



**TOWN OF WAKEFIELD, NEW HAMPSHIRE**  
**PLANNING BOARD**

2 HIGH STREET  
 SANBORNVILLE, NEW HAMPSHIRE 03872  
 TELEPHONE (603) 522-6205 FAX (603) 522-6794

**MINUTES OF THE PUBLIC HEARING**  
**April 8, 2010**

Vice-Chairman Donna Faucette called the meeting to order at the Town Hall at 7:00 pm. Attendees included:

<b>MEMBERS</b>		<b>ALTERNATES</b>		<b>STAFF</b>	
Peg Stevenson, Chairman	X	Dave Mankus	X	Donna Beaudoin, Secretary	X
Donna Faucette, Vice-Chairman	X	Jerry O'Connor	X	Richard Sager, Town Counsel	X
Peter Kasprzyk, Selectmen's Rep	X	Tom Dube	X	Arthur Capello, Bldg. Inspector	X
John Blackwood	X	Stephen Royle	X	Robin Frost, Town Admin.	X
Paul Winckler	X				

Attendees present: Jill Hazeltine, Angela Chick, Steve Brown, Relf Fogg, Pam Judge

Vice-Chairman Faucette opened the meeting at 7:00pm with the Pledge of Allegiance to the Flag following which she introduced the new members and welcomed them to the Planning Board.

**PUBLIC COMMENT**

Vice-Chairman Faucette opened the session for public comment. Hearing none, the Vice-Chairman closed the public comment session.

Vice-Chairman Faucette stated that the Board would be electing officers for the upcoming year and started the process by nominating Peg Stevenson as Chairman.

**MOTION: To elect Peg Stevenson as Chairman**  
**Made by: Donna Faucette**  
**Seconded by: John Blackwood**  
**Discussion: None**  
**Vote: Unanimous**

At this time, Peg Stevenson nominated Donna Faucette as Vice-Chairman.

**MOTION: To elect Donna Faucette as Vice-Chairman**  
**Made by: Peg Stevenson**  
**Seconded by: Paul Winckler**  
**Discussion: None**  
**Vote: Unanimous**

With the completion of the elections, Vice-Chairman Faucette turned the meeting over to Chairman Stevenson.

**PUBLIC HEARING**

**1. The applicant, Jill Hazeltine has applied for an Insignificant Change of Use requesting to open a single chair Hair Salon in a space previously used as storage for the abutting auto parts store. The parcel, identified as Wakefield Tax Map 241, Lot 63 is located at 220 Main Street, Union, NH and lies within the *Business/Commercial zone*. The property owner is Bransco Properties, LLC.**

Chairman Stevenson began by reading for the record the purpose of the application. The Secretary informed the Chairman that the application was complete. Chairman Stevenson invited Jill Hazeltine to approach the table in order to discuss what she would like to do. Ms. Hazeltine briefly explained her plans as stated above. The Chairman asked the Board if they had any questions. Vice-Chairman Faucette noted that the applicant was also contemplating offering tanning services in the future and asked if it would be at this same location. Ms. Hazeltine said it would be, but in a separate room that was currently used for storage. Member Winckler asked if the auto parts store would still be at the location and the applicant replied in the affirmative.

**MOTION: To accept the application for an Insignificant Change of Use requesting to open a single chair Hair Salon in a space previously used as storage for the abutting auto parts store.**

**Made by: Donna Faucette**

**Seconded by: John Blackwood**

**Discussion: None**

**Vote: Unanimous**

Chairman Stevenson opened the meeting to the public for any comment. Hearing none, she closed the meeting to public comment. The Chairman then asked Ms. Hazeltine to respond to the following criteria for Insignificant Change of Use:

1. It will not have any adverse impacts beyond the boundaries of the site.
2. It will not result in increased parking requirements that cannot be satisfied by the present site.
3. It will not result in any increased nuisance to the neighborhood or abutters.
4. It will not result in increased traffic hazards either on-site or off-site.
5. It will not result in additional drainage beyond the site or adversely affect groundwater resources.
6. It will not increase the sanitary waste loading of the site beyond that which already exists.
7. The present on-site solid waste disposal system can handle any increase in solid waste.
8. The present parking, circulation and loading layout is adequate to accommodate the change.
9. The change or intensification of use can be adequately protected with existing firefighting resources.
10. The present and proposed use of the site is otherwise lawful.
11. It will not adversely impact the traditional New Hampshire architectural character or differ significantly from the appearance of buildings in the area.
12. The type of business or activity will not adversely alter the character of the neighborhood, village, or town.
13. It does not meet the requirements for a major or minor site plan.

Ms. Hazeltine answered in the affirmative to each of the above.

The Chairman asked the Board if there were any additional questions. Selectmen's Representative Kasprzyk asked if there would be any issue with the existing septic system due to the additional use resulting from this type of business. Ms. Hazeltine replied that she had had the system checked and was told it would not be an issue. Mr. Kasprzyk asked if the State required any system upgrade. Building Inspector Capello responded to this with the fact that he had already addressed this with the applicant and he would be receiving written documentation. Chairman Stevenson asked if the applicant was aware of permits required for electrical, plumbing and signage. She replied that she would need a plumbing and sign permits. Chairman Stevenson next addressed the applicant's request to add tanning services in the future and the fact that she would then need an electrical permit. She advised the applicant that when she was ready to proceed with this next step, she would need to come before the Planning Board for this additional use. Ms. Hazeltine was agreeable to this.

**MOTION: To approve the application for an Insignificant Change of Use requesting to open a single chair Hair Salon in a space previously used as storage for the abutting auto parts store.**

**Made by: Donna Faucette**

**Seconded by: John Blackwood**

**Discussion: None**

**Vote: Unanimous**

**2. John Fournier has requested a Preliminary Discussion regarding the display of vehicles on his property. The parcel, identified as Wakefield Tax Map 241, Lot 71 is located at 16 Middleton Hill Road, Union, NH and lies within the *Business/Commercial zone*.**

After reading the request for the record, Chairman Stevenson asked Mr. Fournier to approach the Board in order to discuss his request. The Chairman reminded all present that this was a preliminary discussion and was non-binding on either the Board or the applicant. Mr. Fournier distributed copies of his lot #71 from Wakefield Maps Online. He explained that he had temporarily suspended business operations and if he were to go back into business, he would like to display cars on this property in front of his house that he stated is located in Middleton. He referred to the Maps Online and said there is no structure on this property. Selectmen's Representative Kasprzyk stated that the Maps Online was for assessment purposes but not for any legal use. The Vice-Chairman referred Mr. Fournier to the assessment card that was attached to the member packets and the fact that the card shows a house on this property. Mr. Fournier replied that the card was wrong. Member Blackwood stated that he walked the line (as a Selectman) in the fall and it was determined that the house is in Wakefield. Mr. Fournier said that this was not true. Chairman Stevenson asked if Mr. Fournier resided at this location and he replied that he resides in Massachusetts, but his wife and mother-in-law reside there. The Chairman asked Mr. Fournier if he would just be displaying vehicles at this location and not operating any business and he responded in the affirmative. He said that he was negotiating to buy property in Milton to operate the business from and would only use this space to display the vehicles. Vice-Chairperson Faucette stated that if people would be stopping to look at the cars that have 'for sale' signs on them, then this would be considered a Used Car Lot. Chairman Stevenson asked Mr. Fournier how many vehicles were at the location and Mr. Fournier replied approximately twenty. The discussion continued regarding the fact that there was a well and septic on this property and the discussion included NH Best Management Practices (BMP). Member Blackwood stated that Mr. Fournier was paying taxes on the house to the Town of Wakefield and Mr. Fournier replied that it was only until he was heard before the Board of Land and Tax Appeals. Chairman Stevenson asked Mr. Fournier if he was planning to bring a Site Plan before the Planning Board and he replied that he was not and wondered why he would need to do that.

Selectmen's Representative Kasprzyk stated that when Crowell's Garage came before the Planning Board there were requirements attached related to the safety of water resources and Mr. Kasprzyk said that this property was within close proximity to the Branch River. The discussion continued regarding pre-existing garages. Mr. Fournier said that his property was previously a garage and there were fuel tanks in the ground, but he thinks that they are under the road. Vice-Chairman Faucette reminded Mr. Fournier that this was a preliminary discussion but from what was discussed, she would recommend that he come back before the Board for Site Plan review. Mr. Fournier asked about a home occupation and Chairman Stevenson said that it did not qualify according to the standards. Vice-Chairman Faucette added that a similar application had previously come before the Planning Board and the applicant was denied due to proximity to wetlands. Chairman Stevenson added that other than advising Mr. Fournier to come back for Site Plan review, the Planning Board could offer no solution.

Chairman Stevenson asked Building Inspector Capello if there were any issues that the Board should be aware of and he said that in his opinion the house and business are in Wakefield and based on the operation and display of cars, this would require Site Plan review. Chairman Stevenson recognized Attorney Sager and he stated that the Town and Mr. Fournier have been to court and there has been a trial regarding house location. The Court determined that the house was in Wakefield. The Court has ordered Mr. Fournier to apply for Site Plan review to the Wakefield Planning Board. Attorney Sager quoted from the court order of November 2, 2009 that stated "The Court orders that Mr. Fournier immediately apply to the Town of Wakefield to obtain site plan review to run his automobile sales and leasing business." The Town was awarded attorneys fees as a result of the second motion for contempt. As a result of Mr. Fournier still not applying for Site Plan review, a third motion for contempt has now been filed with the courts which is scheduled for hearing on May 25, 2010. Mr. Sager went on to state that he didn't understand why Mr. Fournier was before the Board as there has been no change in the court order. Member Blackwood asked Relf Fogg as a member of Board of Assessors to confirm the results of the perambulation. Mr. Fogg stated that he had been out to the property and located the monuments. He then went to the property to confirm the existence of an additional monument. He said that he found one; however, it was broken, had been buried under rocks and had no lettering. Mr. Fogg confirmed that the house was in Wakefield. Chairman Stevenson advised Mr. Fournier that because the Town of Wakefield considers the house to be in Wakefield, he needs to come for Site Plan review in order to operate a business there.

## **BOARD BUSINESS.**

### **1. Discuss contract proposal for Planning Services Consultant**

Chairman Stevenson asked Mike Garrepy to approach the Board to discuss the contract. Vice-Chairman Faucette stated that she was not expecting a contract; previous discussions indicated that he would be working on a 'time and charges' type of billing. She also added that because there is a new Board, things have changed and this Board may be able to handle items previously being considered for his review. Mr. Garrepy informed the Board how the contract was developed and explained that he took into account the available funding and the Board's wish list of items from last meeting including review of regulations. He said it made more sense for him to create a contract with a list of core services from this. The additional services listed in the contract are not paid out of Town funds - rather they would be paid by the applicant as provided in RSA 676:4. (Building Inspector Capello later pointed out that in our Regulations, section 2.06 allows the billing of these services to the applicant) This was discussed at length and the members decided that rather than pay for core services, they would prefer to be billed at an hourly rate for all services. Mr. Garrepy said that he would still prefer a contract in order to identify tasks; however, he would be agreeable to invoicing the Town for hourly services.

The Board asked Mr. Garrepy to look at the Master Plan and focus on the chapters needing attention.

The Board also asked Mr. Garrepy to come to the Technical Review Committee meeting scheduled for April 20, 2010 in order to review and provide guidance on the application scheduled for the May 6, 2010 meeting. The Board next asked Mr. Garrepy to attend the Planning Board meeting scheduled for May 6, 2010 for follow-up on the above items. The Vice-Chairman asked Pam Judge to explain how Mr. Garrepy could assist in developing a cultural and historical resources chapter of the Master Plan. Ms. Judge stated that a lot of data has not yet been collected; however, if Mr. Garrepy could provide guidance and do an overview of what is required according to the Division of Historical Resources (DHR).

**MOTION: To recommend a contract with Michael Garrepy to the Selectmen that would provide for billing at an hourly rate and would be subject to expire at any time if either party were dissatisfied.**

**Made by: Donna Faucette**

**Seconded by: Paul Winckler**

**Discussion: None**

**Vote: Unanimous**

2. **CMA's review of Frisbie Medical Offices As-Built Survey and Final Summary Report**
  - a. **Discuss release of Surety Bond in the amount of \$3,500**
  - b. **Discuss final payment to CMA and release of escrow balance to Frisbie Foundation**

**MOTION: To release in full the Surety Bond for Frisbie Medical Offices**

**Made by: Donna Faucette**

**Seconded by: John Blackwood**

**Discussion: None**

**Vote: Unanimous**

3. **Establish a procedure to accommodate Board Members requesting to attend educational events that takes into account the established budget constraints**

Chairman Stevenson informed the members that the education budget was tight this year and it would be necessary to look for various ways to accommodate members requesting to attend seminars. She suggested various methods such as sharing information with other Boards throughout Town and attendees bringing back as much information as possible from seminars in order to share with this Board and others. The Board was in agreement with this.

4. **Procedure for handling multiple actions for a single applicant**

Chairman Stevenson said that this was a housekeeping issue that needed clarification. The Chairman described a situation when an applicant is applying simultaneously for two actions to be heard at the same Planning Board meeting. Vice-Chairman Faucette recalled that this had happened in the past and the applicant was required to file separate applications with individual plan sets and pay separate application fees; however, they were not required to pay separate advertising and abutter notification fees which would be a cost saver to the applicant. The Members concurred with this.

## **OTHER BUSINESS**

1. Chairman Stevenson read aloud a letter that had been distributed to the Planning Board from Attorney Sager regarding a proposed easement for the Jette Property. The Chairman asked Pam Judge to describe the project for the members. Ms. Judge explained that it was a project that the

Heritage Commission had been working with the Eagle Scouts on for some time and involved the transformation of the parcel located at Map 183, Lot 44 into a small park with plantings, pavers and a flagpole. She explained that this had been presented to the Planning Board at a previous meeting. In order to proceed with this project, the Planning Board must provide comments to the Board of Selectmen. If no comments are noted, this must also be provided to the Board of Selectmen. Alternate Member Mankus noted that it was possible that this might require notification to PSNH due to existing power lines on the property and the erection of a flagpole. Member Winckler asked who would be responsible for the on-going maintenance of the property. Ms. Judge explained that it was not clear at this time; however, if the property is not being used as a park it would revert back to the property owner. As this is a Heritage Commission endorsed project, it would come under their responsibility to monitor.

**MOTION: To recommend Planning Board approval of the project to the Board of Selectmen**  
**Made by: Donna Faucette**  
**Seconded by: John Blackwood**  
**Discussion: None**  
**Vote: Unanimous**

## **CORRESPONDENCE AND MISCELLANEOUS**

### **Correspondence**

- 1. OEP Spring Planning and Zoning Conference registration materials**
- 2. Distribution of 2009-2010 Planning and Land Use Books**
- 3. PSNH – Transmission Line Easement Encroachment Review Requirements**

### **Miscellaneous**

Chairman Stevenson informed the Board that in conjunction with the creation of excavation regulations, Mary Pinkham Langer, State Gravel and Tax Appraiser has offered to come to speak to the Board at no charge. She asked the Board if they would be interested in scheduling her for an Administrative Meeting and the Members agreed that this would be beneficial.

Chairman Stevenson briefly discussed the Master Plan and the need to rejuvenate the public interest. She suggested that the development of committees comprised of members of the public and headed by Planning Board Members and/or Alternates would be a positive step in this direction.

Chairman Stevenson asked the Planning Board to prepare for next week's Administrative Meeting and be ready to discuss Board goals and objectives for 2010. She also said that updates to the Planning Board Rules of Procedure are needed which would include the addition of a motion to accept applications and the public comment session which is currently in trial phase.

Chairman Stevenson reminded the Members of a previous discussion related to zoning amendments that related to locating an overlay map for Rte 16. She asked for any volunteers to form a committee to search the Public Safety Building for this overlay map. Dave Mankus, Relf Fogg, Pam Judge, Paul Winckler and Peg Stevenson all volunteered for this committee.

**APPROVAL OF MINUTES**

**MOTION: To approve the minutes of March 4, 2010**

**Made by: Donna Faucette**

**Seconded by: Paul Winckler**

**Discussion: Peter Kasprzyk abstained**

**Vote: Four in favor, one abstained**

At this time, the Planning Board expressed their appreciation to Rod Cools and each member signed a plaque commemorating his years of dedicated service to the Town of Wakefield .

**ADJOURNMENT**

**MOTION: To adjourn the meeting at 8:35**

**Made by: Donna Faucette**

**Seconded by: Paul Winckler**

**Discussion: None**

**Vote: All in favor, none opposed**

Respectfully submitted,

Donna Beaudoin  
Planning Board Secretary