



TOWN OF WAKEFIELD, NEW HAMPSHIRE
PLANNING BOARD

2 HIGH STREET
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MINUTES OF THE PUBLIC HEARING
December 2, 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	Anna Williams, Secretary	X
Donna Faucette, Vice-Chairperson	X	Tom Dube	X	Arthur Capello, Bldg. Inspector	X
Peter Kasprzyk, Selectmen's Rep	X	Stephen Royle	X	Mike Garrepy, Planning Cons	X
John Blackwood	X				
Paul Winckler	X				

Also present were Ed and Florence Morrison, Charlie Edwards, Joel Mitchell, John White, Pam Judge, Scott Bramer, Jerry O'Connor, Richard and Judith DesRoches, Herbert and Sandra Culleton, Jerry and Joyce Crocco, Janet Miller, Steve Brown, Bruce Rich and Jim Horrigan.

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

PUBLIC COMMENT

Public comment was reserved for the public hearing as there were no comments or questions concerning any other item.

BOARD DISCUSSION

Ms Stevenson introduced Anna Williams, the new Land Use Clerk.

PUBLIC HEARING FOR REVIEW OF PROPOSED ORDINANCE AMENDMENTS

Ms Stevenson advised that she would like Mr. Capello to explain the proposed revisions to the Wakefield Zoning Ordinance.

1. **Article 3 – Table 1 – Permitted Uses – Proposed Car Wash** – Mr. Capello explained this is an addition to the Permitted Uses Table which would allow car washes as a Conditional Use as they are not permitted at this time. An applicant would be required to appear before the Planning Board for a Site Plan Review as well as the imposing of any conditions the Board may feel are necessary. There will also be a public hearing associated with this type of request. There will be a requirement that the architectural character of the area be maintained. There was some discussion of the ecological impact this type of business would produce as well as the potential to change the character of the Town. There was a comment to the effect that there may not be a sufficient number of people to support this type of business.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance to include car wash as a permitted use. Faucette/Winckler – Unanimous.

- 2. Article 3 – Table 1 – Permitted Uses – Proposed Drive Through Restaurant** – It was noted that this type of business was requested in the survey the residents completed and those results are online and posted in the Town Hall. There was considerable comment against this use because of the perceived impact on the local businesses and the potential for a franchise to come into Town. There was also comment about the employment possibilities that could be offered to the young people in Town as it was felt that there aren't too many opportunities for that age group. One of the comments made was that having drive through services might bring more people into Town so that it wouldn't be just a retirement community. It was noted by the Board that their intent was not to promote franchises such as McDonald's, Burger King or the like, but rather to attract a small drive through coffee shop with some comment that there wasn't a sufficient number of people to support some of the larger franchises since the population is so much smaller in the winter than it is in the summer.

A Motion was made and seconded to delete the revision to the Zoning Ordinance to include drive through restaurants. Winckler/Blackwood - 4/1 – Abstention (Ms Faucette).

- 1. Article 3 – Table 1 – Permitted Uses – Proposed Revision to Personal Agricultural Uses** – It was explained that this revision would permit a farm stand in the Residential II – Shorefront, Residential III – Rural and Village – Residential zoning districts. Hoofed animals or fowl will not be permitted in the Residential II – Shorefront zone. There was no public comment on this proposed revision

A Motion was made and seconded to move forward with the revisions to the Zoning Ordinance to permit production, keeping or maintenance for personal use of plants, trees, shrubs and/or animals in the Residential II – Shorefront, Residential III – Rural and Village – Residential zoning districts. Faucette/Blackwood – Unanimous.

- 2. Article 3 – Table 2 – Proposed Revisions to Minimum Setbacks** – Mr. Capello explained that this proposed revision would delete the “no disturbance of vegetation within 20’ of a wetland” provision which will help homeowners wishing to bury a propane tank as well as property owners who own a small lot. There was a comment concerning protection of the wetlands which it was felt the 20’ setback does. It was noted that there hasn't been any formal presentation made to the Conservation Committee on this topic.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance to eliminate the 20’ wetland setback. Faucette/Winckler – Unanimous.

- 3. Article 3 – Table 3 – Proposed Revisions to Density and Minimum Dimensional Requirements Regarding Minimum Living Area for Single Family Dwellings** – Mr. Capello explained that the reasoning behind this revision was based on the fact that people are building smaller dwellings than in the past, therefore, the Board felt that reducing the required minimum living area for a single family residence should be reduced from 1,150 to 800 sq ft. It was noted that by doing so, a young couple might be better able to afford to build a home and a retired couple could reduce the size of their dwelling as well. Also, if and when it is necessary and all other requirements are met, the dwelling could be expanded. It was pointed out that low-income housing is almost non-existent in Wakefield and this could be the remedy for that.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance from 1,150 sq ft to 800 sq ft as the minimum living area for a single-family residence. Winckler/Faucette – Unanimous.

4. **Article 3 – Table 3 – Proposed Revisions to Density and Minimum Dimensional Requirements Regarding Minimum Living Area for Multi-Family Dwellings** – Mr. Capello explained that as in the previous category, this revision is aimed at giving people the opportunity to build smaller dwelling units. It is proposed that the current 800 sq ft be reduced to 600 sq ft. It was noted that the reduced size would address the in-law apartment need. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance from 800 square feet to 600 square feet as the minimum living area for a multi-family dwelling. Winckler/Faucette – Unanimous.

5. **Article 12 – Proposed Revisions to Open Space Conservation Cluster Development** – It was noted that this is another reduction in living area from 1,500 sq ft to 800 sq ft in the Open Space Conservation Cluster Development zoning district and also to revise the definition of a “Dwelling Unit” to set forth the areas that are not to be included in the proposed square footage. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance from 1,500 to 800 sq ft in the Open Space Conservation Cluster Development zone and to amend the definition of a “Dwelling Unit” to indicate the areas that are not to be included in the proposed square footage in this zone. Faucette/Winckler – Unanimous.

6. **Article 13 – Proposed Revisions to Recreational Campgrounds and Camping Parks** – This revision would not require a permit for a deck under 150 sq ft which will be used for a recreational vehicle and contains two conditions. It was noted that although a permit is not required, all dimensional requirements of the Ordinance must be met such as setbacks as well as all State codes. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance that no permit is required for a deck under 150 sq ft for recreational campgrounds and camping parks. Faucette/Winckler - Unanimous

7. **Article 16 – Proposed Revisions to Private Campsites** – This is a revision to Article 16, Section B-2 of the Zoning Ordinance wherein the Planning Board may allow a private campsite to remain active for up two years rather than the current one year for the purpose of constructing a dwelling unit on the property. It was also noted that if necessary, the permit may be renewed after that time. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance in which a private campsite may remain for up to two years during the construction of a dwelling unit. Winckler/Faucette – Unanimous.

8. **Article 16 – Additional Proposed Revisions to Private Campsites** – This revision to Article 16, Section B-7 of the Zoning Ordinance would allow a portable electrical source to be used for a recreational vehicle, tent or similar shelter rather than just from an external source. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance in which a private campsite may use a portable electrical source to be used for a recreational vehicle, tent or similar shelter rather than from an external source. Blackwood/Winckler – Unanimous.

9. **Article 21 – Proposed Revisions to Signs** – Mr. Capello explained that Article 21, Section C-7 dealing with real estate signs should be amended to permit two off-site directional arrows with the exception that if an agency has more than one property for sale on the same street, only one directional sign is permitted. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance which would permit two off-site real estate directional arrows , but only one if an agency has more than one property for sale on the same street. Winckler/Blackwood – Unanimous.

10. **Article 21 – Additional Proposed Revisions to Signs** – Mr. Capello explained that Article 21, Section C-7 should be further revised to include the following language:

“Within 72 hours of the transfer of title of the property, all real estate signs shall be removed from the property.”

There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance which requires that all real estate signs shall be removed within 72 hours of the transfer of title of a property. Winckler/Kasprzyk – Unanimous.

11. **Article 21 – Additional Proposed Revisions to Signs** – Mr. Capello explained that Article 21, Section C-10 should be further revised to include the following language:

“A legally approved business is allowed one off-site directional sign no larger than two (2) square feet (per side if two-sided) and must meet Town sign standards.”

There was no general public comment on this proposal, but Jerry Crocco explained how not being able to have off-site signs has impacted his business due to it’s “off-the-beaten-path” location.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance which would permit one two square foot off-site directional sign no larger than two square feet. Faucette/Blackwood – Unanimous.

12. **Article 21 – Additional Proposed Revisions to Signs** – Mr. Capello advised that he would recommend that Article 21, Section F-2 be deleted from the Zoning Ordinance which states:

“2. A sign located off the premises and/or lot of the business, public enterprise, service or household it describes.”

There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance which would eliminate Article 21, Section F-2. Winckler/Faucette – Unanimous.

13. **Article 22 – Proposed Revisions to Signs for Yard Sales** – Mr. Capello advised this is simply a “housekeeping” change to indicate the correct Article number, therefore, the Article will be 21 rather than 20. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance which would change the Article number from 20 to 21. Winckler/Faucette – Unanimous.

14. **Article 23-B – Proposed Revision to Home Enterprises** – Mr. Capello advised this is a change from three to four categories of home enterprises. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance which would change the number of categories of home enterprises from three to four. Winckler/Faucette – Unanimous.

15. **Article 25 – Proposed Revision to Conforming and Non-Conforming Structures and Uses Regarding Grandfather Clause** – Mr. Capello explained this is a change to Article 25, Section B-2 and increases the amount of time to repair or replace a non-conforming structure destroyed by fire, natural disaster or other means from one to two years. There was no public comment on this proposal.

A Motion was made and seconded to move forward with the revision to the Zoning Ordinance which would increase the time to repair or replace a conforming or non-conforming structure destroyed as per the Ordinance from one to two years. Winckler/Faucette – Unanimous.

16. **Article 25 – Additional Proposed Revisions to Conforming and Non-Conforming Structures and Uses – Grandfather Clause** – It was noted that should a conforming or non-conforming structure be abandoned for one year or more, any use thereof will require a Planning Board review. There was no public comment on this proposal.

A Motion was made and seconded to move forward the revision to the Zoning Ordinance which would require a Planning Board review should a conforming or non-conforming structure be abandoned for one year or more. Faucette/Winckler – Unanimous.

17. **Article 30 – Proposed Revisions for a Variance** – Mr. Capello explained that Article 30 will be revised to comply with the State’s language regarding the definition of a variance and the criteria required for a variance to be granted. There was no public comment on this proposal.

A Motion was made and seconded to move forward the revision to the Zoning Ordinance containing the language defining a variance and the criteria needed therefor. Faucette/Winckler – Unanimous.

After ascertaining that there were no further questions or comments, Ms Stevenson closed the public hearing at 8:35 PM.

REVIEW OF DRAFT OF MASTER PLAN

Ms Stevenson explained that the Board has worked with the consultant over the past few months to draft revisions to the Master Plan. She advised they have completed both the Introduction and the Vision Statement and the results of the survey will be the next item they will work on which will be included in the next draft. She mentioned there was a great response from the townspeople and their suggestions will be incorporated into this work. She asked Mr. Garrepy, the consultant, to explain the work already done to the public.

Mr. Garrepy stated that the Introduction explains what the Master Plan is, but the most important part [of the Master Plan] is the Vision Statement which, although not long, deals with the public's input and the general vision of how people want the Town to evolve within the next five to ten years. He stated the Planning Board is attempting to update one or two sections every year so that it will be a current document. He felt it should contain a very specific and comprehensive list for the future. At this time, he read the Vision Statement to the group and thereafter, advised that will be the basis for the remainder of the Master Plan.

The public commented as following:

1. Historic and cultural information being compiled by the Heritage Commission at this time should be included.
2. There was a brief discussion regarding the need to add the lakes and watersheds to the plan. It was determined that due to the fact that the entire Town could be considered a watershed, the term "water bodies" should be used.
3. The need to address education in the Vision Statement.
4. It was suggested that "urban sprawl" be addressed even though Wakefield may not be an "urban sprawl" area at this time.
5. It was noted that the Board is looking for residents to assist with the Natural Resources chapter.

Mr. Garrepy mentioned that Members of the Board suggested some minor changes on the Land Use chapter of the draft Master Plan. He advised he has been working on the Community Facilities chapter and has met with the department heads regarding the public safety recommendations, therefore, that chapter will be current up to 2010.

Mr. Kasprzyk said he has spoken with the Conservation Commission and determined that group has the map and lot numbers of the Conservation Easements and their intention is to meet with Mr. Capello to review that information. He also mentioned that at the 2009 Annual Town Meeting the voters adopted the position of Town Forester, therefore, that should probably be included in the Master Plan.

Mr. Garrepy advised he will be meeting with the Tax Assessor and that information may be available in that work.

To Ms Stevenson's question whether the percentage of the land in Town that is in conservation available, Mr. Kasprzyk advised that while the figure would not be complete, the Conservation Commission can supply the percentage of what they have at this time.

To a question from Ms Judge whether the "facilities" chapter contains the historical buildings that the Town owns, Mr. Garrepy stated he would like to meet with her to go over that specific item with Mr. Capello advising when that information is available, it could be included in the Land Use Map.

Mr. Garrepy explained that the Community Facilities chapter basically contains information about what the Town is currently using for municipal services, therefore, the historic buildings information will be contained in another chapter.

After ascertaining that there were no further comments or questions, Ms Stevenson closed this portion of the public hearing at 9:00 PM.

Ms Stevenson advised there will be another public hearing on the Master Plan on January 6, 2011.

LAND USE MAP

Mr. Capello advised that earlier this week he met with Tom Dube, Mike Garrepy and Pam Judge to review the new Land Use Map and has made whatever revisions they felt were necessary. He felt it was very productive. He mentioned that the next step is to discuss the revisions with Cardographics so that the next draft will reflect what was done this week.

Ms Stevenson explained that the Land Use Map is part of the zoning revisions.

BUDGET REVIEW

At this time, there was a discussion regarding the proposed 2011 fiscal year budget with the general focus on consultant services and the Land Use Department costs. It was the general consensus of the Board that the professional services line should be increased to \$30,000 as it was this year from the \$15,000 being proposed for 2011.

CORRESPONDENCE AND MISCELLANEOUS

There was no correspondence or miscellaneous items to come before the Board.

APPROVAL OF MINUTES

Approval of the November 18, 2010 Minutes was postponed to December 9, 2010.

ADJOURNMENT

The Meeting was adjourned at 9:50 PM.

Respectfully submitted,

ANNA M. WILLIAMS
Land Use Clerk