



TOWN OF WAKEFIELD, NEW HAMPSHIRE

Held in the Meeting Room

Planning Board Minutes

January 5, 2023

Approved

MEMBERS		ALTERNATES		OTHERS	
Tom Dube Chairman by Zoom	✓	Johnny Blackwood		Victor Vinagro, Building Inspector/Code Enforcement Officer Shoreland Officer	✓
Doug Stewart Vice Chairman	✓	Stephen Leroux		Peter Gosselin, Building Inspector	
Ken Fifield Selectmen's Representative	✓	Priscilla Colbath			
David Silcocks, Member	✓			Steven Whitley, Town Counsel	
Dick DesRoches, Member	✓			Public Hearing	✓

Others present

Alternate Steve Leroux, Charlie Zilch, Dave Mankus, Greg Gaudet, Philip Emilio and Josh Robey. Priscilla Colbath, Natalie Gemma (SRPC), Daniel Gilmore and Jen Cysz on Zoom and Michelle Keating from Clearview Community TV.

Pledge of Allegiance & Call to Order

Mr. Dube called the meeting to order at 7:03 and those present joined him in the flag salute.

Public Comment

None

Public Hearings

Boundary Line Adjustment Application

Submitted by Charlie Zilch of S.E.C. & Associates, Inc., on behalf of property owners Province Lake Road Holdings, LLC, [TM 31-28-1], Ridge2021, LLC [TM 31-28], and Reid Merrill, [34-99] for property located on Province Lake Road. The applicants seek approval of a Boundary Line Adjustment Application with the intent to transfer "Parcel A," an 8.97-acre parcel from TM 31-281, to TM 31-28, and to transfer "Parcel B," a 2.95-acre parcel from TM 31-28-1 to TM 34-99. Upon transfer of the parcel, TM 31-28-1 will contain 22.27 acres, TM 31-28 will contain 18.85 acres, and TM 34-99 will contain 56.20 acres.

Mr. Zilch said all properties have frontage on Province Lake Road. The transfer of property will be backlot property. Mr. Zilch pointed out the properties on the map. This does not affect already

approved driveway permits and all pins have been set. Mr. Vinagro said fees have been paid, abutters notified, the notice has run and the application is administrable correct.

Mr. Stewart made a motion, seconded by Mr. Silcocks to accept the application as complete. (Vote 5-0)

There are some wetlands on the property. It is mostly high and dry. They have already had the delineation done by a wetlands scientist and topography has been submitted.

Mr. Dube opened the Public Hearing at 7:16

Mr. Dube closed the Public Hearing at 7:16

Mr. Silcocks made a motion, seconded by Mr. DesRoches to accept the boundary line adjustment as proposed. (Vote 5-0)

Mr. Dube stated that no bonds are necessary.

Proposed Zoning Amendments Public hearing to receive public comment on the proposed Zoning Amendments 1 through 7:

Amendment 1: (Article 2) Are you in favor of adoption of Amendment 1 as proposed by the Planning Board for the town's zoning ordinance as follows:

Amend Article 33-Definitions, to edit the definitions of buildable area and unbuildable land to be consistent in what areas are considered buildable or not, as well as, allow setback areas to be included in the calculation of buildable area where previously excluded; and add a new definition for the term "junkyard" that references the existing definition of the term in state statute.

Mr. Dube opened the Public Hearing for Article 2 at 7:20

Mr. Dube closed the Public Hearing for Article 2 at 7:20

Mr. DesRoches made a motion, seconded by Mr. Stewart to move Article 2, amendment 1 to the ballot in March 2023. (Vote 5-0)

Amendment 2: (Article 3) Are you in favor of adoption of Amendment 2 as proposed by the Planning Board for the town's zoning ordinance as follows:

Amend Article 3: Table 3 to add a minimum required living area of 800 square feet for two-family residences (duplexes) to the table of Building Area Requirements;

Mr. Dube said they are changing this article because of clarity. Mr. Vinagro said in the regs we had included single family and multiple family but did not have anything for duplexes so what was left out is being added in.

Mr. Dube opened the Public Hearing for Article 3.

Mr. Dube closed the Public Hearing for Article 3.

Mr. Silcocks made a motion, seconded by Mr. Stewart to move Article 3, amendment 2 to the ballot in March 2023. (Vote 5-0)

Amendment 3: (Article 4) Are you in favor of adoption of Amendment 3 as proposed by the Planning Board for the town's zoning ordinance as follows:

Amend Article 3, Table 3, and Article 18, Residential and Commercial Units – Maximum, so to clarify requirements for minimum lot sizes, required buildable area, and maximum density. To do so this Amendment proposes to remove from Table 3 references to the maximum density allowed, clarify the minimum lot size is the minimum buildable area, and delete footnote 1 that is related to the calculations of maximum densities; and amend Article 18 to clarify that it applies where there are 2 or more units proposed to be constructed on a single parcel.

Mr. Silcocks felt this would be confusing to people without the chart. Mr. Fifield suggested having the chart available at Deliberative Session and voting day. Mr. Dube said this is to clarify the wording and make it easier to understand. This is the exact way that our zoning has been treated since 2006. Mr. Stewart asked if how we voted will be on the ballot. Mr. Vinagro said it hasn't been done that way in the past. Mr. Dube asked Mr. Vinagro to tell the Town Administrator that they want the vote count on the ballot. He said in the past we've had it on there. Mr. Vinagro will contact Clearview to do a video explaining the articles.

Mr. Dube opened the Public Hearing for Article 4

Mr. Dube closed the Public Hearing for Article 4

Mr. DesRoches made a motion, seconded by Mr. Stewart to move Article 4, amendment 3 to the ballot in March 2023. (Vote 5-0)

Amendment 4: (Article 5) Are you in favor of adoption of Amended 4 as proposed by the Planning Board for the town's zoning ordinance as follows:

Amend Article 24, Personal Wireless Service Facilities, Section E. Procedure, to add new requirements that proposed cell towers expand coverage beyond that which is available from existing or currently permitted cell tower sites and the procedure in which the board will verify this is achieved.

Mr. Dube opened the Public Hearing for Article 5.

Mr. Dube closed the Public Hearing for Article 5.

Mr. DesRoches made a motion, seconded by Mr. Stewart to move Article 5, amendment 4 to the ballot in March 2023. (Vote 5-0)

Amendment 5: (Article 6) Are you in favor of adoption of Amendment 5 as proposed by the Planning Board for the town's zoning ordinance as follows:

Amend Article 8, the Aquifer Conservation Overlay District, to clarify the mapped extents of the aquifer; incorporate wellhead protection areas; revise the performance standards for storage of petroleum products and regulated hazardous substances; require a conditional use permit for impervious surfaces greater than 15% or 2,500 square feet, whichever is greater, but not to exceed 50% impervious; include a new section on exceptions from the ordinance; require a conditional use permit for the storage of hazardous substances in excess of the quantities equivalent to a large spill requiring emergency response; require a conditional use permit for the

blasting of bedrock in the overlay district. Amend Article 33, Definitions, to include terms included within the amended Aquifer and Wellhead Conservation Overlay District. Amend Article 3, Table 1 to update references the overlay district's title to reflect changes to Article 8.

Mr. Dube opened the Public Hearing for Article 6.

Mr. Dube closed the Public Hearing for Article 6.

Mr. DesRoches made a motion, seconded by Mr. Stewart to move Article 6, amendment 5 to the ballot in March 2023. (Vote 5-0)

Amendment 6: (Article 7) Are you in favor of adoption of Amendment 5 as proposed by the Planning Board for the town's zoning ordinance as follows:

Amend Article 8, the Aquifer Conservation Overlay District, to clarify the mapped extents of the aquifer; incorporate wellhead protection areas; revise the performance standards for storage of petroleum products and regulated hazardous substances; require a conditional use permit for impervious surfaces greater than 15% or 2,500 square feet, whichever is greater, but not to exceed 50% impervious; include a new section on exceptions from the ordinance; require a conditional use permit for the storage of hazardous substances in excess of the quantities equivalent to a large spill requiring emergency response; require a conditional use permit for the blasting of bedrock in the overlay district. Amend Article 33, Definitions, to include terms included within the amended Aquifer and Wellhead Conservation Overlay District. Amend Article 3, Table 1 to update references the overlay district's title to reflect changes to Article 8.

Mr. Dube opened the Public Hearing for Article 7.

Mr. Dube closed the Public Hearing for Article 7.

Mr. DesRoches made a motion, seconded by Mr. Stewart to move Article 7, amendment 6 to the ballot in March 2023. (Vote 5-0)

Amendment 7: (Article 8) Are you in favor of adoption of Amendment 6 as proposed by the Planning Board for the town's zoning ordinance as follows:

Amend Article 13, Recreational Campgrounds and Camping Parks, by setting a minimum length of water frontage required per cabin or camp site for campground parcels with water frontage.

Mr. Mankus, Lake Forest Resorts was concerned about 24 sites that he is working on that already has approval. He was told that if his sites were previously approved it does not affect him. Mr. Dube said that Mr. Mankus concerns were covered in the article. After the word 'use' on the fourth line in the second paragraph add, 'or approved by the Planning Board'. Daniel Gilmore owner of Ivanhoe Campground agrees with adding the additional language. He asked if back lots would still be considered part of the campground. It would. Mr. Mankus thanked the Board for the clarification.

Mr. Dube opened the Public Hearing for Article 8

Mr. Dube closed the Public Hearing for Article 8

Mr. Dube closed the Public Hearing for all articles at 8:10.

Ms. Czysz said they had time and could edit the articles.

Ms. Czysz said the substantial changes the Board wants to make to this last article will require a second Public Hearing which will take place on January 19th. This article will be continued to January 19th. Ms. Czysz recommended that the Board make the changes tonight. The second paragraph would be amended to say, “shall not apply to existing recreation vested campgrounds or camping parks that are legally in use or approved by the Planning Board at the time of this amendment”.

Mr. DesRoches made a motion, seconded by Mr. Stewart, to amend the second paragraph to say, “shall not apply to existing recreation vested campgrounds or camping parks that are legally in use or approved by the Planning Board at the time of this amendment” and bring it to the Public Hearing on January 19th. (Vote 5-0)

Conceptual Review

None

Board Business

Signing of Buban Minor Subdivision Mylar, TM 48-4

Approval of minutes

Mr. DesRoches made a motion, seconded by Mr. Stewart to approve the minutes of December 15, 2022. (Vote 4-0-1)

Correspondence

None

Public comment

None

Set next meeting date

January 19, 2023

Mr. DesRoches made a motion, seconded by Mr. Stewart, to adjourn the meeting at 8:45. (Vote 5-0)

Respectfully submitted for approval at the next Planning Board meeting

Priscilla Colbath
Planning Board Secretary