

Town of Wolfeboro
Planning Board Minutes
Great Hall at Wolfeboro Town Hall - 84 South Main Street
Tuesday, November 01, 2022
7:00 PM

I. Chairman Barnard called meeting to Order 7:00 PM

II. Members Present: Chairman Kathy Barnard, Vice Chairman Mike Hodder, Peter Goodwin, Doug Breskin, John Thurston, Brad Harriman Selectmen's Representative, Julie Jacobs, Alternate

Absent: Vaune Dugan

J. Jacobs appointed as voting member by K. Barnard in absence of V. Dugan.

Staff Present: Tavis Austin, Director of Planning and Development

III. Public Hearings:

(a) Carroll County Construction/Cosmic Cove, LLC.– 12 Point Luck Circle– Tax Map #214-001-033- Public Hearing for– Case #2022-12 – Special Use Permit for dug-in boathouse – formal submission/public hearing

Tyler Phillips, representing the applicant, provided the Board with an overview of the project. He addressed the State and Town permits already in place for the property. He provided specifics on the location of the proposed boathouse noting the limited wetland impacts compared to other areas of the property's shoreline.

K. Barnard asked about access to the boathouse.

T. Phillips addressed both the temporary construction access and the less than 6' wide path that would remain after construction. He detailed further the plans for reclamation of disturbed areas and the intent to allow the natural vegetation to reclaim the area as outlined in their site plan.

M. Hodder asked what alternative locations were investigated; how was applicant proving this the only or best location.

T. Phillips restated lack of wetland impacts compared to other areas of the property and further noted steep slopes in another area.

P. Goodwin commented general community concern of "lawn" where currently naturally vegetated.

T. Phillips stated no plans at present for lawn in the area of the boathouse.

K. Barnard discussed the Conservation Commission comments and suggested conditions previously submitted to the NHDES with the State boathouse permit. She noted the conditions were essentially the same as the current lighting regulations of the Town.

P. Goodwin motioned to accept the application as complete. K. Barnard seconded the motion which passed with a 6-1-0 vote.

K. Barnard opened the public hearing at 7:25 PM. There was no public. K. Barnard closed the public hearing at 7:26 PM.

J. Thurston asked if the Board would be reviewing the building.

T. Phillips directed the Board to the submitted elevations.

N. Laganas, applicant's builder, stated there would be one exterior gooseneck lantern that would be full shield/cut-off lighting.

K. Barnard spoke to the findings of fact noting:

- The subject parcel had frontage on Lake Winnepesaukee,
- There are no other boathouses on the property;
- There were no negative comments or concerns from the Conservation Commission with respect to wetlands,
- The Special Use Permit criteria outlined in the regulations had been satisfied by the application materials and public hearing testimony,
- The Plans are consistent with the State's previously issued, wetland, dredge and fill, and boathouse permits;
- The plans are consistent with the Town Shoreland Permit Approval.

M. Hodder stated the State does not look at alternative locations; such review is only within the Town regulations. He further stated that he did not believe the applicant has satisfied this element of the Special Use Permit and the Conservation Commission overlooked the same obligation to the Town regulations in their review.

P. Goodwin motioned to approve the application as submitted with the inclusion of the recommended conditions of approval from the Planner's review. J. Thurston seconded the motion which passed with a 6-1-0 vote.

Conditions of Approval:

- 1. The following plans, as amended by the Planning Board approval, are incorporated into the approval:
Plans as submitted 09/18/22 including Sheet C1.01, A201, A101, and A301*
- 2. The applicant shall be responsible for the payment of all recording fees for Notice of Decision.*
- 3. 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.

4. *Any conditions of approval of the Special Use Permit will be duly referenced in related construction plans.*

IV. Discussion Items:

- *Voluntary Lot Mergers: 223-012&013, 223-014&015, and 223-016-161& 223-017*

T. Austin provided brief overview of the mergers.

S. Oles, Norway Plains, addressed the Plan of Lands and subsequent Boundary Line Adjustments.

M. Hodder asked if the proposed mergers help or aid correcting the current situation.

T. Austin stated the mergers make each of the resultant lots more nearly conforming.

M. Hodder motioned to approve the mergers as listed as each will result in lots more nearly conforming with current regulations. P. Goodwin seconded the motion which passed with a unanimous vote.

- *Shorefront Residential (SFR) Amendments*

K. Barnard noted one omission from prior draft which will have to added for the public hearing. T. Austin confirmed.

M. Hodder motioned to move the proposed amendment to public hearing 11/15/22 at 7 PM as discussed. D. Breskin seconded the motion which passed with a unanimous vote.

- *Amendments to §175-175 Definitions*

Board reviewed language as presented.

M. Hodder motioned to move the proposed amendment to public hearing 11/15/22 at 7 PM as discussed, including the deletion of C2. P. Goodwin seconded the motion which passed with a unanimous vote.

- *Amendments to Multi-Family/Zoning Districts*

T. Austin walked the Board through the changes: removing §175-143 through 145 entirely and moving the amended text thereof in to the underlying zoning districts. There was much discussion of how to convey this to the voters; both at the public hearing as well as prior to March voting.

M. Hodder motioned to move the proposed amendment to public hearing 11/15/22 at 7 PM as discussed. K. Barnard seconded the motion which passed with a 5-1-1 vote.

- *Legal Memo*

T. Austin provided a copy of correspondence from Legal Counsel related to the question posed by J. Thurston at the previous meeting. There was general discussion.

J. Thurston confirmed the correct question was asked and answered. He sated confusion of who has what authority over private roads, town roads, rights of way and who has authority under NH RSA 674:41.

- *PUBLIC COMMENT*

Linda Murray commented that page numbers may assist Board. She continued expressing Wolfeboro Waters concerns over diseased/dangerous trees and perhaps need to refine the regulations thereof.

K. Barnard noted that was in the pipeline for 2023 workplan.

M. Hodder suggested Conservation Commission may have some ideas on establishing such thresholds.

- *Minutes of 10/18/2022*

K. Barnard stated need for her reference to parking requirements during the 50 Lehner Street discussion.

M. Hodder motioned to approve the minutes as amended. K. Barnard seconded the motion which passed with a unanimous vote.

VI. ADJOURN

M. Hodder motioned to adjourn the meeting at 8:32 PM. P. Goodwin seconded the motion which passed unanimously.