

Wolfeboro Zoning Board of Adjustment
9 September 2019 9/16, 2019 8:00 A M
7:00 pm Book No. Page No.
The Great Hall at Wolfeboro Town Hall TOWN CLERK
Meeting Minutes

Members Present: Fred Tedeschi, Chairman, Sarah Silk, Vice Chairman, Tim Cronin, Clerk, Dave Senecal, Alternate and Audrey Cline, Alternate

Members Absent (Excused): Luke Freudenberg, Member, Peter Colcord, Member, Suzanne Ryan, Alternate

Staff Present: Matthew Sullivan, Director of Planning & Zoning, Robin Kingston, Administrative Assistant

Call to Order:

This meeting was called to order at 7:00 pm. A quorum was present. David Senecal and Audrey Clines were seated for the meeting due to the absence of Peter Colcord and Luke Freudenberg.

a. Appointments:

1. TM# 204-68
Case # 12-SE-19
Applicant: OMH Lifestyle Center/Gayle Washington
Special Exception
19 Elm Street

Public Hearing for a Special Exception under Article 175, Section 43 of the Wolfeboro Planning & Zoning Ordinance to permit the construction of a 10'x16' addition to the rear of the structure. This property is located at 19 Elm Street. A site visit was held at approximately 6:40 pm prior to the public hearing. Those in attendance included Fred Tedeschi, Chairman, Sarah Silk, Vice Chairman, Tim Cronin, Clerk, Dave Senecal, Alternate and Audrey Cline.

Tim Cronin read the abutter and public notification for the record.

Application Summary:

The applicant proposes to add an “L” shaped addition to Ohm Lifestyle Center, as shown on the Robert McInnis sketch. The proposed addition is approximately 16’ x 15’. The actual square footage is 204 sq. ft.

The current use was approved via variance by the Zoning Board of Adjustment in 2015 and is a legal non-conforming use.

The applicant’s narrative letter states 10’x16’ as the addition dimension while the plan shows 16’x15’. This should be clarified for the record. The 2015 application indicates a first-floor square footage of 1,650. With the addition of 204 sq. ft., the total square footage is 1,854 sq. ft. This requires one (1) additional parking space beyond the 8.6 previously required (9.6 now required). Two parking spaces are located in the garage and 6 parking spaces are delineated on the pavement currently. The Planning Board will review the parking configuration and requirements as part of the Site Plan Review process

Gayle Washington addressed the Board, reviewed the application and eight points required for the Special Exception as submitted.

10’ closet to building and the wall 15’ and 16’
No person spoke in favor or against the application.

Board Questions:

Sarah Silk asked if the notice is correct and if it makes a substantial difference as the appropriate dimensions should be 15’ x 16’.

Matt Sullivan responded there is no substantial difference as the notice referenced the maximum expansion.

Sarah Silk asked how the stairs were going to be affected and distance towards the setback.

Gayle Washington responded the stair area is waiting for the approval by the ZBA prior to being configured. The builder has several solutions to add the stairs and not encroach on the maximum encroachment.

Dave Senecal stated there is more than 10’ between the building and the stairs and they could be configured either way. Further an abutter who was present at the site visit had no problem with the application.

Gayle Washington noted she has two letters in favor of the application which she had not submitted with the application.

Fred Tedeschi noted concern on the stairway; the location and the possibility of the need to come back to the ZBA if the stairs encroach.

The Board discussed a continuance.

Gayle Washington responded she would not be in favor of the continuance and the Builder will work with her to make sure there is no further encroachment. The stairs are a third access to the upstairs space.

Dave Senecal noted there is a way to place the stairs that is code compliant as well as different ways to configure the stairs to meet all building code requirements. The actual sq. footage of the expansion is 204 sq. ft.

Audrey Cline asked what the use of the room is and asked if the exterior door was to be used by anyone using the expanded area.

Gayle Washington responded it will be an open shower room and the door is located there in case there is a need for code compliance.

Audrey Cline stated she does not have an issue with the expansion.

Tim Cronin noted the size of the landing area and there being enough room to be code compliant.

Matt Sullivan stated that stairs if they do not affect the use and setback and do not qualify as part of the expansion.

Sarah Silk stated she disagrees if a roof is placed over the stairs it is part of the expansion and is concerned with the measurements advertised and feels the stairs will exceed the 16'. There is also concern with the apartment parking.

Matt Sullivan responded that residential parking can be counted in the garage.

Gayle Washington noted Sarah Silk is incorrect with the stairs being covered. Only the top landing at the door will be covered. The walkway will not be and is in keeping within the character of the building.

Dave Senecal responded the actual square footage advertised is for a 15' x 16' expansion.

Matt Sullivan stated the percentage expansion is a 12.4% increase.

Sarah Silk stated the steps coming off are and additional encroachment and maybe they can take place within the 15' x 16' expansion of 240 sq. ft.

Tim Cronin suggested the approval should be for 15' x 16'.

Matt Sullivan stated there is a difference between covering and enclosing the stairway which are very different. The ZBA is dealing with the use expansion.

Fred Tedeschi closed the Public Hearing.

It was moved by Dave Senecal and seconded by Tim Cronin to grant the Special Exception For Case # 12-SE-19, TM #204-68, OHM Lifestyle Center to permit the construction of a of 240 sq., 15' x 16' ft. addition to the rear of the structure as submitted on the application plans and further incorporate conditions 1-6 as listed in the Planners' Review dated 9.4.2019.

Sarah Silk asked if the stairs are included.

Dave Senecal stated the are is 240 sq. ft. and the approval is for the use only and the exit is not part of the use.

Vote on the Motion: Fred Tedeschi, Dave Senecal, Tim Cronin and Audrey Cline voted in favor. Sarah Silk voted in opposition. The motion passed.

b. Consideration of Minutes:

1. 3 June 2019

Page 1:

Sarah Silk stated she had done work for the client attorney, but felt she could be impartial. Matt s-stated is was.

Page 2:

Election of ~~Board Members~~ Officers.

Chairman-Fred Tedeschi.

Vice-Chairman Sarah Silk.

It was moved by Sarah Silk and seconded by Tim Cronin to approve the minutes of 3 June 2019 as amended. All in favor. Motion passed.

2. 5 August 2019

Page 1:

The applicant's agenda agent, Mr. Bryan Stanley presented a plot plan

It was moved by Sarah Silk and seconded by Tim Cronin to approve the minutes of 5 August 2019 as amended. All in favor. Motion passed.

It was moved by Dave Senecal and seconded by Tim Cronin there being no further business this meeting be adjourned at 7:46 pm. All in favor. Motion passed.

Respectfully Submitted,

A small, square, black and white image of a handwritten signature, likely of Robin Kingston, in dark ink on a light background.

Robin Kingston
Administrative Assistant