

**TOWN OF WOLFEBORO
PLANNING BOARD
January 8, 2019
MINUTES**

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

Members Absent: John Thurston, Member, Dave Alessandroni, Alternate.

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

N/A

III. Public Hearings

2019 Zoning Amendments

Matt Sullivan reviewed the proposed 2019 Zoning Amendments, see attached.

§ 175-43 Expansion of Non-Conforming Structures

Kathy Barnard opened the public hearing.

Suzanne Ryan asked if the full new language will appear on the ballot.

Matt Sullivan confirmed it will and noted council reviewed and had limited comments; no material changes to the proposed language.

It was moved by Mike Hodder and seconded by Vaune Dugan to continue the Public Hearing for the above noted Proposed Zoning Amendment to January 22, 2019. All members voted in favor. The motion passed.

§ 175-175 Terms Defined; Corner Lot

Kathy Barnard noted this allows flexibility to people when they have more severe front setbacks.

Matt Sullivan confirmed.

Kathy Barnard opened the public hearing.

It was moved by Mike Hodder and seconded by Vaune Dugan to continue the Public Hearing for the above noted Proposed Zoning Amendment to January 22, 2019. All members voted in favor. The motion passed.

§ 175-138 Parking Standards, Waivers from Parking Requirements

Kathy Barnard questioned if documentation would need to be provided by the applicant as it is now for the waiver.

Matt Sullivan confirmed; if the applicant is unable to meet the standards contained herein, they would need to provide some sort of justification and likely that would have to be reviewed by town council as well.

Kathy Barnard opened the public hearing.

Suzanne Ryan questioned if there are any foreseen circumstances where the Planning Board wouldn't want to grant some flexibility and applicants would be sent to the Zoning Board.

Matt Sullivan responded yes, if an alternative is proposed, and the Planning Board rejects that alternative, an applicant could file an administrative appeal to get relief from the Planning Boards decision. However, the Planning Boards interests is to work with applicants to allow for some flexibility based on constrained lot size.

Suzanne Ryan asked for an example of some things the Board has seen with regard to parking that perhaps could have been waived or they didn't and wish they could waive now.

Matt Sullivan stated the Board has not had to apply this particular standard in many cases where there is a parking challenge and the reason is, the Board already allows flexibility in the central business districts where the majority of issues exist. However, looking out to other zones, the Board wants to have the same flexibility and that's currently not built into the ordinance with this waiver provision.

It was moved by Mike Hodder and seconded by Vaune Dugan to continue the Public Hearing for the above noted Proposed Zoning Amendment to January 22, 2019. All members voted in favor. The motion passed.

§ 175-27.3 – Overlay District: Affordable Nonprofit Housing for the Elderly and Affordable Nonprofit Workforce Housing, Phasing

Kathy Barnard stated it was advised this particular item should not be included in the zoning ordinance; remove the restriction on affordable dwelling units permitted per year to bring the ordinance in compliance with RSA 674:21-4B

Matt Sullivan stated the Board is recommending the removal of item B.

Kathy Barnard opened the public hearing.

Suzanne Ryan stated would not, shall not, exceed 4 units per acre, and asked if that would be some form of regulation of control.

Matt Sullivan replied no, it's not a hard cap on permitting.

It was moved by Mike Hodder and seconded by Vaune Dugan to continue the Public Hearing for the above noted Proposed Zoning Amendment to January 22, 2019. All members voted in favor. The motion passed.

§ 175-2.C.9 Bay Street Limited Business District, Boundary Amendment

Brad Harriman recused himself.

Kathy Barnard acknowledged she is a member of the Eastern Lakes Region Housing Collation who are co-owners of the Harriman Hill Workforce Housing Development and received an abutter notice. She asked if any member of the Board or public was concerned with her reviewing this Amendment.

Mike Hodder confirmed he has full confidence she will be neutral.

Matt Sullivan noted because this proposed zoning change affects less than 100 properties all of the properties within 100 ft of this proposed change received an abutter notice. Some folks in the audience might have received a notice for a public listening session that was a review of an earlier iteration of this proposal. Ultimately, the Planning Board decided to pair this down to the 8 parcels proposed.

Kathy Barnard stated the Board received an e-mail from Judith Gooding Morrison at 95 Pine Hill Road and she expressed some concerns regarding the rezoning.

Kathy Barnard opened the public hearing.

Jerome Holden stated he is happy with this proposal and asked for confirmation for 24 sq. ft for signage on a free-standing sign.

Matt Sullivan replied it allows for a 24 ft free standing or ground sign.

Mike Flahrerty representing Taylor Community noted the concern regarding future owners and what and how the commercial use would impact the families that live in that neighborhood.

Kirk Beswick with Taylor Community stated the 2 Pollini properties about theirs and the concern is the extension and commercial growth around their residentially zoned property; it would be detrimental to their community and the quality of life should this be rezoned commercial. He noted Filter Bed activities have been an ongoing issue as well.

Bruce Terkelson stated that currently at early hours it's extremely loud, they hear explosive sounds, finds it disturbing already and felt it would become worse if the property were to be rezoned commercial.

Edie Desmarais noted her concern for a neighborhood with modest income homes and questioned if this would be happening on Sewall or Pleasant Street. This has a lot of low-income families that are going to be affected. Wolfboro has a critical need for modest housing, and this would destroy neighborhoods that have modest housing in them.

Suzanne Ryan reviewed her letter regarding the proposed Amendment, see attached.

Jerome Holden stated he was on the Master Plan Committee and stated this is the only place that is available and feels to avoid tax increases, the town needs businesses, and suggested a wall for Taylor Community to help with noise. He feels expansion is necessary and this is the most logical position.

Grace Maganzini stated she is concerned about a 24 ft sign going in as neighbor; 2 ft would be better. Setbacks would be needed so that parking lots aren't so close to the road. She questioned how this would impact her.

Matt Sullivan stated it wouldn't change the nature of what you're doing on the property, just what you're allowed to do on the property.

Grace Maganzini stated when you label something as commercial anything could go in, for example she has smelled fumes from the car garage down the street. She stated businesses need to have some respect and consider the folks that live there. She is concerned for the amount of junk currently permitted on some of the properties and how this rezoning will affect that; will it be worse.

Kirk Beswick questioned what will happen with Filter Bed Road if that is to be used as an access corridor. He is concerned the traffic increase will affect the properties as they intend to add more units; however, may need to reconsider if this rezoning occurs.

Grace Maganzini questioned what happened to the Economic Development Committee placing an industrial park up behind the pits.

Matt Sullivan stated that was discussed about 25 years ago and did not move forward.

Grace Maganzini stated it makes sense to do something like that and keep the businesses separate to avoid upset.

Chris Pongratz with Pine Hill Road Storage questioned if he should have received a notice.

Matt Sullivan stated certified mail was sent and can confirm.

Chris Pongratz stated changing it from Bay Street to Pine hill will do more than just change the use, it would change the setbacks, coverage etc. and questioned if this would be a negative impact as it would render serious limitation.

Matt Sullivan stated the proposed zoning would increase the developability of those lots. The GR zones are at 30% lot coverage and Pine Hill Road Development District promotes 40% coverage.

Chris Pongratz stated as it relates to our parcel, it would bring it from it's current 60% to 40% coverage.

Matt Sullivan confirmed Chris Pongratz would be in a more restrictive coverage scenario.

It was moved by Mike Hodder and seconded by Vaune Dugan to continue the Public Hearing for the above noted Proposed Zoning Amendment to January 22, 2019. All members voted in favor. The motion passed.

§ 175-153 – 175-158 Landscaping, Streetscaping, and Buffering Standards

Brad Harriman rejoined the Planning Board.

Kathy Barnard stated this proposal is to remove the existing current standards in the zoning ordinance and will be relocated to the Wolfeboro Planning Board Site Plan Review Regulations.

Kathy Barnard opened the public hearing.

Suzanne Ryan asked if this is compatible with discussion of design standards.

Matt Sullivan stated it's not either/or; they are not related. This allows for more flexibility and ability to grant waivers. They will both exist.

It was moved by Mike Hodder and seconded by Vaune Dugan to continue the Public Hearing for the above noted Proposed Zoning Amendment to January 22, 2019. All members voted in favor. The motion passed.

§ 175-2.C.9 Bay Street Limited Business District, Boundary Line Adjustment

Kathy Barnard opened the public hearing.

It was moved by Mike Hodder and seconded by Vaune Dugan to continue the Public Hearing for the above noted Proposed Zoning Amendment to January 22, 2019. All members voted in favor. The motion passed.

Kathy Barnard stated there will also be 2 Petition Warrant Articles, one relating to wayfinding signs and another relating to rezoning of an area by Filter Bed Road at the January 22, 2019 Public Hearing. She encouraged folks to mail comments or letters to the Planning Board or send via e-mail.

**Pine Hill Road Reality Trust, LLC/Christopher Pongratz & Judy B. Osgood Revocable Trust
Site Plan Review; Storage Buildings
TM #190-024, Case #2018-01**

Kathy Barnard read the item into record and stated it will be located on Land Bank Lane.

Matt Sullivan asked to address the letter of authorization/status of ownership issue.

Chris Pongratz stated he believed the owners signature on the application was sufficient.

Matt Sullivan noted the Board typically seeks an actual letter of authorization from property owner and referenced the first initial discussions where Mr. Pongratz had stated he would be the owner of the property at the public hearing.

Chris Pongratz replied although he is not currently the owner, he is scheduling the closing and has the owner's signature on the application.

Matt Sullivan stated it's up to the Board to determine whether it's a matter of completeness.

Kathy Barnard stated the Board does need that according to the zoning requirements.

Vaune Dugan asked if it could be a contingency.

Matt Sullivan stated the Board could make it a condition when you have a signed application.

Mike Hodder disagreed to make it a condition of approval the Board obtain a letter of authorization from the owner to proceed. He stated there are other documents the Board is not in control of i.e. indication of ADA parking compliance, letter stating the lighting is dark sky compliant and they do not have a letter stating he would follow voluntary design guidelines.

Chris Pongratz responded he was prepared to address the 3 items Mike Hodder mentioned.

Peter Goodwin also had reservations.

Matt Sullivan stated the application is signed by the owner and differs from previous cases.

Mike Hodder noted the importance of having a letter of authorization regardless of the nature of the application.

Kathy Barnard suggested hearing the application and ask questions. She noted the zoning district in the planner review needed to be changed to reflect Pine Hill Road Development District.

Matt Sullivan confirmed.

Scott Frankiewicz with Brown Engineering and Surveying stated the project involves building 2 self-storage facilities on Land Bank Lane. It's currently existing vacant land and there are no wetlands on the site. Looking at the plan there will be 24 ft access to the property and an 18 ft paved connection road to lot 190-20. Drainage comes down Land Bank Land and ends in a catch basin. The lighting will meet the 20% cut off on the horizon per the lighting regulations. Dark sky compliance is unclear but are prepared to meet regulations. Landscaping will involve 8 shrubs and the tree in question will be within the 30 ft. requirement. Snow storage will be located on

the right where you drive in and located at the end of the 4 parking areas. They are within the 40% coverage. The color scheme will be the tan and green. He noted they meet the 150 ft. setback – the building does not encroach but will confirm and get back to Matt Sullivan. Regarding ADA requirements, parking space #2 will be a van accessible parking spot.

Kathy Barnard asked about the traffic circulation.

Scott Frankiewicz stated if they have a unit in the old section they will enter in the main entrance and if they have one in the new facility, they will enter through Land Bank Lane.

Matt Sullivan questioned the address.

Chris Pongratz replied we would maintain the single address on Pine Hill Road.

Matt Sullivan noted concern for traffic on Land Bank Lane if the address were changed.

Mike Hodder stated his concern for Land Bank Lane and nothing on paper about how it will be maintained; would like to see a road maintenance agreement.

Matt Sullivan noted it to be a challenge as there must be a rational connection between this specific application and that maintenance agreement.

Chris Pongratz stated he would also like to see a road maintenance agreement but see others included to share the burden.

Mike Hodder reiterated his concern and deferred to the planner's opinion.

Vaune Dugan noted her concern regarding access.

Matt Sullivan stated the 18 ft access way looks as though it goes through the building.

Chris Pongratz stated he has no problem creating an easement on the old property to access the new property.

Mike Hodder asked if it should be a condition of approval.

Matt Sullivan agreed it should be added.

Vuane Dugan stated she was unclear on alignment.

Scott Frankiewicz referenced the drawing and stated the 18 ft alignment does not go into the building; it is lined up perfectly with the edge of the building.

Matt Sullivan asked if bollards could be installed by the abutting property owner.

Chris suggested 2 bollards, one on either side but not one that would further encroach in the limited space. One on the north and one on the south side.

Peter Goodwin stated the ADA parking, the updated landscaping, and the certification of setbacks are of concern.

Matt Sullivan replied he is comfortable with the setback, the landscaping issue will involve moving the tree, and the ADA space is there.

Peter Goodwin stated he felt it needs to be clear.

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 read the following 10 conditions of approval; noting conditions #3 & #7 revised; added 11, 12, 13, and 14, see below.

1. The following plans, as amended to the date of this approval are incorporated into the approval:

Plan 1.Cover Sheet, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 2.Existing Conditions Plan, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 3.Proposed Site Plan, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 4.Proposed Grading Plan, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 5.Proposed Lighting Plan, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 6.Proposed Landscaping Plan, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 7.Drainage Details, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 8., Construction Details-1, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 9.Construction Details-2, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

Plan 10.Construction Details-3, Pine Hill Road Realty Trust, LLC., Owner: Judy B. Osgood, Revocable Trust, P.O. 847, Wolfeboro, NH; Applicant: Pine Hill Road Realty Trust, LLC, 18 Pine Hill Road, Wolfeboro, NH, 03894, Tax Map 190 Lot 024 prepared by Brown Engineering and Surveying, LLC, 683C First NH Turnpike, Northwood, NH 03261. Dated December 14th, 2018

2. The applicant shall be responsible for the payment of all recording fees.

3. All final plans to be stamped by a ~~Certified Wetlands Scientist~~, Licensed Land Surveyor and Professional Engineer where appropriate and a letter confirming the wetlands to be supplied to the town.

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 approval is subject to the receipt of all federal, state, and local permits including Town of Wolfeboro Driveway Permit Approval
6. An as-built plan signed and stamped by a Licensed Land Surveyor is to be provided to the Town of Wolfeboro following project completion.
7. ~~A financial security based on the total cost of the site improvements, plus 10%. The financial security shall be reviewed by the Town or its designee. This shall be based on the Town's standardized quantity/cost form.~~
A financial security based on the total cost of the site improvements, plus 10%. To be provided, the financial security shall be reviewed by the Town or its designee. Cost of review to be borne by the applicant.
8. 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.
9. Installation of erosion control measures and inspection by the Town prior to any construction activities.
10. The applicant's engineer shall submit a letter certifying compliance with the American's With Disabilities Act.
11. Van ADA accessible space to be added to the amended plan set in place of parking space #2 as identified from the north of the site.
12. Letter of authorization to be provided to town within 30 days of the date of this approval. Easement to Lot 190-24 to be drawn up and reviewed by the town's attorney at the cost of the applicant.
13. The tree adjacent to parking space #2 to be modified to meet the 30 linear foot standard of the ordinance and amended on the plan set.
14. Snow storage to be added to the amended plans.

Vaune Dugan asked who determines what the total cost of site improvements is.

Matt Sullivan replied the applicant provides a cost estimate and our engineer reviews it.

It was moved by Mike Hodder and seconded by Vaune Dugan to approve the application with the 14 conditions for Pine Hill Road Reality Trust, LLC/Christopher Pongratz & Judy B. Osgood Revocable Trust, Site Plan Review; Storage Buildings, Tax Map #190-024, Case #2018-01. All members voted in favor. The motion passed.

IV. Action Items

N/A

V. Approval of Minutes

December 18, 2018

It was moved by Mike Hodder and seconded by Vaune Dugan to approve the December 18, 2018 Wolfeboro Planning Board minutes as submitted. Kathy Barnard, Susan Repplier and Peter Goodwin voted in favor. Brad Harriman abstained. The motion passed.

VI. Communications & Miscellaneous

Letter from NHDOT dated 12/17/19

Matt Sullivan stated NHDOT notified the Town of Wolfeboro of a project that includes the overlay of Routes 28 and 11. He noted Dave Ford was not aware of the overlay as proposed and is working with them to ensure we have a plan in place for any work that is going to be done.

VII. Work Session

N/A

VIII. New Business

Kathy Barnard noted the Board will be appointing the Future Land Use Committee.

Matt Sullivan stated the paper did not post the notice and suggested the Board extend the deadline.

IX. Planning Board Subcommittee Reports

N/A

X. Nonpublic Meeting

N/A

It was moved by Mike Hodder and seconded by Vaune Dugan to adjourn the January 8, 2019 Wolfeboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business, the meeting adjourned at 9:13 PM.

Respectfully Submitted,

Cathleen LaPierre

Cathy LaPierre

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

§ 175-43 - EXPANSION OF NON-CONFORMING STRUCTURES

§ 175-175 - TERMS DEFINED, CORNER LOT

§ 175-153 – 175-158 - LANDSCAPING, STREETSCAPING, AND BUFFERING STANDARDS

§ 175-2.C.12 - PINE HILL ROAD DEVELOPMENT DISTRICT, BOUNDARY AMENDMENT

§ 175-27.3 - OVERLAY DISTRICT: AFFORDABLE NONPROFIT HOUSING FOR THE ELDERLY AND AFFORDABLE NONPROFIT WORKFORCE HOUSING, PHASING

§ 175-138 PARKING STANDARDS, WAIVERS FROM PARKING REQUIREMENTS

§ 175-2.C.9 - BAY STREET LIMITED BUSINESS DISTRICT, BOUNDARY AMENDMENT

PROPOSED ZONING AMENDMENT PUBLIC HEARING #1

01.08.2019

§ 175-43 – EXPANSION OF NON-CONFORMING STRUCTURES

Existing Language

~~175-43 Non-Conforming Structures~~

~~A. Expansion.~~

~~(1) A nonconforming building or structure may be maintained or rebuilt as it existed at the time of the passage of this section and may, by special exception, be expanded by no more than 25% of its existing area at that time.~~

§ 175-43 – EXPANSION OF NON-CONFORMING STRUCTURES

Why?

- Existing ordinance is vague (variance vs. special exception activities are unclear)
- History of inconsistent application based on vague language
- Need for consistency and predictability in process for applicants and Planning Department staff
- Solution: Add specifics to ordinance that clarify special exception vs. variance vs. building permit AND protect abutters

§ 175-43 – EXPANSION OF NON-CONFORMING STRUCTURES

To amend the expansion of non-conforming structures section of the ordinance to:

- Distinguish between Variances, Special Exceptions, and Building Permits.
- Require survey and a variance for construction with further encroachment into a setback.
- Allow total cumulative expansion up to 25% of the existing lawfully non-conforming habitable footprint square footage via special exception (excluding appurtenant features).
- Allow for vertical expansion above an existing non-conforming habitable footprint area beyond 25% via special exception.
- Other proposed construction activity beyond 25% or with further encroachment into the setback requiring a variance.

§ 175-43 – EXPANSION OF NON-CONFORMING STRUCTURES

To amend the ordinance to allow three (3) non-conforming structure construction activities by right as follows:

- Installation of a new foundation or the replacement of an existing foundation provided that (a) the sill height is not increased by more than 24"; (b) the existing footprint is not expanded; (c) and the resulting structure falls within the District's height limitation.
- Replacement of a structure provided that the replacement structure is the same size and configuration as the non-conforming structure and (b) the location is the same or a less-non-conforming location.
- Removal and replacement of open decks attached to dwelling units provided that (a) the replacement deck is the same size or smaller and (b) the Building Inspector has inspected and confirmed the deck dimensions prior to its removal.

PUBLIC HEARING

§ 175-175 - TERMS DEFINED, CORNER LOT

Existing Language

LOT LINE

A. *LOT FRONT* - The front property line of a lot shall be determined as follows:

(1) *CORNER LOT*

~~The front property line of a corner lot shall be the shorter of the two lines adjacent to the streets as platted, subdivided or laid out or that line which is obviously the front by reason of the prevailing custom of the other buildings on the block. Where the lines are equal, the front line shall be that line which is obviously the front by reason of the prevailing custom of the other buildings on the block. If such front is not evident, then either may be considered the front of the lot, but not both. Where such front property line is not obviously evident, the Zoning Administrator shall determine the front property line.~~

§ 175-175 - TERMS DEFINED, CORNER LOT

Why?

- Existing ordinance is complicated
- Provide setback clarification for roads with frontage on multiple “streets”
- Ensure intent of setbacks is respected for both areas with frontage (streetscapes)
- Provide flexibility for corner lot property owners in rear setback due to new application of front setback

§ 175-175 - TERMS DEFINED, CORNER LOT

Proposed Language

LOT LINE

A. LOT FRONT- The front property line of a lot shall be determined as follows:

CORNER LOT

For the purposes of building setbacks, all lot lines abutting a street shall be treated as front setbacks with all other lines as side setbacks. Where such front property line is not obviously evident, the Zoning Administrator shall determine the front property line.

PUBLIC HEARING

§ 175-138 PARKING STANDARDS, WAIVERS FROM PARKING REQUIREMENTS

Proposal: Remove all references in § 175-138 to “waivers” and replace language with “alternatives” giving Planning Board flexibility in specific situations

Why?

- Waivers cannot be granted by the Planning Board from Zoning Ordinance with exception of Innovative Land Use Controls
- Need to ensure continued flexibility for parking in specific situations
- Ensures flexibility for Planning Board on Site Plan Review applications moving forward

PUBLIC HEARING

§ 175-27.3 - OVERLAY DISTRICT: AFFORDABLE NONPROFIT HOUSING FOR THE ELDERLY AND AFFORDABLE NONPROFIT WORKFORCE HOUSING, PHASING

Existing Language

§ 175-27.3 Density and phasing.

A. C2 GDA, VR and R Zoning Districts: For lots which are served by both municipal water and sewer, the density shall not exceed four units per acre. For any other lot, the density shall not exceed two units per acre or as required by high-intensity soil survey standards for multifamily housing (see Subdivision Regulations), whichever is fewer.

~~*B. Affordable nonprofit workforce housing projects shall be phased so that, Town wide, no more than 40 dwelling units shall be permitted in any one calendar year.*~~

§ 175-27.3 - OVERLAY DISTRICT: AFFORDABLE NONPROFIT HOUSING FOR THE ELDERLY AND AFFORDABLE NONPROFIT WORKFORCE HOUSING, PHASING

Why?

Amendment to the provisions of RSA 674:21, IV(b) regarding phasing were adopted in 2015, stating:

(b) "Phased development" means a development, usually for large-scale projects, in which construction of public or private improvements proceeds in stages on a schedule over a period of years established in the subdivision or site plan approved by the planning board. In a phased development, the issuance of building permits in each phase is solely dependent on the completion of the prior phase and satisfaction of other conditions on the schedule approved by the planning board.

Phased development does not include a general limit on the issuance of building permits or the granting of subdivision or site plan approval in the municipality, which may be accomplished only by a growth management ordinance under RSA 674:22 or a temporary moratorium or limitation under RSA 674:23.

§ 175-27.3 - OVERLAY DISTRICT: AFFORDABLE NONPROFIT HOUSING FOR THE ELDERLY AND AFFORDABLE NONPROFIT WORKFORCE HOUSING, PHASING

Proposed Language

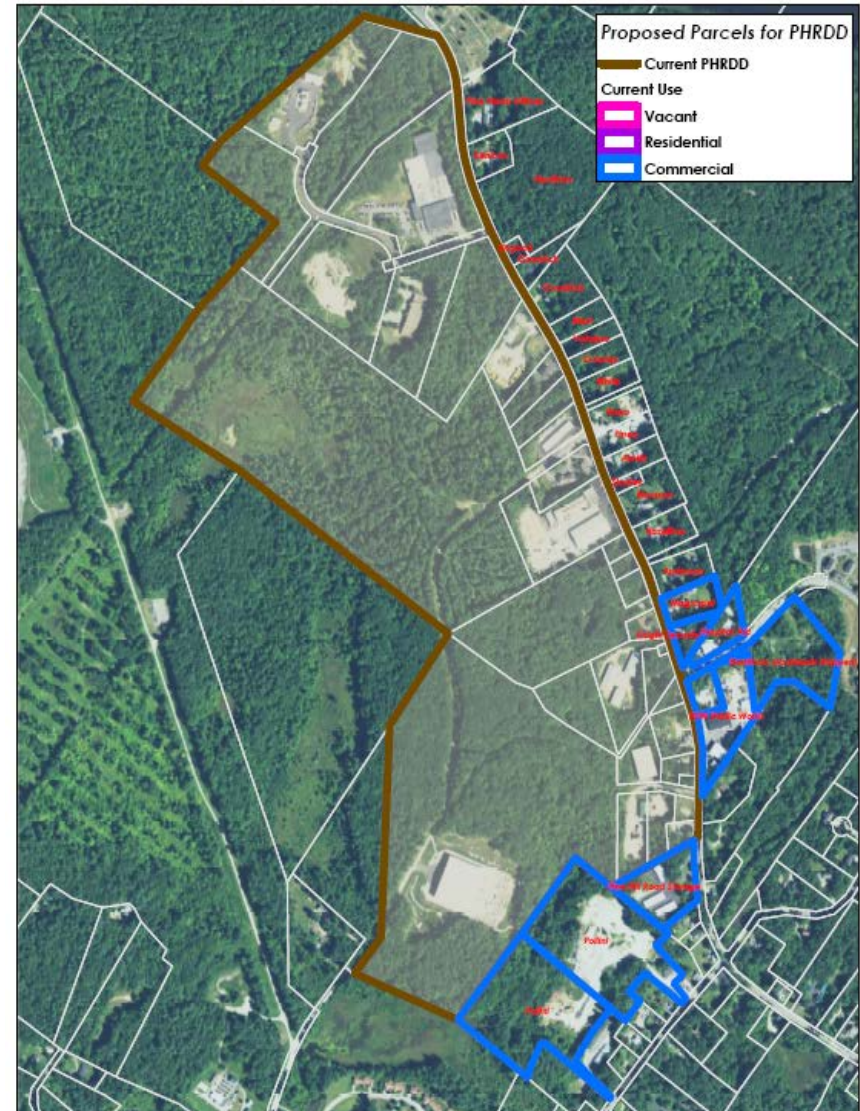
§ 175-27.3 Density and phasing.

A. C2 GDA, VR and R Zoning Districts: For lots which are served by both municipal water and sewer, the density shall not exceed four units per acre. For any other lot, the density shall not exceed two units per acre or as required by high-intensity soil survey standards for multifamily housing (see Subdivision Regulations), whichever is fewer.

PUBLIC HEARING

§ 175-2.C.12 - PINE HILL ROAD DEVELOPMENT DISTRICT, BOUNDARY AMENDMENT

- Amend to include the following lots: 176-010, 176-011, 176-012, 176-020, 189-011, 190-015, 190-020, 190-030
- Why?
 - Proposed parcels are currently commercial in use (existing non-conforming uses)
 - Parcels were formerly zoned commercial
 - Interest in granting these properties more flexibility for current uses/match zoning to character of use



RSA 675:7 I-A

*If a proposed amendment to a zoning ordinance would change a boundary of a zoning district and the change would affect 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owners of each affected property. **If a proposed amendment to a zoning ordinance would change the minimum lot sizes or the permitted uses in a zoning district that includes 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owner of each property in the district.** Notice by mail shall be sent to the address used for mailing local property tax bills, provided that a good faith effort and substantial compliance shall satisfy the notice by mail requirements of this paragraph.*

All property owners within 100 feet of the proposed new district area are defined as the “affected” properties.

PUBLIC HEARING

§ 175-153 – 175-158 - LANDSCAPING, STREETSCAPING, AND BUFFERING STANDARDS

All content will be removed from the Landscaping, Streetscaping, and Buffering standards and moved to the Site Plan Review Regulations AND Subdivision Regulations with the exception of the proposed language shown below.

Proposed Language to be Added to Zoning Ordinance

175-153: Streetscape, Buffering, and Landscaping Standards

All development constructed under the provisions of this Ordinance shall comply with the appropriate streetscape, buffering, and landscaping standards contained in the Site Plan Review and/or Subdivision Regulations of the Town of Wolfeboro.

§ 175-153 – 175-158 - LANDSCAPING, STREETS CAPING, AND BUFFERING STANDARDS

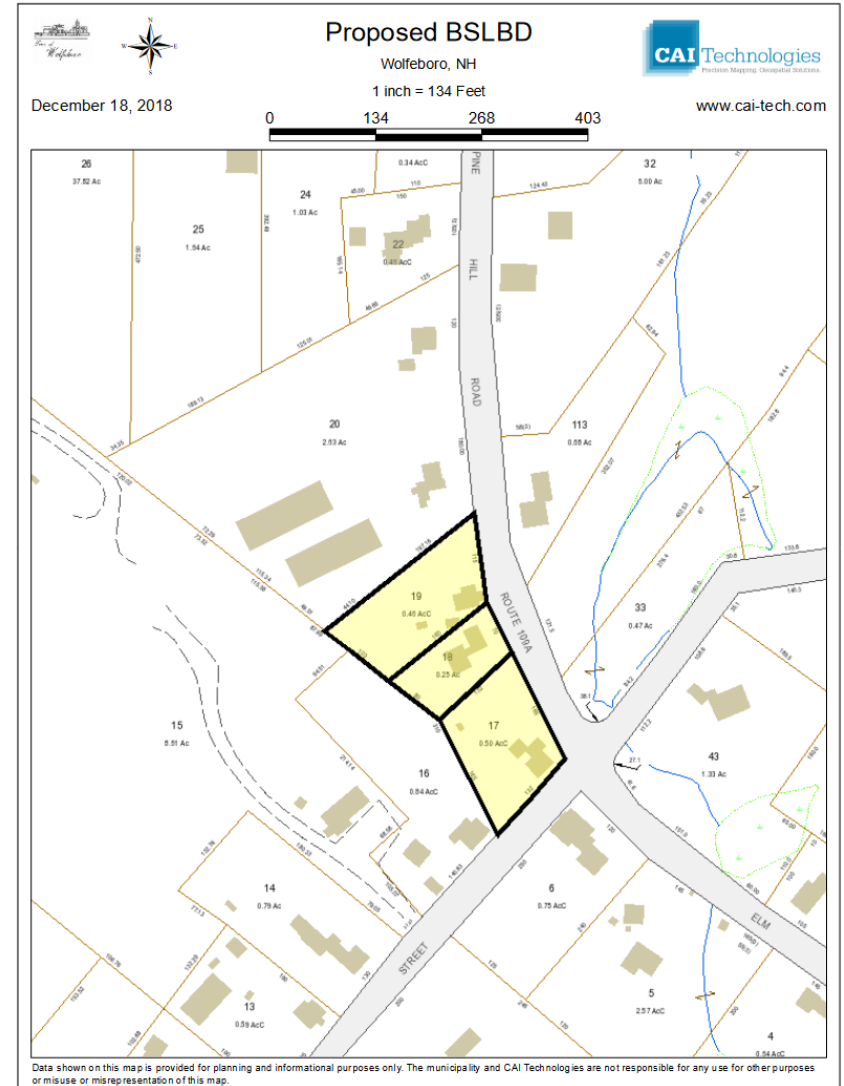
Why?

- Current language in Zoning Ordinance does not grant Planning Board flexibility to grant waivers for landscaping in unique cases by request
- Modification ensures flexibility for Planning Board on Site Plan Review applications by granting waiver ability to the Planning Board

PUBLIC HEARING

§ 175-2.C.9 - BAY STREET LIMITED BUSINESS DISTRICT, BOUNDARY AMENDMENT

- To amend the existing boundary of the Bay Street Limited Business District to include the following lots: 190-019, 190-018, 190-017.
- Why?
 - Proposed parcels are currently shown as Bay Street Limited Business District on 2012 Zoning Map
 - Correction to apparent administrative error in current zoning description



PUBLIC HEARING

NEXT PUBLIC HEARING

1.22.2019 – 7PM



Peggy Culverwell <wolfeborocopy@gmail.com>

Planning Board Pine Hill Road Zoning Amendment ONE COPY BLACK AND WHITE

1 message

Suzanne Ryan <avery2225@icloud.com>

Tue, Jan 8, 2019 at 4:10 PM

To: wolfeborocopy@gmail.com

Cc: avery2225@icloud.com

January 8, 2019

To The Wolfebro Planning Board:

In 2006 the PI Bd amended zoning to allow for Elderly Housing Overlay

In 2010-11 the PI Bd amended to REPEAL Commercial C-1 Pine Hill also in this period the Board laid out a plan to focus on the Downtown core and a plan to make a radius out for business and mixed uses, AND defined where the line/zone was to be for Residential...at or about this time the Harriman Hill Affordable Housing was proposed and approved and built (behind the propose location)

March 2011 Article 6 amended DELETED Pine Hill ordinance and amended it to REZONE to RESIDENTIAL...and expand (on one side of the road) the area and (in brown) re-name to Pine Hill Road Development District with the purpose to PROTECT the form and function of the Pine Hill Road Corridor and to allow office facilities as a matter of right and contractors facilities and sales and services associated with said facilities by Special Exception..(.as taken from Article)

There was a ^{CAS/10} PLANNED effort by the Board NOT to Increase the Pine Hill Residential.commercial/industrial area BUT to REPEAL the (west?) side of the street completely, understanding those current business would be grandfathered uses in PREPETURITY.....This plan has worked just fine and there has been as planned no impact on the Residential area...even with one or two conditioned variances.

The Master Plan was followed as well,,,,,it encourages moderate housing within that area .

REZONING this section of Pine Hill Road to the USES under the Definitions is a mistake...but what to accommodate a few???

Conflicting language uses to the Definitions...

Let look at the allowed uses.....as read/stated by Mr Sullivan..

The commercial uses include: offices, printing plants, community services, multi-family, assembly operations (for what?) storage and use of heavy industrial mechanical equipment , lumber yards or sale of building supplies, laundry's and cleaning establishments and storage facilities or warehouse facilities.....

Now look at your Definition section:most are not defined (this is then subjective) but some that are....

commercial for profit or compensation (what type commercial retail?)

printing plant (like as in commercial plant newspaper?)

assembly operations ...assembly light...the assembly of already manufactured parts.....into complete or incomplete units (could be noise industrial use)

storage of heavy industrial mechanical equipment (not defined?) could be heavy mechanical industrial equipment

storage facilities..include warehouse and wholesale distribution center ^{FOR WALMART?}

lumber yards or Sale of building supplies..not found..could be..A Home Depo

The described allowed uses do not correspond nicely with the definitions....

There needs to be more work on this.....not just "selecting " what lots you "think" would be good to change.....

Some of these uses clearly need to be Prohibited as some are clearly inappropriate for this part of town

I totally understand when they zoned the Brown section why you did to protect the existing business....but they are protected....and the area ^{proposed} is not with the present language

There are several if not more reasons why the Board should not put this forward at this time.....

1) This area has a lot of residential homes in it and is surrounded by residential uses on two sides so the use must be compatible with residential (not counting being compatible with the Town Master Plan)

2) The Planner has already agreed that the PHRDD would NOT include retail stores (probably due to pressure from downtown merchants) so a "commercial designation is inappropriate and inaccurate and likely would be impossible to enforce (keeping retail out) if challenged by a retailer wanting to locate in the PHRDD.

3. Some of the uses the Town Planner described for this district (as the ordinance currently allows) are either industrial which is both inappropriate and the incorrect zoning designation for a commercial district but area so harmful to an area with predominantly residential homes that could see its property values reduced by this zoning deffiniton.

4. The Master Plan encourages moderate housing within the area proposed to be changed

5. The Executive Summary UNH Survey of 2016 state that the opinions on Town actions to manage development

are largely similar to 2006, and that MORE than 90% of Wolfeboro residents think it important to preserve open space AND relatively few think it is important for the town to provide more land for commercial or light industrial uses

ANY zoning change should wait until The new yet to be adopted MP and the not started FLU section is complete.

I would think the biggest opposition might come from downtown merchants already suffering from the "Amazon effect" on their businesses.

There is no ground swell from business men requesting to repurpose Wickers, or how about the Business Park 3 lots and no road empty...effort should be put into developing that before enlarging what exists

More affordable house, multi family housing and conversions are needed and a place where small business and woodworking shops etc can be permitted, but not all the rest with in a still residential area.....ANY change should be gradual and only permit the uses we actually want and need....not this list....

Lets take the time to rewrite a "Small Business, multi-family housing" or "Limited business affordable housing " designation..with clear listing of uses,,and deffinitions instead of trying to put a fix on what isn't workingEmpty land zoned ,,maybe the incorrect designation? *Ohole Round Peg*

Let's take the time to investigate and analyze.....not just doctor what isn't working
Do a rewrite after Future Land Use and AFTER the MP adoption .

Why rush...who is rushing you....you only had 4 or so meetings and no in-depth discussion as to consequences.....

Hit the Pause Button

Suzanne Ryan

Sent from my iPad