

TOWN OF WAKEFIELD, NEW HAMPSHIRE  
PLANNING BOARD

2 HIGH STREET  
SANBORNVILLE, NEW HAMPSHIRE 03872  
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**MINUTES OF THE PUBLIC HEARING**  
**November 20, 2007**

Chairman Joe Fluet called the meeting to order at the Town Hall at 7:00 p.m. Attendees included:

<b>MEMBERS</b>		<b>ALTERNATES</b>		<b>STAFF</b>	
Joe Fluet, Chairman	X	Donna Faucette		Kathy Menici, Town Planner	X
Rod Cools, Vice Chairman		Ed Morrison	X	Bette Gallagher, Secretary	X
John Blackwood, Selectmen's Rep	X	Dick Atwater		Richard Sager, Town Counsel	X
Al Huntoon	X	Peg Stevenson	X	Arthur Capello, Bldg. Inspector	X
Nancy Spencer-Smith				John Ciardi, Code Enforcement	X

Other Attendees as signed in:

Christopher Anderson  
Sarah Anderson

Chairman Fluet opened the meeting with the Pledge of Allegiance to the Flag.

Chairman Fluet stated that the record should show that Alternate Member Ed Morrison is sitting in for Member Nancy Spencer-Smith and Alternate Member Peg Stevenson is sitting in for Vice-Chairman Rod Cools.

**ADMINISTRATIVE HEARING:**

The Board will discuss the following topics:

1. Review of final language for Zoning Amendments

Chairman Fluet reminded the Board that this is the final night to discuss and make changes to the language for the proposed zoning amendments.

Planner Menici introduced Sarah Anderson and Christopher Anderson and told the Board that they were in attendance on behalf of Ben Anderson with regard to the proposed definition for an Indoor Cultural Facility.

Planner Menici stated that she, Building Inspector Capello and Ben Anderson met to discuss what he anticipated the needs of the folk series would be. This information was used to help develop the definition and standards. The Planner explained that because this use is being created for primarily residential zones it was necessary to establish frequency standards. She said that Ben Anderson called her with concern that only two live concerts would be allowed per month.

Chairman Fluet asked Chris Anderson how he felt about two live concerts per month. Mr. Anderson said he was speaking on behalf of his son who was unable to attend due to another meeting. He said that they are not happy with the restriction of two concerts. Mr. Anderson said that two per month would work for Wolfeboro Folk, but not for the other special events of a smaller scope such as benefit performances sponsored by Wolfeboro Folk.

Mr. Anderson stated that without the additional performances, the income potential would be limited and not financially advantageous.

Chairman Fluet said that the proposed article provided for other events by special permit approved by the Board of Selectmen. The Chairman asked how many total events would take place during the course of a month. Mr. Anderson replied that although it doesn't happen every month, sometimes three or four events are held depending upon community needs.

Member Huntoon suggested that the proposed article set a threshold of two with others allowed by special permit.

Selectmen's Representative Blackwood suggested that allowing four events would be acceptable.

Planner Menici reminded the Andersons and the Board that this is a residential area and told them that she has already received negative feedback from residents. The Planner also stated that traffic is a consideration. Chairman Fluet suggested that the Andersons have the Wakefield Police cover one-half hour on each side of an event to assure the orderly flow of traffic.

Town Counsel Sager said that the special events permit is not difficult to obtain. Town Counsel suggested that the language be modified to read other performances or events to make it clear that additional live concerts would be allowed by special events permit.

Alternate Member Morrison said that he expects residents to say there is too much traffic, but allowing these events is progress and all to the good for the Town and the residents.

Chairman Fluet asked Mr. Anderson if there were other problems. Mr. Anderson stated that his son stated to him by e-mail that having this restriction might make it pointless to proceed.

Planner Menici said that the special events permit from the Board of Selectmen puts the Town and the Police on notice. The Chairman told Mr. Anderson that if there is a recurring event he could apply for a standing approval instead of constantly coming back to the Selectmen.

Chairman Fluet asked for a motion to approve the proposed definition and Article for Indoor Cultural Facility.

<b>MOTION:</b>	<b>To approve as amended the proposed definition and Article for Indoor Cultural Facility</b>
<b>Made by:</b>	<b>John Blackwood</b>
<b>Seconded by:</b>	<b>Ed Morrison</b>
<b>Discussion:</b>	<b>None</b>
<b>Vote:</b>	<b>Unanimous</b>

The Board then reviewed the changes to the Table of Permitted Uses and accepted it without any modifications.

The Board accepted the already approved page of definitions without further change.

The Board next reviewed the proposed definition and Article for Contractor Yards. Some language was changed for clarification and ease of understanding.

Chairman Fluet asked for a motion to approve the proposed definition and Article for Contractor Yards.

**MOTION:** To approve as amended the proposed definition and Article for Contractor Yards  
**Made by:** Al Huntoon  
**Seconded by:** Peg Stevenson  
**Discussion:** None  
**Vote:** Unanimous

The Board agreed to accept the proposed Zoning Amendment to increase the number of members of the Heritage Commission without change. Chairman Fluet asked for a motion.

**MOTION:** To approve the proposed increase in the number of members of the Heritage Commission  
**Made by:** Al Huntoon  
**Seconded by:** John Blackwood  
**Discussion:** None  
**Vote:** Unanimous

The Board agreed to accept the proposed Article for Home Enterprises without further change. Chairman Fluet asked for a motion.

**MOTION:** To approve the proposed Article for Home Enterprises  
**Made by:** Al Huntoon  
**Seconded by:** Peg Stevenson  
**Discussion:** None  
**Vote:** Unanimous

The Board then discussed the proposed changes to the definitions and Articles for Housing for Older Persons and Assisted Living Facility/Life Care Facility and made some minor corrections to the language.

Building Inspector Capello said the section on key components for development have the appearance of a laundry list and asked if it was the Board's intention to allow a developer to pick and choose which elements he wanted to include. Chairman Fluet said that was not the Board's intention, but the list gave some flexibility to the Board.

Town Counsel Sager said he would work on language for this section that would incorporate the Board's intent.

Chairman Fluet asked for a motion.

**MOTION:** To approve as amended the proposed definitions and Articles for Housing for Older Persons and Assisted Living Facility/Life Care Facility  
**Made by:** Al Huntoon  
**Seconded by:** John Blackwood  
**Discussion:** None  
**Vote:** Unanimous

The next section to be addressed was the proposed article for Family Compounds. Town Counsel Sager questioned several areas such as whether the determination of the conforming lot would take place at the time of construction and if so, what happens as each succeeding dwelling is built; the need for separate water and septic; shared driveways; when and if site plan review kicks in; and maximum number of units.

Town Counsel Sager advised approaching this issue with caution, but the Board was in favor of proposing an Article this year. After some discussion, it was decided that Town Counsel would suggest language, review the changes with staff and then it would be e-mailed to Board members.

The Chairman asked for a motion to approve the proposed Article for Family Compounds.

**MOTION:** To approve the proposed Article for Family Compounds  
**Made by:** John Blackwood  
**Seconded by:** Al Huntoon  
**Discussion:** None  
**Vote:** Unanimous

Chairman Fluet asked for an additional motion to allow Town Counsel to propose additional language for this Article.

**MOTION:** Town Counsel Sager to propose language for the proposed Article for Family Compounds by November 29, 2007  
**Made by:** John Blackwood  
**Seconded by:** Al Huntoon  
**Discussion:** None  
**Vote:** Unanimous

The Board without change accepted the proposed Article for In-Law Apartments. The Chairman asked for a motion.

**MOTION:** To approve the proposed Article for In-Law Apartments  
**Made by:** Al Huntoon  
**Seconded by:** John Blackwood  
**Discussion:** None

**Vote: Unanimous**

Chairman Fluet asked CEO John Ciardi for his comments on private campgrounds. CEO Ciardi said that currently our regulations for R II allow for 30 days use per calendar year. He stated that since many of these sites are used from June 1<sup>st</sup> to Labor Day he receives many complaints from abutters and other residents. CEO Ciardi said he would like to see the allowed days changed to 75 days per calendar year and more emphasis placed upon the septic requirements and allowing only one camper, pop-up, RV or tent per site.

Chairman Fluet asked for a motion from the Board for this change.

**MOTION: To change the allowable number of days for private campground use from 30 to 75 consecutive days per calendar year**

**Made by: Al Huntoon**

**Seconded by: John Blackwood**

**Discussion: None**

**Vote: Unanimous**

CEO Ciardi asked the Board to consider the issue of temporary storage facilities. He stated that Code Enforcement currently allows them as a storage facility during the construction process but they must be removed once construction is finished and a CO issued. CEO Ciardi said that people are taking box trailers and putting them on their property as storage facilities. He said that they have taken the position that they are not accessory structures and therefore are not allowed.

The Board and staff discussed the two types of structures involved – vinyl type of Quonset hut and box trailers – as well as the number that should be allowed and the issue of maintenance. The Board felt that since residents use these for boat storage and for garages, they should be allowed but limited in number and have maintenance requirements.

Town Counsel Sager agreed to propose language for this issue.

It was agreed that the issues of new Village Districts and Community Gateways would be taken up next year.

**BOARD BUSINESS:**

1. Notice of Intent to Excavate – Steven Howe

Planner Menici told the Board that the State has informed the Town that Mr. Howe has been excavating and he must file a Notice of Intent to Excavate and come into compliance with State law.

The Board requested that a letter be prepared and sent to Mr. Howe advising him of the requirements.

2. Peer Review on Frisbie Foundation changes to proposed Medical Office Building

Planner Menici told the Board that although the Town uses CMA Engineers for review, White Mountain Survey was used for this parcel and Norway Plains has asked that they be allowed to use them going forward.

The Board was in agreement with this request.

3. Board vote for approval of engineering review firm for Frisbie Foundation

Chairman Fluet asked for a motion.

**MOTION:** To approve the use of White Mountain Survey by the Frisbie Foundation for peer review.  
**Made by:** Peg Stevenson  
**Seconded by:** John Blackwood  
**Discussion:** None  
**Vote:** Unanimous

**APPROVAL OF MINUTES:**

**MOTION:** To approve the Minutes for November 1, 2007  
**Made by:** Peg Stevenson  
**Seconded by:** John Blackwood  
**Discussion:** None  
**Vote:** Unanimous

**MOTION:** To approve the Minutes for November 8, 2007  
**Made by:** Al Huntoon  
**Seconded by:** John Blackwood  
**Discussion:** None  
**Vote:** Unanimous

**CORRESPONDENCE AND MISCELLANEOUS:**

The Board considered the following:

1. Letter withdrawing McLaughlin ZBA appeal
2. DES variance approval for Vallee septic system
3. Plat for Map 153 Lot 23
4. SRPC Request for TAC Appointment – continued to December 6, 2007.
5. Division of Forest and Lands Letter regarding Lake Forest Resort

Planner Menici explained that the letter from the Division of Forest and Lands stated that their determination is that they do not have the authority to grant a variance from the 400 square foot limitation and that to their knowledge no other State agency had the authority.

Building Inspector Capello asked for guidance regarding the temporary Certificates of Occupancy that were issued with the provision that a variance would be obtained within one year. Town Counsel said he would discuss this with the Building Inspector since it was a code issue.

All other matters were for informational purposes with the exception of Item 4, which was continued to the December 6<sup>th</sup> meeting.

**ADJOURNMENT:**

**MOTION:** To adjourn the meeting at 8:05 pm  
**Made by:** John Blackwood  
**Seconded by:** Al Huntoon  
**Discussion:** None  
**Vote:** Unanimous

Respectfully submitted,

Bette Anne Gallagher  
Planning Board Secretary