



TOWN OF WAKEFIELD, NEW HAMPSHIRE

Planning Board Minutes

May 19, 2022

Approved

MEMBERS		ALTERNATES		OTHERS	
Tom Dube Chairman (via Zoom)	✓	Johnny Blackwood		Victor Vinagro, Building Inspector/Code Enforcement Officer Shoreland Officer	✓
Dick DesRoches Vice Chairman		Stephen Leroux	✓	Peter Gosselin, Building Inspector	
Ken Fifield Selectmen's Representative	✓			Jen Czysz, SRPC via zoom	
David Silcocks, Member				Richard Sager, Town Counsel	
Doug Stewart Member	✓			Public Hearing	

Others present

Kurt Cederholm, Craig Malinowski, Joanne Parker, Dana Margolis, Mark McRobbie, William Pawluk, Joanne Colosi, Philip Colosi and Michelle Keating from Clearview Community TV.
Zoom: Heather Iworsky

Pledge of Allegiance & Call to Order

Chairman Dube called the meeting to order at 7:00 and those present joined him in the flag salute.

Seat Alternates

Stephen Leroux sat in for Mr. DesRoches

Public Comment

None

Public Hearings

Minor Subdivision Plan Application and Boundary Line Adjustment, with amended plan & request for waiver: submitted by James F. Rines, of White Mountain Survey & Engineering, Inc., a Division of Horizons Engineering, Inc., for property owned by White Violet Property LLC (formerly known as) Peregrine Realty LLC, located at 378 Meadow St., Tax Map 183, Lot 61 and Tax Map 180 Lot 32 & 33. The Applicant is seeking approval to adjust the boundary lines of the three existing parcels and to plat a road right-of-way for future access to adjusted lots. Proposed lot sizes are .88-acre, 1.21 acre, and 16.76 acres plus 1.06 acre for Fresian Drive.

Mr. Dube opened the Public Hearing at 7:04.

The first continuance was made by the Planning Board, the second continuance was made by Mr. Rines because of illness and tonight the client was unable to make it.

Mr. Fifield made a motion, seconded by Mr. Leroux to continue this hearing until June 16th. (Vote 4-0)

Mr. Dube continued the Public Hearing until June 16th.

Conditional Use Permit: submitted by Heather Iworsky of Revision Energy, Inc., for property owned by Kurt & Deborah Cederholm, TM 23-L014, 289 Village Valley Drive, East Wakefield. The applicant is seeking approval of a Conditional Use permit to install a ground mounted solar electric system 550 feet from Belleau Lake. The proposed structure will be 35.5 feet long by 14.5 feet wide. It will stand just over 11 feet in height. The electricity generation from the solar panels will offset the residential demand at the property. The structure will be located behind the house, out of view from Belleau Lake. Material and construction are non-toxic and cause minimal disturbance to the property. If this application is accepted as complete, it will be on each Planning Board agenda until a decision is rendered.

Mr. Dube sold the Cederholm's this lot and built their home so he recused himself. Mr. Stewart took over the duties of the Chair. Mr. Vinagro said that the notice has run, abutters notified, fees paid and the application is administratively correct.

Mr. Fifield made a motion, seconded by Mr. Leroux to hear the application. (Vote 3-0)

Mr. Stewart said the Board reviews these applications to make sure solar arrays are being put in the best place and to listen to the abutters thoughts. Mr. Cederholm told the board that this is a stationary unit. His goal is to power his home with solar. The solar array is away from the lake behind his house in a little swale. They looked at roof mounted option but because of the design of the house and roof it doesn't work for them. The array is about sixty feet from the property line. The unit is 11.5 feet high. Trees will not be removed. The array will not at all be visible from the street or the lake. Their neighbor at 267 would see it going up or down their driveway. It would be behind trees but still be visible on the right.

Mr. Stewart opened the public hearing at 7:20

Dana Margolis, President of the Belleau Lake Property Owners Association asked to explain the front and back of the property. He said you can clearly see the applicants property on Gold Coast Drive. Mr. Dube said most people call the front of their house the lakeside. Mr. Dube doesn't think it matters as it is 550 ft from the lake with a house in between. He said there is a hill on the other side of where this array is going and he finds it very difficult to believe that anyone will see this array from the lake or any other property. Mr. Stewart said when the Board made this a conditional use it wasn't to guarantee that it wouldn't be seen. It was to make sure that it was placed in the best spot.

Mr. Fifield said that the last few they have approved have been visible from the road. He said if we were putting telephone poles up for the first time people would have a major issue with those. Mr. Margolis also asked if there was any environmental impact and whether it was a danger to birds. There is no environmental impact and it's not reflective like a window so the birds are not attracted to it. There is nothing toxic in the array. Six or eight stainless steel screws are drilled

into the ground to hold the unit. Mr. Vinagro asked if a drip line trench needed to be installed for erosion control. Ms. Iworsky said with a system this size there is no need as there would be for larger systems. The battery storage will be in the basement of the house behind a firewall with a smoke detector in the room and there is a rapid shut down system if there is a fire. Mr. Dube said that there are 400 residents that Mr. Margolis represents and some of the lots are very small and we have your back as far as someone putting a solar array on one of those lots. Mr. Cederholm has a geothermal heating system and this array will help him with the costs.

Mr. Dube said he did not know until tonight that Mr. Cederholm was coming to the Planning Board or even doing this. Mr. Malinowski vice president of the homeowners association stated that he was an engineer and had some technical questions that were answered. William Pawluk said there was an easement on his property but no one has a copy of it. He said he doesn't mind the solar panels going up as long as he can't see it. He said Mr. Cederholm's house is on the edge of the property. All other's houses are in the middle of their property.

Mr. Pawluk made some statements that Mr. Stewart said had nothing to do with the application before the Board. Mr. Dube said that the transformer is right on the property line and Mr. Cederholm's house is in the middle of the property. He said that he has walked the property line with the building department and Mr. Pawluk on several occasions and Mr. Pawluk still doesn't seem to know where his property line is. Mr. Fifield said normally trees aren't under power lines. If so, limbs need to be cut. Mr. Pawluk disagreed with Mr. Dube. Mr. Dube said the NH Electric Coop has a blanket easement for that whole subdivision. Mr. Pawluk can get a copy of the easement at the Registry of Deeds.

Joanne Parker asked the Board to think about the impact this will have on everyone else in town and if it was your neighbor would you approve it? She feels Mr. Cederholm would be the first than everyone will want to do this. If we say yes to one, how can you say no to the next one? Mr. Stewart said this isn't going to be placed in clear view or next to the lake. He's doing his best to keep the view down. Our zoning doesn't say you can only build these if you can't see them. We're balancing the view vs. the property owner putting up something that has a positive environmental impact. Mr. Fifield said this won't be approved on a quarter acre lot. We look at each case individually.

Mr. Stewart closed the Public Hearing at 8:01

7 Criteria

The Board chose to vote on the seven criteria collectively.

1. The proposed use(s) shall be only those allowed in this Ordinance by Conditional Use Permit;
2. The proposed use(s) is/are consistent with the adopted Master Plan;
3. The specific site is in an appropriate location and of adequate size for the use;
4. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located;
5. There will be no nuisance or serious hazard to vehicles or pedestrians;
6. The use will not place excessive or undue burden on Town services and facilities;
7. There would be no significant effect resulting from such use upon the public health, safety, and general welfare of the neighborhood in which the use would be located.

Mr. Leroux made a motion, seconded by Mr. Fifield, to approve all seven criteria. (Vote 3-0)

Mr. Dube returned to the Board at 8:06

Board Business Phil Colosi for TM 47-29 & 32, Province Lake Road: PC Development Realty Trust discussion on a Minor Site plan approved on June 20, 2018.

Mr. Dube told Mr. Colosi that there were some concerns with the amount of fill you removed from the site. Mr. Colosi said he had many offers to buy his property but it's not for sale. He said he has been keeping track of the amount of sand he's taken and it is more than he originally thought. He didn't know it was a problem. He said Dollar General, a trailer park, Cumberland Farms, tried to buy the property. He said no because he didn't want to take away from existing businesses. He said the guy next door would like to buy it. He said he has a contract with him.

Mr. Colosi has thought of putting contractors garages or boat storage, a warehouse there. The lot is 11 acres and with the cost of fuel he hasn't been taking much. Mr. Leroux said there was a whole lot more taken than was approved and the Board has questions on how much more would be taken and it sounds like a lot more will be taken. Mr. Colosi said there is a good amount left to remove. Mr. Fifield said there wasn't an issue with him removing sand, the issue is the estimated amount. Mr. Colosi replied, there is probably another 30,000 yards and 30,000 have been removed.

Mr. Vinagro noted that this was approved as a minor site plan. Mr. Colosi has a bond. There was a lot of loam onsite and he has to re-loam it. Mr. Colosi suggested that he could up the bond. Mr. Dube noted that Mr. Colosi has flattened the land properly and addressed any erosion concern and he has disturbed more than he had quoted and should up the bond and if Mr. Colosi does do the neighbors property the neighbor would have to come in and do the same, filling out a minor site plan adjustment for his property. A berm would separate the two properties and would be located on the neighbors property. Right now, Mr. Colosi has a \$3,000 bond. Mr. Colosi will meet with Mr. Vinagro to increase the bond to \$6,000. Mr. Dube said if he decided to do his neighbors, he will have to increase the bond amount if he hasn't done some reclaiming.

Approval of previous meeting minutes

Mr. Stewart made a motion, seconded by Mr. Fifield, to approve the minutes of April 21st with the addition of the 'he' changed to names. (Vote 4-0)

Mr. Stewart made a motion, seconded by Mr. Fifield, to approve the minutes of May 5th with one amendment. (Vote 3-0-1)

Public Comment

Mr. McRobbie asked if Mr. Colosi had to file an AOT (Alteration of Terrain). Mr. Vinagro said the whole plan was for TM47 L29 which is 3.6 acres. Mr. Vinagro will tell Mr. Colosi that if he is going to disturb more than 2 acres, he must file an AOT.

Set next meeting date

June 2, 2022

Adjourn

Mr. Stewart made a motion, seconded by Mr. Fifield, to adjourn the meeting at 8:35. (Vote 4-0)

Respectfully submitted for approval at the next Planning Board meeting

Priscilla Colbath
Planning Board Secretary