



TOWN OF WAKEFIELD, NEW HAMPSHIRE
PLANNING BOARD

2 HIGH STREET
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MINUTES OF THE PUBLIC HEARING
October 7, 2010

Chairperson Peg Stevenson called the meeting to order at the Town Hall at 7:00 pm. Attendees included:

MEMBERS		ALTERNATES		STAFF	
Peg Stevenson, Chairperson	X	Dave Mankus	X	Donna Beaudoin, Secretary	X
Donna Faucette, Vice-Chairperson	X	Tom Dube	X	Arthur Capello, Bldg. Inspector	X
Peter Kasprzyk, Selectmen's Rep		Stephen Royle	X	Mike Garrepy, Planning Cons	X
John Blackwood	X				
Paul Winckler	X				

Attendees present: John Ciardi, Judith Ciardi, Dawn Park, Daymond Steer –*Carroll County Independent*

Chairperson Stevenson opened the meeting at 7:00pm with the Pledge of Allegiance to the Flag.

PUBLIC COMMENT

Chairperson Stevenson opened the session for public comment. Hearing no public comments, the Chairperson closed the public comment session.

BOARD BUSINESS

1. Board to approve Master Plan Chapters for public hearing to be scheduled in December

a. Introduction

b. Vision Statement

Chairperson Stevenson asked the Board for any comments or changes on the draft chapters that had been distributed to the Board at last months meeting. After some discussion and changes, the Board approved the updates to the Introduction and Vision Statement chapters of the Master Plan. These chapters will be noticed for public review and comment at the Public Hearing scheduled for December 2, 2010.

WORK SESSION

Discussion with Arthur Capello regarding progress to date on recommended zoning amendments

Chairperson Stevenson recognized Building Inspector Capello and asked him to present his draft recommendations to zoning amendments that had been discussed at a prior meeting. The Chairperson first recognized former Code Enforcement Officer Ciardi who stated that in light of his prior experience in the enforcement of zoning, he endorsed these changes. The following items were discussed:

1. Article 3 – Table 1 Permitted Uses

Private Campsites – under current zoning private campsites are a Permitted Use in RI, RII, RIII and Agricultural zones but limit the use to 75 days per calendar year. Mr. Capello recommended deleting the limitation on number of days as it is near impossible to track and enforce.

Car Wash – current zoning does not allow car washes in Village/Residential zone. Mr. Capello recommended that the Board consider a conditional use for car washes in V/R.

Restaurant Drive thru – current zoning does not allow drive-thru restaurants in any zone. Mr. Capello recommended that the Board consider allowing drive-thru restaurants in all zones that currently allow

restaurants. This recommendation would permit drive-thru restaurants in the Business/Commercial and V/R zones. A conditional use would be needed in RI, RII, RIII, Agricultural and Farming-Prime soils overlay districts.

Agricultural Uses – current zoning requires conditional use for personal agriculture in RII, RIII and V/R. Mr. Capello recommended that the Board consider personal agriculture as permitted use in these zones.

2. Article 3 – Table 2 Minimum Setbacks

Current zoning that requires a 30' wetland setback also requires a no disturbance of vegetation within 20 feet of the wetlands. Mr. Capello recommended deleting the additional 20' no disturbance of vegetation.

3. Article 3 – Table 3 Building Area Requirements

Current zoning requires 1150 sq ft as the minimum living area of a single family residence and 800 sq ft with conditional use. Mr. Capello recommended reducing the required minimum living area to 800 sq ft and 600 sq ft with conditional use. The Board also recommended that the minimum living area of multi family unit be reduced to 600 sq ft.

4. Article 12 – Open Space Conservation Cluster Development - #8 Dwelling Unit

Current zoning requires 1500 sq ft as the minimum living area of a single family residence in an open space conservation cluster development. Mr. Capello recommended reducing the required minimum living area to 800 sq ft in order to conform with overall building area requirements as recommended in Article 3, Table 3. The Board recommended that Mr. Capello clarify the requirement of a full basement, concrete floor and poured foundation within the description.

5. Article 13 – Recreational Campgrounds and Camping Parks

Due to the non-permanence of structures within campgrounds, Mr. Capello recommended the addition of the following to the article:

“ f. No permit is required for a deck under 150 sq ft that is used for a recreational vehicle or a shed under 150 sq ft as long as the following conditions are met: 1. The deck or shed must meet all state and town setbacks. No matter the size, if the deck when measured out horizontally ten feet is higher than 30 inches a permit is required.”

6. Article 16 – Private Campsites – Limitations

Item 2 under current zoning allows private campsites to remain for up to one year if it is associated with the construction of a permitted single-family dwelling or duplex and an additional year with Planning Board approval. Mr. Capello recommended that an additional two years be allowed with Planning Board approval.

Item 7 provides for electricity from an external source – Mr. Capello recommended the addition of portable source to this.

7. Article 21 – Signs

Exempt Signs

Item 7 – Real Estate Signs - Current zoning allows one for one real estate sign per property. Mr. Capello recommended that off-site directional arrows be permitted. The Board discussed this and determined that with the addition of two directional arrows, location of properties would be clearer. The Board also discussed that if one agency had more than one lot for sale on any street, only one directional arrow would be allowed for that agency. The Board also discussed the addition of a time period of 72 hours in order to remove signs from sold properties.

Item 10 – Directional Signs - Mr. Capello recommended that a legally approved business be allowed one off site directional sign and that this sign must meet town sign standards.

Prohibited Signs

Item 2 - This item states that any sign located off the premises and/or lot of the business, public enterprise, service or household it describes would be prohibited- Mr. Capello recommended deleting this item entirely.

8. Article 22 – Yard Sales

Current zoning requires that yard sale signs conform with the requirements of Article 20 which regulates seasonal dwelling conversion. Mr. Capello recommended that this should be deleted.

9. Article 23B – Home Enterprises

Current zoning states that there are three categories of home enterprises when in fact there are four. Mr. Capello recommended correcting this to four.

10. Article 25 – Conforming and Nonconforming Structures and Uses – Grandfather Clause

Item 2 - Current zoning states that repair or replacement of non-conforming structures or uses that are destroyed by fire, natural disaster or other means must be repaired or replaced within (1) one year if the degree of non-conformity is not increased. Mr. Capello recommended that this be increased to (2) two years.

Item 3 – Current zoning does not put a time limit on abandonment when determining repair or replacement of such non-conforming structures. Mr. Capello recommended that a reasonable timeframe to allow repair or replacement would be one year or more.

11. Article 30 – Variance

Current zoning references ‘use’ and ‘area’ variances. The State changed this in late 2009 to be simply a variance without treating ‘area’ or ‘use’ as separate issues. The applications were updated last year and Mr. Capello recommended that the zoning be changed reflect the State requirement.

12. Article 33 – Definitions

Agricultural – Personal - Mr. Capello recommended that the definition of personal agriculture use of land be defined by referencing RSA 21:34-a III.

Building – Residential - Mr. Capello recommended that this description should mirror the description as stated in the current building code.

Building – Commercial – Mr. Capello recommended that this description should mirror the description as stated in the current building code.

Structure – Mr. Capello recommended that the description of a structure should comply with the current assessing method and consider a structure anything constructed or erected that is taxable. This would eliminate anything outside of this description as not being a structure (ie. cover-its, box-trailers, etc.)

All of the above items were discussed at length by the Board and public present. The Board recommended that Building Inspector Capello move forward and prepare the above amendments to zoning for public hearing.

Chairperson Stevenson recognized Alternate Member Dube. Mr. Dube questioned whether the Board intended to pursue the Route 16 Overlay district that had been tabled last year. The Board discussed this and questioned whether there was enough time to work on this project. The Board asked Mr. Garrepy if he would be able to review the language for this ordinance that was developed in 2003 and make recommendations to go forward. Mr. Garrepy said that he would be able to do this and have his recommendations to the Board at next week’s Planning Board meeting as long as the Board was in favor of him not reviewing Subdivision Regulations for that meeting. The Board agreed.

Final Results – 2010 Master Plan Survey

The Board reviewed the final results of the Master Plan survey. These were incorporated into the Master Plan Vision Statement update and will be in the appendix of the updated Master Plan.

Master Plan Discussion with Mike Garrepy

a. Presentation of draft chapter of Existing Land Use and framework for Future Land Use

Planning Consultant Garrepy presented a draft of the Master Plan Existing Land Use chapter. He gave an overview and explained that he retrieved a lot of this information from our existing Land Use chapter as well as from our Zoning Ordinances. He went on to say that anything in our current Land Use chapter that was not relevant to existing land use was 'stockpiled' in the framework for future land use. He recommended updates to the existing land use chapter in the form of various updated maps and he thought that Strafford Regional Planning Commission would be able to help with this. Mr. Garrepy said that with the Board's permission, he would contact SRPC to look into this. The Board was agreeable and asked Mr. Garrepy to pursue this and report back next week. In the meantime, the Board agreed to review the draft chapter of Existing Land Use.

b. Discussion and recommendations for Future Land Use

Planning Consultant Garrepy explained that he could provide the framework for the Future Land Use chapter; however, the content of this chapter would need to be supplied by the Board and include public input.

CORRESPONDENCE AND MISCELLANEOUS

1. LGC – 2011 Important Dates

The Board briefly discussed the time period needed to post public notices and hold public hearings for zoning amendments.

2. Rules of Procedure – final copy

3. OEP Fall Planning and Zoning Conference – November 13, 2010

4. NH DES/An Overview of the DES Stream Crossing Rules – October 25, 2010

Chairperson Stevenson informed the Board that the second meeting in November would normally be scheduled for November 11, 2010. Due to the fact that it was a holiday and Town Hall would not be open, she asked the Board to consider an alternate date. The Board decided to reschedule the hearing until November 18, 2010 and asked the secretary to verify that the conference room would be available.

APPROVAL OF MINUTES

MOTION: To approve the minutes of the meetings of September 2, 2010

Made by: Paul Winckler

Seconded by: John Blackwood

Discussion: None

Vote: All in favor, none opposed

ADJOURNMENT

The meeting was adjourned by consensus at 10:10pm

Respectfully submitted,

Donna Beaudoin
Planning Board Secretary