

**TOWN OF WOLFEBORO
PLANNING BOARD
September 4, 2018
MINUTES**

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

Members Absent: Peter Goodwin, Member, Dave Alessandrone, Tom Brown, Alternates.

Staff Present: Matt Sullivan, Director of Planning and Development, Cathleen LaPierre, Recording Secretary.

Chairman Barnard opened the meeting at 7:00 PM at the Wolfeboro Town Hall Great Hall.

I. Introduction of Board Members

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

II. Public Comment

III. Scheduled Appointments / Public Hearings / Public Forum

HSC Revocable Living Trust, Harold Cadman

Conditional Use Permit

Tax Map #217-171, Case #2018-16

Kathy Barnard stated the application for 32 Pleasant Street has been withdrawn.

16 North Main Street, LLC

Agent: Bryan D. Berlind, LLC (Land Tech)

Site Plan Review; Revision of Proposed Structural Waterfront Patio

Tax Map #217-101, Case #2018-12

Kathy Barnard stated this is a continuance from August 7, 2018.

Matt Sullivan stated the change needed for the proposal discussed at the August 7th meeting went beyond the scope of the original notice to the abutters and the public. As a result, the Planning Board agreed to re-notice the application. However, after the hearing, the notices were not sent with the revised language and believes the Board should re-notice this due to being what could be referred to as a multi-property application and continue this to the September 18th meeting.

Randy Walker stated he objects to continuing as he would like to go forward this evening. This is the 3rd hearing; thus, believes the public has had ample opportunity to attend and have input.

Mike Hodder stated this would be the 4th continuance and 3 were the at the applicant's request. Failure to provide proper notice gives strong grounds not to proceed. This should be continued until proper notice occurs.

Kathy Barnard agreed with Mike Hodder.

Matt Sullivan acknowledged this 3rd continuance to be the Planning Board's request for further action and accepts fault; however, believes a continuance is appropriate in this case.

Vaune Dugan questioned whether this scenario differs from the previous 3 times as this is completely different than the other 3 drawings. Although proper notice should be of concern, there should be some discussion to allow the Planning Board the opportunity to ask questions and permit the applicant to address those concerns at the next meeting.

Randy Walker stated no one will contest and is trying to avoid having to return and waste time.

Matt Sullivan clarified the State statutes define the noticing process for Planning Board applications. If the town chooses not to properly notice an application, it no longer becomes just the risk of the applicant that the proposal should fail, it also becomes the risk of the town in not properly following procedures defined under state law.

Mike Hodder stated the application as Vaune Dugan pointed out has gone through 3 different morphoses and this is very different from what started out. Some of the conditions originally approved have still not been met. Therefore, it's proper to send out new notice of this particular version of the application to allow anyone who did not notice anything the first time around.

It was moved by Mike Hodder to continue 16 North Main Street, LLC, Case #2018-12, to the September 18, 2018 Planning Board meeting.

Vaune Dugan stated she would second the motion with the query to the applicant whether they are going to have the response or recommendations from the Planning Board to facilitate the approval at the next meeting.

Matt Sullivan stated there are 2 ways to proceed 1) respond to the submission tonight or 2) he can provide feedback individually.

Mike Hodder stated he preferred not to add to his motion.

Vaune Dugan withdrew her second.

It was moved by Mike Hodder and seconded by John Thurston to continue 16 North Main Street, LLC, Case #2018-12, to the September 18, 2018 Planning Board Meeting. Mike Hodder, Kathy Barnard, Brad Harriman and Susan Repplier voted in favor. Vaune Dugan opposed. The motion passed.

**Kevin and Mary Haggerty
Agent: Randy Tetreault LLS CWS
Special Use Permit
Tax Map #203-62, Case #2018-17**

Randy Tetreault stated the project located at 6 Shady Lane involves demolishing the existing screened in porch and constructing a new 3-season porch and 2nd floor dormer over the existing home. The 25ft buffer is compromised; the new porch requires a special use permit. The relocation of the porch includes a rain garden which will minimize degradation of the wetland buffer and runoff from the house to prevent erosion while occupying 1 sq. ft less than the current screened porch within the 30' wetland setback. There will be a State Shoreline and Town shoreline permit that will need to be approved prior to a building permit.

Kathy Barnard stated the Conservation Commission did not have any issues according to their report.

Randy Tetreault replied any noted issues were with the wetlands causing the roots to be compromised with a couple of large trees.

Matt Sullivan stated the drip edge along the side of the building is a huge improvement. Excellent storm water management plan and was echoed by the Conservation Commission's comments.

Mike Hodder asked if the Conservation Commission conducted a site visit.

Matt Sullivan replied he did not believe so.

John Thurston asked how much volume the rain garden would hold.

Randy Tetreault stated he wasn't certain; however, the engineer will look at that and it will be sized accordingly.

John Thurston asked if it hits the silk sock.

Randy Tetreault confirmed that to be the case.

Mike Hodder stated he believed the storm water management plan the applicant's proposing answers the criteria completely and there is no other viable location.

Matt Sullivan noted the application is complete.

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.

Kathy Barnard opened the public hearing for comments.

Matt Sullivan reviewed the following conditions of approval:

- 1) The following plan, as amended to the date of approval, is hereby incorporated into this approval:
 - Plan 1.** Existing Features Special Use Permit Plan, Owner/Applicant: Kevin and Mary Haggerty, 6 Shady Lane, Wolfeboro, NH, 03894, Tax Map 186 Lot 023 prepared by Norway Plains Associates, Inc., 2 Continental Boulevard, Rochester, NH, Dated June 2018
 - Plan 2.** Proposed Conditions Special Use Permit Plan, Owner/Applicant: Kevin and Mary Haggerty, 6 Shady Lane, Wolfeboro, NH, 03894, Tax Map 186 Lot 023 prepared by Norway Plains Associates, Inc., 2 Continental Boulevard, Rochester, NH, Dated May 2018
 - Plan 3.** Proposed Stormwater Management Special Use Permit Plan, Owner/Applicant: Kevin and Mary Haggerty, 6 Shady Lane, Wolfeboro, NH, 03894, Tax Map 186 Lot 023 prepared by Norway Plains Associates, Inc., 2 Continental Boulevard, Rochester, NH, Dated May 2018
- 2) All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
- 3) The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan including, but not limited to:
 - a) Silt fencing/Silt sock
- 4) Final large format copies to be provided including Certified Wetlands Scientist Stamp AND L.L.S OR P.E. Stamp.
- 5) An inspection by the Town shall be required of siltation devices prior to construction.
- 6) The applicant shall be responsible for all recording fees.
- 7) The applicant shall be required to monument the edge of Wetlands in compliance with § 175-9.1 Wetlands Boundary Monumentation. This includes:
 - (1) Wetlands shall be delineated by a State of New Hampshire Certified Wetlands Scientist. Markers should be placed at 50'+/- intervals along the total wetland boundary following its general contour.

- (2) Care shall be taken to insure that markers are placed with the appropriate spacing at points closest to any proposed or existing structure located on the property.
- (3) The cost shall be borne by the applicant/developer or their successors in interest.
- (4) The applicant shall be responsible for submitting a letter of certification of the posting to the Code Enforcement Office prior to the issuance of any building permit.

Vaune Dugan asked if this is subject to approval of the State Shoreland permit.

Matt Sullivan responded no; however, this could be added.

Vaune Dugan stated she would like to add this.

Matt Sullivan added the following additional condition:

8. This application is subject to all Federal and State permitting including the Town of Wolfeboro Shoreland Permit and State of NH Shoreland Permit.

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

It was moved by Vaune Dugan and seconded by Mike Hodder to approve the Kevin and Mary Haggerty Special Use Permit application, Case #2018-17, Tax Map #191-42, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

NH Boat Museum

Agent: Jim Rines, White Mountain Survey & Engineering, Inc.

Special Use Permit

Tax Map #203-62, 63, 64, 65, Case #2018-19

Jim Rines stated the applicant proposes to construct a bio-retention basin within 25 ft. of the “no-touch” wetland buffer and a portion of the parking lot to be constructed within 50 ft of poorly drained wetlands thus requiring a special use permit under § 175-7, D. (2). The runoff from the portion of the parking lot will drain through a closed drainage system into a bio-retention basin, which flows into a detention basin. This basin will be constructed within 8 ft. of poorly drained wet meadow and there will be 1,063 sq. ft. of impact between the 8 ft. setback and 25 ft. “no-touch” buffer. See attached letter dated 8/6/18.

Matt Sullivan stated this proposal was reviewed at TRC with Dave Ford and there was ample discussion regarding the storm water management on the site and urged the Board to recognize this is part of a larger storm water management plan. This will assist with the run off currently occurring on site. The only concern is with any kind of run off from the retaining wall and asked for confirmation whether there are any foreseen impacts from the retaining wall to the wetlands.

Jim Rines replied the retaining wall is a structure and noted criteria setbacks have been met.

Kathy Barnard asked if the Conservation Commission reviewed the application and had any additional comments.

Jim Rines confirmed they did not.

John Thurston asked if the wall will direct the water to the right location.

Jim Rines responded yes.

Vaune Dugan asked how tall the wall is.

Jim Rines replied it varies from 8-11 ft.

Vaune Dugan asked what the elevation is in the middle of the parking lot and the elevation of the first floor.

Jim Rines responded the elevation at Bay Street is 536 and goes up to 544 the height of the land, and the first-floor elevation of the proposed museum is 535.

Vaune Dugan asked what the elevation of upper left parking lot in front the building will be.

Jim Rines responded 538.

Vaune Dugan asked if it's 3 ft. above the building.

Jim Rines responded yes.

Mike Hodder stated he is concerned as the water runoff will be going straight to the lake to avoid the wetlands. The parking lots accommodate automobiles and buses which collect gas, oil, etc. and that will be directed into the bio-retention basins which goes to the lake. He asked if the bio-retention basins can filter out the methanes, octanes and other gases prior to entering the lake.

Jim Rines stated he is comfortable this doesn't differ from other State reviewed development sites. The requirements are very stringent and feels this is a better solution than what is currently occurring as there is no protection.

Mike Hodder stated he is expressing his concern as there will be a significant amount of increased traffic which will impact the runoff to the lake.

Jim Rines replied this project will require diligent maintenance to protect the lake.

John Thurston asked if the bio-retention dimensions are 60 ft. long x 40 ft. wide.

Jim Rines responded its 80x30.

John Thurston asked how deep the side walls are.

Jim Rines responded 2 ft.

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.

Kathy Barnard opened the public hearing.

Kenneth Gerber, abutter, asked to address the expected drainage to his property.

Jim Rines responded the road is elevated and will be draining away from his property.

Matt Sullivan read the following conditions of approval and stated condition #4 is to be removed:

- 1) The following plan, as amended to the date of approval, is hereby incorporated into this approval:
Plan 1. Special Use Permit Site Plan, Owner/Applicant: NH Boat Museum, P.O. Box 1195, Wolfeboro, NH Project Location: 57-59 Bay Street, Wolfeboro, NH, 03894, Tax Map 203-62,63,64,65 prepared by White Mountain Survey & Engineering, P.O Box 440, Ossipee, NH, Dated August 6th, 2018
- 2) All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some

manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

- 3) The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan including, but not limited to:
 - a. Silt fencing
- ~~4) Final large format copies to be provided including Certified Wetlands Scientist Stamp AND L.L.S OR P.E. Stamp. A final version of the narrative letter shall include a Certified Wetlands Scientist Stamp.~~
- 5) Voluntary lot merger of the four (4) subject lots shall be required.
- 6) An inspection by the Town shall be required of siltation devices prior to construction.
- 7) The applicant shall be responsible for all recording fees.
- 8) The applicant shall be required to monument the edge of Wetlands in compliance with § 175-9.1 Wetlands Boundary Monumentation. This includes:
 1. Wetlands shall be delineated by a State of New Hampshire Certified Wetlands Scientist. Markers should be placed at 50'+/- intervals along the total wetland boundary following its general contour.
 2. Care shall be taken to insure that markers are placed with the appropriate spacing at points closest to any proposed or existing structure located on the property.
 3. The cost shall be borne by the applicant/developer or their successors in interest.
 4. The applicant shall be responsible for submitting a letter of certification of the posting to the Code Enforcement Office prior to the issuance of any building permit.

John Thurston asked if the plan selection should include a detailed plan pertaining to the bio-retention.

Matt Sullivan replied that was not included due to site plan review process.

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

It was moved by Mike Hodder and seconded by Vaune Dugan to approve the New Hampshire Boat Museum Special Use Permit application, Case #2018-19, Tax Map #203-62, 63, 64, 65 subject to the recommended conditions of approval. All members voted in favor. The motion passed.

Silva Holdings, LLC

Agent: Jim Rines, White Mountain Survey & Engineering

Site Plan Review

Tax Map #218-2, Case #2018-22

Jim Rines stated the project involves converting existing structure at 42 Lehner Street from its former use to a dental office. The 1-acre lot is owned by Silva Holdings, LLC and the intent is to construct a 13' x 40'-6" addition to the rear of the existing structure and reconfigure the parking and access area. There will be 15 parking spaces one of which is handicap. The 50 ft. setback wetlands buffer has been met. There will be no increase in impervious coverage or change in the location of the drainage discharge points/patterns and have requested a waiver for § 173-21 Site Plan Review Regulations. Litter will be contained internal to the buildings. Three new lights have been proposed to be mounted on 20 ft. poles, ground directed and compliant with Wolfeboro's dark sky compliance ordinance. The building will be serviced by the municipal sewer/water systems. Although no buffering is required, 4 landscaping trees are to be placed so each space has at least 1 tree within 30 ft.

Kathy Barnard stated Dave Ford had a comment about the foundation review detail.

Jim Rines stated the owners are going to work with Dave Ford on the relocation of the easement when the time comes.

Kathy Barnard asked if there were further discussions with Dave Ford regarding the water service.

Jim Rines replied it was a recommendation to have new water service.

Matt Sullivan stated the water service hasn't been used consistently.

Jim Rines stated Dave Ford will address the issue with the property owners.

Kathy Barnard inquired about plowing.

Jim Rines responded when the parking was wired in 1908 they reserved an 18 ft. wide access way around the lot that goes along the retaining wall with no easement.

Matt Sullivan stated he spoke with Barry Muccio today who stated he was not aware there is any easement in place and if no such easement exists then he would encourage a conversation with the new owner.

John Thurston stated the point is moot because they have an access from the other road and zero activity.

Matt Sullivan stated Barry Muccio claims it is plowed and used regularly.

Jim Rines stated his observation is typically during a snow storm folks will cancel.

Matt Sullivan asked the Board if there is any interest in painted arrows in addition to the signage.

It was moved by John Thurston and seconded by Mike Hodder to grant the Waiver for § 173-21 Site Plan Review Regulations. All members voted in favor. The motion passed.

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

Kathy Barnard opened the public hearing for comments.

Matt Sullivan reviewed the following conditions of approval:

1. The following plans, as amended to the date of this approval are incorporated into the approval:
 - Plan 1.**Existing Conditions Site Plan, Silva Family Dentistry., Owner/Applicant: Silva Holdings, LLC, 26 Winnepesaukee Drive, Wolfeboro, NH, 03894, Project Location: 42 Lehner Street, Wolfeboro, NH, 03894, Tax Map 218 Lot 2 prepared by Jim Rines, P.E., L.L.S, C.P.E.S.C. White Mountain Survey & Engineering, Inc., P.O. Box 440, Ossipee, NH, 03864. Dated January 12th, 2018
 - Plan 2.**Site Development Plan, Silva Family Dentistry., Owner/Applicant: Silva Holdings, LLC, 26 Winnepesaukee Drive, Wolfeboro, NH, 03894, Project Location: 42 Lehner Street, Wolfeboro, NH, 03894, Tax Map 218 Lot 2 prepared by Jim Rines, P.E., L.L.S, C.P.E.S.C. White Mountain Survey & Engineering, Inc., P.O. Box 440, Ossipee, NH, 03864. Dated August 13th, 2018
 - Plan 3.**Detailed Grading Plan and Details, Silva Family Dentistry., Owner/Applicant: Silva Holdings, LLC, 26 Winnepesaukee Drive, Wolfeboro, NH, 03894, Project Location: 42 Lehner Street, Wolfeboro, NH, 03894, Tax Map 218 Lot 2 prepared by Jim Rines, P.E., L.L.S, C.P.E.S.C. White Mountain Survey & Engineering, Inc., P.O. Box 440, Ossipee, NH, 03864. Dated August 13th, 2018
 - Plan 4.**Site Development Details, Silva Family Dentistry., Owner/Applicant: Silva Holdings, LLC, 26 Winnepesaukee Drive, Wolfeboro, NH, 03894, Project Location: 42 Lehner Street, Wolfeboro, NH, 03894, Tax Map 218 Lot 2 prepared by Jim Rines, P.E., L.L.S, C.P.E.S.C. White Mountain Survey & Engineering, Inc., P.O. Box 440, Ossipee, NH, 03864. Dated August 13th, 2018
2. The applicant shall enter into a Construction Observation Agreement with the Town's consulting engineer for site work. The cost shall be borne by the applicant.
3. The applicant shall be responsible for the payment of all recording fees.
4. A financial security based on the total cost of the site improvements, plus 10%. The financial security shall be reviewed by the Town or their designee at the expense of the applicant.

5. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
6. Receipt of all federal, state, and local permits.
7. A letter of ADA compliance shall be prepared by the applicant or their agent.

Kathy Barnard asked if the Board should add a condition to add signs or paint arrows.

Matt Sullivan stated signs are proposed but based on the grade, might not work.

Vaune Dugan stated if there are going to be signs there don't need to be arrows.

John Thurston asked where the locations of the signs will be.

Matt Sullivan replied along Lehner Street. We could add a condition to add an arrow sign.

Brad Harriman suggested an *Exit This Way* with arrow or *Do Not Enter* sign be added.

Mike Hodder stated he felt painted arrows on the ground aren't necessary.

Matt Sullivan noted to add an *Exit This Way* sign.

Vaune Dugan asked if there was a condition regarding the foundation of the design.

Matt Sullivan replied no.

Jim Rines added that Dave Ford is speaking with the structural engineer.

Vaune Dugan asked if the future easement should be designated to take care of the long-term issue.

Matt Sullivan stated he believed Dave Ford wasn't certain it's a long-term issue or that it would need to be relocated.

Jim Rines replied he believes in the future Dave Ford wants to relocate it. It's an old line and handles a tremendous amount of sewage.

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

It was moved by Brad Harriman and seconded by John Thurston to approve the Silva Holdings Site Plan Review application, Case #2018-22, Tax Map #218-2, subject to the recommended conditions of approval. All members voted in favor. The motion passed.

Bryan K. Stanley

Agent: Jim Rines, White Mountain Survey & Engineering

Special Use Permit

Tax Map #234-27, Case #2018-18

Jim Rines stated the proposal involves constructing a 1,798 sq. ft. single family two-bedroom home with an attached garage and screened porch. The home will be tied to an on-site well and state approved sewage disposal system which was approved under NHDES on June 24, 2016. The living space will be 10.8 ft. from the wetland. The garage will be 23.3 ft. from the wetlands and the porch 6.1 ft. from wetlands. The driveway will be 6.2 ft. in the closest instance to the wetlands. The criteria is met in accordance with § 175-10, A (2) as the

proposed footprint of the home, porch, and garage is 1,798 sq. ft. therefore, we meet the 1,800 sq. ft. maximum footprint criteria. Additionally, § 175-10, A (1) (a) is met as there is no alternative location outside of the wetland setback or buffer for the home. There will be no impacts to actual wetlands, only impacts within the wetland buffer.

Kathy Barnard asked if everything was brought forward as much as possible towards Pleasant Valley Rd.

Jim Rines confirmed that to be the case; they are a minimum of 5 ft. away from the septic tank.

Matt Sullivan noted the application is complete.

Kathy Barnard questioned if the lot was created prior to 2003.

Jim Rines confirmed.

Mike Hodder referred to Dave Ford's comments regarding boundary line issue.

Jim Rines confirmed this does not impact this application.

Matt Sullivan also noted the need to measure the set back to the infiltration trench is null and void. The conditions for no structures to be built also does not apply.

Mike Hodder asked if the retaining wall will add any additional protection to the surrounding wetland.

Jim Rines replied it would minimize the impact to buffer as you are eliminating slope.

Mike Hodder inquired if the Conservation Commission completed a site visit.

Matt Sullivan confirmed they did not.

Vaune Dugan asked if there was a reason the barn/garage is pushed forward of the house.

Jim Rines noted the reason being, it would get closer to the wetlands.

John Thurston inquired about the 2 bedroom septic.

Jim Rines replied the State permitted the 2 bedrooms; is what the lot supports.

John Thurston asked if the Technical Review notes had the rain guard at 4 ft. 6 in.

Matt Sullivan confirmed the rain guard to be 4 in. to 8 in. deep.

John Thurston noted it's 6 in. not 4 ft. deep.

Matt Sullivan confirmed correct.

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

Kathy Barnard opened the public hearing for comments.

Matt Sullivan read the following 7 conditions for approval and stated condition #4 is to be removed:

- 1) The following plan, as amended to the date of approval, is hereby incorporated into this approval:

Plan 2. Special Use Permit Application Plan, Owner/Applicant: Bryan K. Stanley, P.O. Box 749, Wolfeboro, NH
Project Location: Pleasant Valley Road, Wolfeboro, NH, 03894, Tax Map 234 Lot 027 prepared by White Mountain Survey & Engineering, P.O. Box 440, Ossipee, NH, Dated August 6th, 2018

- 2) All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
- 3) The applicant shall comply with the pre-construction siltation and erosion control measures and construction sequence as shown on the plan including, but not limited to:
 - a. Silt fencing
- 4) An inspection by the Town shall be required of siltation devices prior to construction.
- 5) The applicant shall be responsible for all recording fees.
- 6) The applicant shall be required to monument the edge of Wetlands in compliance with § 175-9.1 Wetlands Boundary Monumentation. This includes:
 - 1) Wetlands shall be delineated by a State of New Hampshire Certified Wetlands Scientist. Markers should be placed at 50'± intervals along the total wetland boundary following its general contour.
 - 2) Care shall be taken to insure that markers are placed with the appropriate spacing at points closest to any proposed or existing structure located on the property.
 - 3) The cost shall be borne by the applicant/developer or their successors in interest.
 - 4) The applicant shall be responsible for submitting a letter of certification of the posting to the Code Enforcement Office prior to the issuance of any building permit.

It was moved by Mike Hodder and seconded by Vaune Dugan to approve the Bryan Stanley Special Use Permit application, Case #2018-18, Tax Map #234-27, subject to the recommended conditions of approval. Kathy Barnard, Mike Hodder, Brad Harriman and Susan Repplier voted in favor. John Thurston abstained. The motion passed.

IV. Action Items
N/A

V. Approval of Minutes

August 7, 2018

Corrections: Page 2, 5th paragraph; insert semicolon after “application” strike “and” and replace with “the applicant”

It was moved by Vaune Dugan and seconded by Mike Hodder to approve the August 7, 2018 Planning Board minutes as amended. All members voted in favor. The motion passed.

VI. Communications & Miscellaneous

Letter from Paul Whalen re: Electric Substation

Matt Sullivan stated Mr. Whalen is an abutter to the property where the electrical substation use to exist on Lehner Street, adjacent to the Glendon Street parking lot. This project is part of the Electric Department’s capital program for the next 10 years and notes Mr. Whalen is concerned. He has joined the Capital Improvements subcommittee and will have an opportunity to discuss this project directly with the electric department. His concerns are aesthetic concerns and the impact to his property. Mr. Whalen has been advised to speak to the Board of Selectmen and Barry Muccio to which he has done.

VII. Unfinished Business

Kathy Barnard inquired about the comment cards for the Master Plan Forum.

Matt Sullivan stated he will be passing along consolidated comments.

Kathy Barnard suggested all comments should be forwarded to committee members.

Matt Sullivan confirmed that would be helpful.

Mike Hodder referenced the master plan forum and asked if it is possible to include discussion how to assign responsibility to the various committees and talk about the Master Plan Implementation Committee.

Matt Sullivan agreed and would like to discuss the Implementation Committee, Implementation Table and the future land use and how the process of handoff of the chapters once there is a final draft goes for formatting.

VIII. New Business

N/A

IX. Planning Board Subcommittee Reports

N/A

X. Nonpublic Meeting

N/A

It was moved by Vaune Dugan and seconded by Mike Hodder to adjourn the September 4, 2018 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 8:54 PM.

Respectfully Submitted,

Cathleen LaPierre

Cathy LaPierre

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



WHITE MOUNTAIN SURVEY & ENGINEERING, INC.

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August 6, 2018

Via Hand Delivery

Matthew Sullivan, Director of Planning and Development
Town of Wolfeboro
P.O. Box 629
Wolfeboro, NH 03894-0629

Re: NH Boat Museum Special Use Permit Application
57-59 Bay Street
Tax Map 203 Lots 62,63,64,65

Dear Matt:

Please accept this letter, the accompanying documents and plan as a completed application for a Special Use Permit to permit the lot owner the ability to develop their new boat museum and associated parking and bio-retention treatment as part of their site plan application. The bio-retention basin will be constructed within the 25 foot "no-touch" wetland buffer and a portion of the required parking will fall within 50 feet of the poorly drained wetlands which requires relief in accordance with Article II, Section 175-7, D.(2).

The proposal will have 1,950 square feet of parking that will lie between 30.7 feet and 50 feet from the poorly drained wet meadow. The runoff from this portion of the parking area will drain through a closed drainage system into a bio-retention basin, which flows into a detention basin.

The bio-retention basin will be constructed within eight feet of a poorly drained wet meadow and there will be 1,063 square feet of impact between the eight foot setback and the 25 foot "no touch" buffer.

In accordance with Article II, Section 175-10, B(2) and 175-10, C(2) of the Zoning Ordinance, in order to obtain a Special Use Permit the proposal must show that;

*" Lot redevelopment is permitted within the wetlands setback, wetlands buffer and wetlands when no alternative location on the parcel exists which has less detrimental impact on a wetland. Less detrimental impact on the wetlands shall include at least one of the following:
(1) Development that is down gradient from the jurisdictional wetlands.
(2) Development and/or redevelopment within a previously disturbed area and where the previously disturbed area provides no protection to the wetlands."*

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Matthew Sullivan
Director of Planning and Development
August 6, 2017
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and

" (2) The undertaking of a use not otherwise permitted in the Wetlands Conservation Overlay District, if it can be shown that such proposed use is in accordance with all of § 175-10C(1)(a), (b), (c) and findings listed in § 175-5."

Due to the slope and configuration of the lots in relationship to the size of the building required for the proposed, we find the site becomes quickly constrained by the previously disturbed wet meadows that lie on the westerly side of the property. Since these wet meadows have been previously disturbed and are mowed on an annual basis, we consider this a re-development of previously disturbed wetlands with no protection to the wetlands.

The proposal will essentially prevent further impacts to this wet meadow by the erection of a retaining wall and the installation of the bio-retention basin. The submitted design will also result in all stormwater being treated and directed away from the wet meadow and into the bio-retention basin.

With regard to a portion of the parking area lying within 50 feet of the wet meadow, this is a use that is not permitted within the Wetland Conservation Overlay District (WCOD) and therefore, a differing criterion must be met.

Section 175-10, C(1)(a) - No alternative location outside the wetlands setback or buffer zone or which has less detrimental impact on a wetland is feasible.

We believe that we have demonstrated that the use requires the layout presented for your consideration. This is a building for a public benefit, and the site plan review regulations have a certain requirement for parking. Given the slope of the lot, it was not possible to site parking lower on the slope, which would have also put the parking closer to the lake, which also seemed counter intuitive. All of the stormwater runoff for this parking area is directed away from the wet meadow and into a bio-retention basin, so no stormwater runoff from the parking area will enter the wet meadow we are near.

Section 175-10, C(1)(b) - The proposed construction is essential to the productive use of other land which is not within the Wetlands Conservation Overlay District.

In order to comply with the Site Plan review regulations for this proposed use, we believe that the requested relief is essential to the productive use of other lands which are not in the WCOD.

Section 175-10, C(1)(c) Design, construction and maintenance methods will be such as to avoid or minimize detrimental impact upon the wetlands.

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