

**Town of Wakefield, NH
Planning Board
Minutes of the Meeting
20 January 2005**

Members Present Richard Atwater, Alternate Member; John Blackwood, Selectmen Rep.; Rod Cools, Member; Joe Fluet, Chairman; Paul McNally, Member; Ed Morrison, Member; Desiree Tumas, Secretary.

Public Attendance (As signed in) Dave Mankus., Malcolm McNeill, Rick Chellman, Robin Frost, Nate Fogg, John & Sally Hildreth, Mark Swain, Ted Johnson, Matt Lavoie, Thomas Dube, Susan Hayes, Colleen Bruce, Michael Hickey, Donna Faucette, Shirley Wojtonik, Philip Colburn, Don Mills, Al Huntoon.

Pledge of Allegiance

Mr. Fluet called the meeting to order following the Pledge of Allegiance.

Alternate Member Atwater is seated in the absence of Member Cools.

Public Hearing

- 1. The Applicants, Dianne & Frank Noyes Jr., has applied for a Boundary Line Adjustment in which they seek approval to adjust the boundary between Wakefield Tax Map 55 Lot 15 B and Tax Map 55 Lot 15 C by adding 2,965.5± sf to the property shown as TM 55 LT 15 C from TM 55 LT 15 B to accommodate the side setbacks allowing construction of a garage. Said property is located on Sandy Pond South in East Wakefield.**

Kerry Fox, LLS explained the applicant seeks approval to adjust the boundary by adding 2,965± sf from TM 55 LT 15B to TM 55 LT 15C to accommodate the side setback allowing for construction of a garage.

No new lots are created as a result of the BLA. Both lots that are conforming prior to the proposed BLA will remain conforming.

The Board briefly discussed relocation of the proposed garage concluding that the Mr. Noyes as owner of both parcels wants the garage located close to the house.

Upon completion of the checklist, Mr. Fluet explained that the application required fire approval and either the addition of the soil types to the plan or a waiver submitted.

Mr. Fox submits a Waiver for soil types.

Mr. McNally moved to accept the application, Mr. Atwater seconds the motion as stated; the motion passed unanimously.

Mr. McNally moved to approve the submitted soil type waiver, Mr. Blackwood seconds the motion as stated; the motion passed unanimously.

Mr. Fluet opened the public discussion, hearing none; Mr. Fluet closed the public discussion and entertains a motion conditionally approve the application pending receipt of fire approval; ***Mr. Morrison moved to conditionally approve the proposed boundary line adjustment pending receipt of fire approval, Mr. Atwater seconds the motion as stated; the motion passed unanimously.***

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Board Members signed 5 copies of the plan and 1 Mylar that will be held until fire approval is received.

Having nothing further, discussions are concluded.

Member Cools arrived and is seated; Alternate Member Atwater steps down.

- 2. The Applicant, Lake Forest Resort, Inc., Dave Mankus has applied for a Major Site Plan Review in which he seeks approval to develop 24 campsites along Oak Lane within the existing campground, as well as the construction of a recreational building area and a manager's home/office on the property shown as Wakefield Tax Map 40 Lot 96. Said property is located on Dearborn Road in East Wakefield, NH.**

Mr. Mankus, Land Owner, Mr. Chellman, Land Agent, and Malcolm McNeil, Attorney are in attendance to discuss the proposal.

Mr. Chellman explained the 24 proposed sites were previously approved and during the condo conversion discussions it was determined that the sites would have to undergo site plan review due to the extended period of time that lapsed between the original approval and actual development of the sites.

Mr. Chellman went on to explain the third portion of the proposal is to construct a recreational building and indoor pool.

Mr. Chellman continued to explain that the application has undergone two TRC meetings at which time several issues were discussed. Board Members reviewed the TRC Report.

Mr. Chellman went on to explain for reasons of security and convenience Mr. Mankus is proposing a year round managers home and office at the Dearborn entrance to the campground.

Mr. McNally questioned the lower right portion of the property, which was the subject of a previous sale. It was explained, that Mr. Mankus's Mother merged what was shown as TM 40 LT 95 with TM 40 LT 97. The sale was retracted when it was determined with Town Counsel that the LT 95 no longer existed. It is Mr. Mankus's intent to apply for a Boundary Line Adjustment with Mr. White, to complete the original transaction, at a later time.

Mr. Fluet questioned the existing managers dwellings located on TM 40 LT 46. Mr. Chellman explained the seasonal homes on LT 46 are not suitable for year round use and would require compliance with the Seasonal Conversion requirements to be converted to year round dwellings. Mr. Chellman has made note on sheet 3 of the plan.

Board Members reviewed §6.01 B(e) of the Wakefield Zoning Ordinance, which states, "*Permanent Residence and/or Office: One residential home/office occupied by the Recreational Campground or Camping Park owner or manager and his or her immediate family will be permitted. This building will be required to meet the full lot requirements for a single family residence based on the Zoning District in which the Recreational Campground or Camping Park is located, as well as comply with local building and other code and regulations.*"

Atty. McNeill explained his interpretation of, "Permanent" implies the year round use, which would require compliance with all ordinances and regulations. Mr. Fluet stated agreement and questioned if Town Counsel has been consulted; no comment pertaining to the managers/office dwelling has been received from Town Counsel.

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Mr. McDonough, Code Enforcement; argues the definition of, “permanent” goes to the type of structure, not the status of year-round use.

Mr. Mankus explained, two weeks ago, unknown persons entered the property, and stole items from the property; the theft was not discovered until the next day when Mr. Mankus returned to the property from his home in Wolfeboro.

Mr. Chellman explains the language clearly indicates where the manager and his or her immediate family will reside. The existing dwellings on LT 96 are clearly not suitable for year-round living. The proposed location of the manager’s home/office at the gate of the property is more suitable for a permanent residence.

Mr. Fluet questioned the continued use of the lake front dwelling as an office; Mr. Mankus explained that as manager, he is all over the property throughout the day during the season and spends no time at the lake front property. During the winter months, Mr. Mankus also travels the property daily for security purposes.

Mr. Mankus explained the dwellings located on LT 96 do not provide visible presence, nor does it allow the manager any view of the property. Additionally, the dwellings on LT 96 are 800 sf cottages and would not be suitable for year-round living without significant updates as required by the Seasonal Conversion requirements.

The proposed location of the managers dwelling is best located at the gate. Mr. Mankus further explained as a result of the off-season theft, it shows the need for a year-round manager located on the property to deter further theft.

Board Members agree that language would have to be provided that clearly state the intended use of the existing structures on LT 96.

Mr. Fluet questioned the septic designs; Mr. Chellman explained that the regulations note that the DES design approval is required. The recreation building and managers dwelling will require DES septic design approval and Mr. Chellman proposes a note on the plan that would indicate building permits are not issued until the NH DES has provided approval for the proposed designs.

The 24 campsites would not require septic systems, if they were considered to be, “Transient Sites” occupied for more than three weeks at a time. Mr. Chellman proposes an additional note on the plan that states the campsites cannot be occupied for more than three weeks.

Additionally, Mr. Chellman explained that the State issues a permit based on the number of approved sites. Once the new septic design for the 24 campsites is approved, Mr. Mankus would provide proof of the approval for the additional sites when issued by the state when applying for building permits.

Mr. Chellman went on to explain that the proposal is to have two sites per septic system and due to the sandy make up of the location, Mr. Chellman does not anticipate any issue with DES.

Mr. Mankus explained that there is a dump station located on the property that would facilitate any necessary dumping. All sites are 100 percent approved for seasonal use and currently approximately 80% are occupied seasonally and 20% are weekend use.

Mr. Fluet explained that the plan would not be considered official until all conditions outlined are fulfilled.

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The Board reviewed §502.2 which states, "*NHWSPCD design approval, if required, must be received before final approval of a site plan by the Planning Board.*" Atty. McNeil maintains the proposed use of the 24 campsites to be transient, no septic approval is required. Atty. McNeill further argues that most other communities provided that septic approval is met upon application for building permit.

Mr. Cools questioned the original approval of all sites during the condo conversion at which time all sites were determined to be seasonal sites.

Mr. Chellman explained, "Septic systems are ultimately being proposed and that septic systems are installed at a later time. The question is how can Mr. Chellman provide a plan that the Board can sign without them getting something they do not have. The answer is only if the sites are approved as transient sites." Referring to the septic design plan.

It is Mr. Mankus's intent to get the septic designs completed in the spring; the proposed septic areas are depicted on the plan. The exact data for the design complied during the survey. Mr. Chellman does not anticipate issue due to the sandy soil and overall topography of the proposed area. Adding the location is also located a great distance from the lake.

Mr. Fluet redirected to the question of condo approval for all sites and the requirements of the condo approval. Mr. Fluet agrees that the proposed transient use is that of a campground and not the condo approval.

Mr. Chellman explained the condo units approval were the storage spaces spaces down by the water and that the use of the land in the area proposed is part of the campground.

Mr. Cools stated his understanding that the condo approval was a mailbox, the proposed sites are intended to be transient sites until the septic design is complete; what guarantee does the Board have that the sites will be developed in accordance with the condo approval and not remain transient sites.

Mr. Fluet stated concern existing condo owners may have with the transient status of the other sites with consideration of the campground vs condo sense of community. Questioning if the regulations or zoning ordinance address joint condo and campground use.

Mr. Mankus explained that it is not required that individuals buy in to the condo, there are a number of people who come up from Florida in the RV and park on a site.

Mr. Chellman explained there are currently 130 sites that exist, 24 new sites are proposed that will have a 12 septic design.

Mr. Cools question if there was a dump station on site and if there was a plan available with consideration of the increased impact of 24 sites.

Mr. Mankus states that the dump station has existed for over 30 years and has previous state approval. There have been no issues with the existing minimal use.

Mr. Cools questioned the existing design flow approval with consideration of the increased impact of the proposed 24 sites.

Mr. Fluet agrees it is a reasonable request to have confirmation that the existing dump station is able to handle the capacity proposed.

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Mr. Chellman stated agreement that it is not an unreasonable request and redirected to the proposed three-week transient status of the sites proposed. Reiterating it is Mr. Mankus's intent to build the septic systems. Adding that three-week transient site are less attractive than the sites that have septic systems.

Mr. McNally questioned enforcement of the three-week period.

Mr. Mankus explained that campground owners are under the mandate of state regulations which represented by written document.

Brief discussion regarding the condo status and transient sites concluded that there is a reasonable period of time allowed for the conversion to condominium.

Mr. Fluet suggests the Board continue the review of the TRC Report.

Recreation Building – Has the proposed Recreation Building footprint been depicted as 25,000 sf building allowing altitude in the final design of the building not to exceed 25,000 sf.

Mr. Mankus explained he has the concept design of the build, but has not had actual plans from the procured. The final design would be created by the builder.

Mr. Fluet explained that building architecture and building design is included in the site plan review process. Mr. Mankus provided a copy of the concept draft. Mr. Chellman explained that the plan shows a hard line of the draft design with a dashed box indicating that final design would have to fit within the depicted area.

Mr. Mankus added that the building is not visible from the road or abutting properties.

Mr. Fluet reiterated the architecture and building design are the Boards responsibility.

Mr. Mankus is proposing a low profile steel building with court lines painted on the floor, in terms of design, and finding a suitable builder, there are none locally. It has been difficult to secure a builder.

Redirecting to the TRC Report; Mr. Fluet notes that a Waiver is requested depicting the abutting structures.

Mr. Fluet continued noting the following:

- 1 Dump Station that currently exist: leach area or EDA is unknown – to be addressed by the applicant.
- 2 Sprinklers for the Recreation Building and a Hydrant for the pond requested for fire safety.

Mr. Fluet questioned the depth; Mr. Mankus explained 3-5 ft depth. Brief discussion concluded that Mr. Mankus would meet with the fire chief and review fire safety.

- 1 Waiver is requested: Contours and Soils outside the immediate area of the proposed development. (Contours are provided around the immediate area of the proposed Rec. Building and Managers Residence/Office)

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Mr. Cools reiterated his concern regarding the additional septic load. Brief discussion regarding the hydro-geologically connection to the lake and the belief in so-called dynamic filtration concluded that Mr. Chellman through experience cleaning the Tuftonboro lagoons he strongly believes dynamic filtration works.

- 2 Determination from Town Counsel as to the necessity of including TM 40 LT 96 in the public notice and abutter letters in light of the existing seasonal Managers Residence/Office and the additional impact of lakefront lots with consideration of the proposed 24 campsites.
 - o Town Counsel concluded the abutting properties to LT 96 were included in the notification.
- 3 Mr. Mankus to meet with the Police and Fire Chief to discuss life and safety issues as they relate to internal road names and site locations.
 - o Mr. Mankus stated he has not met with the Police and Fire Chief, but will do so.
- 1 Zoning Ordinance §6.01 B-4(d) Placement of permanent marking of the sites w/corner pins.
 - o Mr. Chellman explained that the sites are currently marked by the treelined clearing created when the site is developed.
- 2 Mr. Fluet questioned if a Drainage plan is provided;
 - o Drainage calculations have been provided and will be submitted for peer review at a later time.

Having completed review of the TRC Report, Mr. Fluet opens the public discussion explaining discussion procedures.

Don Mills of North Shore Drive stated disappointment at the lack of completion of the proposed plan and additionally stated concern regarding the new roadways proposed with consideration of the streams exiting on the property that run into Great East Lake.

Mr. Mills expressed concern regarding the style of condo's currently being developed stating concern about possible townhouse use in the future adding his concern about maintaining only one managers home.

Mr. Fluet stated any change of use would have to come before the Board. Additionally, during the condo approval process it was made clear that only seasonal use between the months of April and October would be allowed. The regulations allow for one year-round residence on the property.

Board Members state agreement with the concerns expressed by Mr. Mills and explain that all issues will be addressed.

Mr. Mills additionally stated concern about Mr. Mankus filing applications in the winter months when many neighbors are not in the area and have to make travel arrangements with a weeks notice.

Mr. Fogg questioned the Board acceptance of the application prior to opening the public discussion; Mr. Fluet explained the Board has not accepted the plan and are providing the opportunity to hear public comment.

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Mr. Morrison questioned the cabin size currently under development; Mr. Fluet explained that 600 sf was approved. Mr. Chellman stated that the cabins are being constructed to meet the 600 sf requirement.

Donna Faucette questioned the ownership of the condo's and compliance with the condo requirements; it was explained that all of the condo's are still owned by Mr. Mankus and that none have sold to date. It is approved as a condominium because that is what the Board approved. Additionally, Mr. Fluet explained that court findings have found that the form of ownership as a condominium does not matter.

Our Regulations clearly state that condominiums are approved as Major Subdivisions and also when ever a change is made Major Site Plan is required.

Mr. Fluet called for further public comment, hearing none; Mr. Fluet called for further Board discussion, hearing none; Mr. Fluet read letters from Abutters, Catherine and R Kennedy Bridwell and Deborah Harris. (See attached copy)

Mr. Mankus addressed the development concerns regarding the managers home explaining there has been residential development along Dearborn Road and the impact will be no more than any other single family home developed on the road.

Board Members agree the concern of the abutters goes to the development of the 24 campsites and the impact to the lake.

Mr. Mankus explained that party boats and jet ski type vehicles are not allowed and to suggest with number of home that are being enlarged and the increased use on the lake as a whole is not just a result of the proposed campsites. Boats are stored on the property and brought to the lake and then removed and stored on the property or are moored in one of the 8 moorings approved by the Board. To the knowledge of Mr. Mankus none of the boats used are removed from the premises and used on other lakes.

Mr. Mankus further explained the boat ramp is not like a public ramp with a constant flow of traffic and great care is taken. Mr. Mankus disputes the large population expressed in the letters explaining during the annual lobster dinner there are no more than 120 lobsters consumed.

Mr. Fluet called for further Board discussion; Mr. Morrison stated that as a resident of the lake has never seen what he would describe as excessive boat use from the campground further stating that he has observed more of an increased number of boats from the surrounding lakefront properties.

Mr. Morrison agrees the septic concerns can be addressed but questions who will supervise the conditions that are outlined.

Mr. Fluet called for further discussion, hearing none; Mr. Fluet explained there were no concerns regarding the septic during the condominium conversion because the impact was not changing, only the form of ownership changed.

Mr. Fluet believes that previous discussions indicate that the Board would have to consider additional impact when additional development was proposed.

Mr. Fluet went on to explain that there seems to be too many incomplete items to be addressed and that he is disinclined to approve the transient notion without the ability to confirm approval of the increased impact from an environmental stand point.

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Mr. Fluet noted the following, which still need to be addressed:

- 1 The Recreation Building design
- 2 Language clearly stating the intended uses of the two lake front buildings and the proposed new managers residence/office.
- 3 Several issues to be addressed by Counsel

Mr. Fluet reiterated from his personal standpoint that he is disinclined to accept the application at this time. The Board needs more information to consider the application complete. Several items are outlined in the TRC Report that are still needed such as the septic vs hydro-geological connection to the lake and which way the gradient flows.

Mr. Chellman explained that the 12 leach fields for 24 sites are small systems and that the campground is well below the threshold for the state requires a hydro-geological ferment or groundwater discharge permit with consideration of the limited seasonal use.

Mr. Chellman went on to explain that the sites have already been approved for subdivision and the application is for Site Plan approval for the 24 campsites, the recreation building and the manager's residence.

Brief discussion regarding the existing approvals concluded that the Board would have to review prior minutes and approved plans for conclusive determination.

Mr. Fluet called for further Board discussion; Mr. McNally stated he shared the same concerns expressed and is in favor of an impact study. Additionally, Mr. McNally stated concern regarding approval without a septic design and maintenance of the conditional approval without an approved design plan.

Mr. Cools stated concerns regarding the campsite septic and existing dump station with consideration of the streams and flow.

Brief discussion regarding the proposed pool concluded that Mr. Mankus has obtained the state regulations pertaining to communal pools and states compliance with the outlined regulations.

Mr. Blackwood stated he agrees additional boat traffic has been increased by the neighboring property and that the septic issues can be addressed.

Mr. Morrison reiterated his concerns regarding the dump station and the increased impact of the 12 septic systems that are proposed in the future.

The Board briefly discussed without conclusion the possibility of localized waste treatment which are commonly used for multiple smaller systems.

Mr. Fluet revisits §502.2 of the Site Plan Review Regulations concluding that the Board would have to check with Counsel regarding state septic design approval.

Mr. Fluet redirected to Board discussion pertaining to the acceptance of the application; Atty. McNeil believes the issues before the Board to be approval level and not the acceptance level. All issues can be addressed prior to the actual approval.

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Mr. Fluet explained that if the Board accepts the application and the Board has not gathered enough evidence in the 65 day period allowed the Board would have no choice but to deny the application.

Mr. McNally pointed out that the Board had 30 days to accept the plan and would request that the Board not accept the plan and allow time to gather the additional evidence needed to complete the application.

Atty McNeill stated understanding the Boards concern, however Atty. McNeill does not feel that there are any issues that can not be addressed by the applicant and if need be continuation of the hearing can be requested by either the applicant or the Board reiterating that enough evidence has been provided to accept the application.

Following additional debate regarding sufficient evidence and available scheduling, Mr. Fluet entertains a motion to accept the application; ***Mr. Cools moved to accept the application, Mr. Blackwood seconds the motion as stated; the motion passed unanimously.***

Board Members agree to schedule a workshop with counsel at a later time.

Mr. Mankus requests the Board continue the hearing to the 03 March 2005 regular meeting. ***Mr. Cools moved to continue the public hearing at the applicants request to the 03 March 2005 regular meeting, Mr. Blackwood seconds the motion as stated; the motion passed unanimously.***

Mr. Fluet explained, Board Members will confer with Town Counsel, TRC Members and review the previous approvals prior to the 03 March 2005 continued hearing.

Having nothing further, discussions are concluded.

- 3. The Applicant, Shirley Wojtonik, has applied for a Minor Subdivision in which she seeks approval to subdivide a single 3.07± lot from the existing 103± acre parcel shown on Wakefield Tax Map 86 Lot 5. Said property is located at 462 Pickpocket Road in East Wakefield, NH.**

Mr. Fogg explained the subject land is on the north side of Pickpocket Road, and consists of 103 acres with 1,550 ft ± of road frontage. The land is predominately forest land with varying slopes and Gloucester very stony fine sandy loam soils. The land lies within the agricultural zoning district. Subject land has two residential homes upon it, both with individual septic systems and wells.

Mr. Fogg submits the following waivers:

Checklist Item/ 2 ft contours on lots less than 10 acres: Regulation and the NHDES requires 5 ft topography which is provided. In our opinion requiring applicant to provide 2 ft topography for such a low intensity proposed use is excessive detail and would create a hardship and unfairness upon the applicant.

Checklist Item/waters, walls, features, etc.: The waiver is requested only ast it applies to the entire 103 acre tract. Noting that contours, wetlands, walls, features, etc are shown for the front portion of the land, being the area developed.; In Mr. Fogs opinion, enough land data is presented to “prove” each lot buildable given the land use regulations, and requiring additional date would prove a hardship upon the applicant.

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The Board briefly discussed the road conditions and erosion issues along Pickpocket Road concluding the proposed subdivision is creating an additional parcel that is already developed with houses built in 1803 and 1881. The proposed subdivision will provide that the two houses are on two conforming lots.

Mr. Fluet called for further Board discussion, hearing none; Mr. Fluet entertains a motion to accept the application; ***Mr. Cools moved to accept the application, Mr. McNally seconds the motion as stated; the motion passed unanimously.***

Mr. Fluet opened the public discussions; Mr. Dube explained the Road Agent is addressing the runoff issues along Pickpocket Road.

Mr. Fluet called for further public discussion, hearing none; Mr. Fluet closed the public discussion.

The Board discussed the Waiver seeking relief from §1.03 B of the Subdivision Regulations in light of the Interim Growth Ordinance proposed.

Mr. McNally move to approve the §1.03 B Waiver allowing future subdivision of the parent tract, Nr, Blackwood seconds the motion as stated; the motion passed unanimously.

Mr. Fluet reopened the public discussion; clarification was requested regarding the approved waiver. Mr. Fluet explained that due to a conflict with §1.03 B of the Subdivision Regulations in that proposed Interim Growth Ordinance allows for a single lot subdivision which is a Minor Subdivision according to the regulations and under the existing regulations a minor subdivision may not be further subdivided. The approved waiver provides that once the interim period is over, the property owner would be permitted to subdivide the parent tract in accordance with the regulations.

Mr. Fluet called for further public discussion, hearing none; Mr. Fluet closed the public discussion.

Mr. Fluet called for further Board discussion, hearing none; Mr. Fluet entertains a motion to approve the submitted contour waiver.

Checklist Item/ 2 ft contours on lots less than 10 acres:

Mr. Cools moved to approve the 2 ft contours waiver, Mr. Morrison seconds the motion as stated; the motion passed unanimously.

Checklist Item/waters, walls, features, etc.:

Mr. Cools moved to approve the detail waiver, Mr. Blackwood seconds the motion as stated; the motion passed unanimously.

Mr. Fluet called for further Board discussion, hearing none; Mr. Fluet entertains a motion to approve the proposed subdivision.

Mr. Blackwood moved to approve the proposed subdivision, Mr. McNally seconds the motion as stated; the motion passed unanimously.

Mr. Fogg does not have a Mylar available; Board Members agree to sign the plans at the 03 February 2005 Planning Board regular meeting.

Having nothing further, discussions are concluded.

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**Insignificant Change of Use
Discussion
Preliminary Discussion**

1. Wakefield Tax Map 28 Lot 33K – Ted Johnson to discuss possible subdivision and development.

Mr. Fluet explained preliminary discussions are for informational purposes and nonbinding.

Mark Swain and Ted Johnson come forward to discuss development of TM 28 LT 33K located on Crystal Lane in the Industrial Zoning District.

Discussion regarding the road requirements concluded that the road would require a paving plan for the length of the property that meets town specs and that Mr. Swain and Mr. Johnson speak with Mr. Frothingham and other property owners within the Industrial Zone. It is believed that Mr. Frothingham agreed to pave the roads as the parcels were sold. Mr. Swain and Mr. Johnson agreed to further research the paving issues.

Discussion regarding the placement of the required “turnaround” would need to be further researched by the property owner and relocation provided in possible. The Board suggested consultation with legal counsel to research the deeded requirements of the turnaround.

Having nothing further discussions are concluded.

2. Wakefield Tax Map 1 Lot 15 – Sally & John Hildreth – relocation of 2 John’s Auto

Mr. Fluet explained the discussions are preliminary and non-binding; The Board briefly discussed the loss of grandfathered status with reference to the original 1912 business known as “Gray’s Garage” located at the subject property concluding at a previous meeting and following legal opinion a site plan review would be required.

Mrs. Hildreth explained that all environmental concerns have been addressed in the application in accordance with NH DES Pitstops Manual including waste oil management plan. The application also includes an erosion control plan. Mrs. Hildreth went on to explain that they have to move their existing business location to the proposed location by 01 April 2005.

Mr. Fluet reviewed the Insignificant Change of Use criteria; Board Members agree the proposal is significant.

Mr. Fluet reviewed the Exempt criteria; Board Members agree the proposal would not be exempt.

Mr. Fluet reviewed the Major Site Plan Review criteria; Board Members agree the proposal does not meet the requirements of a Major Site Plan Review.

Mr. Fluet reviewed the Minor Site Plan Review criteria; Board Members agree the proposal meets the requirements of a Minor Site Plan Review.

Secretary Tumas confirmed that the deadline to submit application for hearing 17 February 2005 has past and due to the 5 applications requiring processing and scheduled TRC meetings it would be impossible to process the application for hearing on 17 February 2005.

The Public Hearing is scheduled 03 March 2005.

Having nothing further, discussions are concluded.

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**Code Enforcement Q & A
Approval of the Minutes**

1. December 09, 2004

Mr. Cools moved to approve the 09 December 2004 Minutes of the Meeting as amended, Mr. Morrison seconds the motion as stated; the motion passed unanimously.

2. December 16, 2004

Mr. Morrison moved to approve the 16 December 2004 Minutes of the Meeting as amended, Mr. Cools seconds the motion as stated; the motion passed unanimously.

3. December 30, 2004

Mr. Morrison moved to approve the 30 December 2004 Minutes of the Meeting as submitted, Mr. Cools seconds the motion as stated; the motion passed unanimously.

4. January 06, 2005

Mr. Cools moved to approve the 06 January 2005 Minutes of the Meeting as submitted, Mr. McNally seconds the motion as stated; the motion passed unanimously.

5. January 13, 2005

Mr. Morrison moved to approve the 13 January 2005 Minutes of the Meeting as amended, Mr. Blackwood seconds the motion as stated; the motion passed unanimously.

Correspondence and Miscellaneous

1. OEP – April 9, 2005 Spring Planning and Zoning Conference – scheduled date only – more information to follow.

Copy provided for information only. There was no action taken or discussions conducted.

2. Plan NH – Design Assistance for New Hampshire Projects

Copy provided for information only. There was no action taken or discussions conducted.

3. Ossipee Zoning Board of Adjustment & Planning Board – Regional Notice: RCC Atlantic dba Unicel, Agent Jonathan McNeal

Copy provided for information only. There was no action taken or discussions conducted.

4. Restoration Plan Approval – Glen and Cynthia Reil

Copy was available for information only. There was no action taken or discussions conducted.

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5. Tidelines Newsletter

Copy was available for information only. There was no action taken or discussions conducted.

Unscheduled Discussion

Al Huntoon requested information pertaining to the Alternate position available on the Planning Board and process required to become an Alternate Member.

Following brief discussions, Mr. Fluet entertains a motion to nominate Mr. Huntoon for the Alternate Member position available; ***Mr. Cools moved to nominate Mr. Huntoon for the Alternate Member position available, Mr. Blackwood second the motion as stated; the motion passed unanimously.***

Secretary Tumas will provide the Nomination Form, schedule formal discussions at the 03 February 2005 Planning Board Meeting, and provide the necessary materials for Mr. Huntoon.

The Board thanked Mr. Huntoon for his interest and look forward to his participation.

Having nothing further discussions were concluded.

Non Public Session

1. To discuss personnel issues in accordance with RSA 91-A:3 (a & c)

Mr. Cools moved to enter Non-Public Session pursuant to RSA 91-A:3 (a & c) to conduct discuss pertaining to personnel, Mr. Blackwood seconds the motion as stated the motion passed by unanimous roll-call vote.

Mr. Cools moved to reenter public session, Mr. Blackwood seconds the motion as stated; the motion passed by unanimous roll-call vote.

Adjournment

Mr. Blackwood moved to adjourn the meeting, Mr. Cools seconds the motion as stated; the motion passed unanimously.

Respectfully submitted,

Desiree Tumas, Secretary