



TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

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MINUTES OF THE PLANNING BOARD MEETING 6 December 2018

Approved: 01/03/2019

MEMBERS		ALTERNATES	OTHERS	
Doug Stewart, Member	X	Donna Martin	Victor Vinagro, Land Use Clerk & Code Enforcement Officer	
Tom Dube, Chair	X	John Blackwood	Russ Bookholz, Building Inspector/Co-Code Enforcement Officer	X
Connie Twombly, Selectmen's Representative		Nancy Spencer-Smith	Mike Garrepy, Planning Consultant	
David Silcocks, Member	X		Richard Sager, Town Counsel	
Dick DesRoches, Vice Chair	X			

Also Present: Richard Edwards, Clarina Graca, Raymond Bisson and Johnny Blackwood

The Chairman called the meeting to order at 7:00pm.

Public Comment

None

Public Hearings:

- 1. Boundary Line Adjustment Plan Application:** submitted by property owners Emanuel & Clarina Graca for property at 71 Bonneyman Road, Tax Map 9-055 and property owned by Joseph Finocchiaro at 85 Bonneyman Road, Tax Map 9-056. The applicants are requesting to adjust the common boundary line between the two properties for an even exchange of land. **After deeming the application complete Mr. Silcocks made a motion, seconded by Mr. DesRoches to accept the application as completed. (Vote 4-0)** The application was accepted and reviewed. Mr. Bookholz told the board that the garage is abutting the property line and this adjustment makes both lots more conforming. They are exchanging square footage for square footage. Mr. Dube said a Mylar would be needed in order for this to be recorded. The pins will be set once the plan is accepted. **Mr. Silcocks made a motion, seconded by Mr. DeRoches, to approve the plan with the pins setting noted on the plan.** Mr. Dube opened up the public portion of the review. There were no comments. **(Vote 4-0)**

Conceptual Review

1. Alan George & Mary MacKillop, Cottle Lane, Tax Map 133-001, extension of a 50 foot right of way. Ray Bisson from Stonewall Surveying, came before the board representing Mr., George and Ms. MacKillop. They would like to divide a five acre lot from their sixty-seven acres. A full survey has not been done. The map he was using shows stone walls, brooks and houses. The road is thirty-three feet and the town regulations are fifty feet. His question is will the town allow usage of a thirty-three width. Mr. Dube stated that anything said tonight is non-binding. The only frontage the property has is thirty-three feet so there is no road frontage to make another lot. The first thing that would have to be done is to go for a variance. A road may have to be built and must conform to town specs. A waiver may possibly be allowed for a gravel driveway with the town requirements for width etc. That's unknown at this time. Mr. Silcocks showed Mr. Bisson the area as it is now on google maps. Mr. Bisson asked if they got ZBA approval would this be a minor or major subdivision. Mr. Dube replied that he believes that if you do a minor subdivision you cannot subdivide your lot again. As done in the past if you do a major subdivision items are waved. Each lot has to have one hundred and fifty feet of road frontage.
2. Robert Hallahan, 161 River Road, Tax Map 124-004, Minor subdivision. Mr., Hallahan said there were restrictions on the property. The town wanted to have their attorney look at it. That never got done. He assumes that two neighbors didn't agree so no more subdivisions. The Board had the minutes before them. They stated no subdivision and the Board moved on, He said he meets all the criteria. Mr. Dube said he didn't think he meets all the criteria. Mr. Dube said in order to follow the zoning specs he would have to build a town approved road in order to subdivide but he does understand what Mr. Hallahan is trying to do. The note on the plan needs to be researched. Mr. Stewart said his concern was that the minutes say multiple times, no more subdivisions. He also felt that Mr. Hallahan would be restricting rights of others who own the back lots if he subdivided. Mr. Silcocks said that the others had a deeded right away to the water. They all discussed a small area that did not have to be part of the subdivision. Mr. Dube stated that there had been more subdivisions of that parcel after the note was written. The two lots are connected by a right away that everyone uses. Mr. Stewart feels that it's one contiguous piece that has not been separated by subdividing. No minutes were found after 1991 to show the change. Mr. Silcocks said at one point the no subdivision note had been overturned but no one has any information. Mr. Silcocks suggested that he would be able to find when the existing lots were created at the Registry of Deeds. Mr. Dube said that Mr. Hallahan would have to hire an attorney and an association who would own the roads and agree to maintain them. Mr. Hallahan said he owns it all and does maintain the roads. Mr. Dube said the conceptual review is non-binding. Mr. Hallahan could hire a surveyor and come before the Board with a subdivision that will have to show easements and he may need variances. We may wave the subdivision not being on a town road but that is all unknown right now. Mr. Silcocks would like to know how the other lots came about. First Mr. Hallahan needs to find when the lots were subdivided.

Board Business

See attached Proposed Warrant Articles

Proposed 2019 warrant Articles to amend the Wakefield Zoning Ordinance

Amendment 1

Mr. Dube read the proposed change. By consensus that the Board was in favor of amending this article.

Amendment 2

By consensus the Board was in favor of amending this article as written.

Amendment 3

By consensus the Board was in favor of amending this article as written.

Amendment 4 Removed

Mr. Stewart pointed out a couple of other pages that had the term “grandfather clause”. Mr. Dube questioned taking the words grandfathered out. After a lengthy discussion the Board, by consensus, was not in favor of amending this article.

Amendment 4

By consensus the Board was in favor of amending this article as written.

Amendment 5

By consensus the Board was in favor of amending this article as written.

Amendment 6

After a very lengthy discussion about existing dwellings that don’t meet all current codes and seasonal dwellings that must meet codes when converted to year round residences. Mr. Dube stressed that this was put in place to protect the lakes from the lack of septic systems. The Board chose, by consensus to leave it as is.

Amendment 7

A lengthy discussion ensued about an accessory dwelling and an accessory dwelling unit door. There was also discussion about bunkhouses that have recently been permitted and not in the regulations. A separate article was suggested to define bunkhouse. Mr. Dube asked to have “and attached” removed from the definition. Mr. Bookholz will go back prior to 2015 when they had site plan regulations and site plan regulations as two separate documents to see where it was stated that you couldn’t do a minor subdivision after a property has previously been subdivided. The Board chose to vote on this after the first Public Hearing. The majority felt that bunkhouse should be limited to a sleeping area. Everything will go to Mr. Sager for review.

Approval of previous meeting minutes

Mr. DeRoches made a motion, seconded by Mr. Stewart, to approve the minutes of November 15, 2018. (Vote 4-0)

Correspondence

None

Public comment

None

Mr. Stewart told the Board that the CIP is almost done and the sub-committee will come before the Board to review the results and accept the document or not in December or early January.

Set next meeting date: December 20th

Adjournment

Mr. Silcocks made a motion, seconded by Mr. DeRoches, to adjourn the meeting at 9:49. (Vote 4-9)

Respectfully Submitted for approval at the next Planning Board meeting,

Priscilla Colbath