage, and landscaping. The financial surety shall be effective for a period mutually agreed upon by the Planning Board and the applicant.

**§173-17. Form.**

The financial surety shall be approved as to the form and type by the Board. The Town will accept cash, passbook savings in the Town's name, letter of credit, or a construction surety bond. At its discretion., the Planning Board may require approval of the construction guarantee by the Town Attorney A sample construction guarantee contract is included as Attachment 5.

**§173.18. Release.**

The construction guarantee shall be released in the phases as portions of the secured improvements or installations are final in accordance with the plan approved by the Board.

Moving forward, my suggestion to the Board is to allow staff to recommend those projects, or portions of projects that are to provide the surety per **§173-16.** as recommended condition of approval.

Everything is project specific

Vaune inquired about these rules regarding Storm Water plan.

Tavis addressed her questions based on passed discussions and what are in the rules, regulations, and recommendations.

Mike Hodder recommends following Planner's recommendations.

John Thurston quoted section 173.16 and questioned how this was based.

Tavis addressed with the rules of the surety. And gave current town examples. The process is much more complicated than it looks. He can make recommendations to the board, and coordinate with staff.

John said applicants can come to us asking for a waiver on this and Tavis stated no

Tavis said this issue doesn't require a motion, he is just looking for recommendations from the Board.

Kathy asked if all Tavis's wording needed to be addressed, Tavis said no.

No motion needed.

**(d) Master Plan Implementation**

Peter Goodwin, said that all departments that have issues, have replied and the data has been put into a massive spread sheet. About 20% of the high priorities have been acted on and accomplished, some where easy ones to do. Approximately about 45% are still working along in active progress, 2/3 accomplished or working on. 1/3 still on the back burner, they will probably be for a while. He feels 2/3 is a very good plan, and he will continue to update the board moving forward.

### III. Other Business:

- (a) Alternate Julie Jacobs, requested to be appointed for another year. Tavis said it would be for 3 years. Julie asked if she does its midterm, or does she need to visit Town Clerks office again to be sworn in. Vaune asked if we can just appoint for 3 years. Discussion among the Board continued how to approach appointment regarding start date. The Board unanimously voted to appoint Julie for a 3-year term. Kathy with check with Pat Waterman on dates.

Mike Hodder asked Tavis about previous discussion the Newspaper requirements, Tavis said that will be address at the next meeting.

- (b) Review Minutes of December 07,2021 and January 18, 2022

Kathy addressed meeting minutes, the Board deferred December 7, 2021 minutes until next meeting, January 4<sup>th</sup> minutes were included in packet instead of December minutes. All in favor motion passed.

January 18<sup>th</sup> meeting minutes were approved with one correction on page 2 section B. **Kathy said we have talked about storm front regulations, It should read shore front regulations.**

**Motion was made to approve the January 18, 2022, minutes all in favor motion passed.**

A motion was made to adjourn @ 8:32pm motion 2<sup>nd</sup> all in favor.

Respectfully Submitted,

***Jennifer Baraldi***

Jennifer Baraldi

**\*\* Please note these minutes are subject to amendments and approval later\*\***

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