



TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

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MINUTES OF THE PLANNING BOARD MEETING

2 May 2019

Approved

5/2/2019

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

Also Present: Wayne Robinson, Lisa Robinson, Lauryn Robinson, Andrew Tobin, Mackenzie Tobin, Jillian Newenham and Donna Martin with ClearView Community TV

Mr. Dube called the meeting to order at 7:02 pm.

Seat Alternates as necessary

Mr. Dube sat Alternate Mrs. Martin for Mr. Silcocks

Public Comment

None

Conceptual Review

Wayne Robinson for MacKenzie Tobin for property located at 27A Meadow St; Tax Map 179-133. Fitness Center offering group classes, meditation, yoga, & personal training. Will be sharing the space with Shake It Up dance center.

Mrs. Tobin and Mrs. Newenham explained their plans to the Board. Mrs. Tobin explained that she would be getting her personal training certificate and offer classes, meditation and yoga in the Freddie Myers Building that previously held Sheepdog and Halligans'. Mr. Vinagro felt that the space requires an Insignificant Change of Use permit as it will go from a sign place to a fitness place. Mr. Dube said it will go from retail to retail. Mr. Edwards feels this shouldn't even be up for discussion because it's pretty simple. Mr. Dube stated that anything that is said here tonight is non-binding as it is just a Conceptual Review. Mr. Dube explained that Mr. Edwards is saying that they need nothing from the Planning Board in order to move into the space because there isn't a big difference from what was there. Mr. Vinagro said there would be requirements because it's commercial and people will be entering and exiting the building. Things like handicap signage which will be checked when they get a permit. There

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is a half a wall that will be removed. Mr. Stewart said that he feels there is adequate parking and as long as it meets the permit requirements he agrees with Mr. Edwards that they don't have to necessarily have to review this. He feels that this is another type of retail business.

The closest thing Mr. Vinagro could find for permitted use was indoor recreation. There was nothing under fitness per se. So this is a permitted use in Business/Residential. Mr. Dube said that the previous tenant signed a lease agreement and moved in without coming to the Planning Board or the Building Department. In Mr. Dube's mind they don't have to unless it's something that doesn't belong in the zoning. Mr. DesRoches, wanting to be consistent, asked what the new hair salon owner was required to do. Mr. Vinagro said that was an established business that just moved to a new location that had housed a clothing store. This would be a new business moving into a retail space. Mr. DesRoches said that he felt they were being consistent in not requiring a permit. Mr. Dube explained to Mrs. Tobin that any new business has to go to the town to make sure the building is up to date before you can move in. Mr. Bookholz will check the building to make sure all safety devices are in working order.

Board Business

New Flood Plain Ordinances

Mr. Dube said this is something the state would like towns to do. We already have an ordinance in our zoning that is now very restrictive and it works. Mr. Vinagro read a letter from Jennifer Gilford of OSI saying that the newly revised flood plan is recommended but not required. As long as the town's flood plan include the minimum requirements than the town is in compliance, and we are. In order for an individual to purchase flood insurance the town must have a flood plan in place. This also applies to FEMA support in an emergency. Mr. Edwards questioned actually being out of the flood zone but included in the flood zone on the map. It is required that you obtain Letter of Map that costs \$600 to \$800. He has an issue with this. Mr. Dube said he would prefer new accurate maps that work rather than new regulations.

Approval of Minutes

Mr. DesRoches made a motion, seconded by Mr. Edwards, to approve the minutes of April 4, 2019 .
(Vote 3-0-2)

Mr. Dube asked to have a discussion about Insignificant Change of Use. Mr. Dube said that Mr. Bookholz was cautious of making a decision without the Board reviewing information on certain things. He suggested having the Planning Consultant, the Board, Mr. Vinagro and Mr. Bookholz have a workshop to discuss examples of Changes of Use. They discussed what was permitted in some of the zones. They talked about one business leaving a space and different kind of business taking over that space. If both businesses are allowed and there will be a change of use and building will take place they would come before the Board for a Site Plan. The Board questioned having to come before the Board for a Change of Use if it's allowed in the zone. Mr. DesRoches asked where Change of Use is defined. Mr. Edwards doesn't feel it's a bad idea for people to come before the Board for informational purposes but if it's a permitted use they shouldn't think they may be denied. Mr. Dube explained that one reason one may come before the Board is there may be a change in rules since the last business came before the Board or applied for permits. The Board feels they need clarification on how to proceed. Mr. Vinagro wants the department to be as transparent as possible. Mr. DesRoches feels that the definition should be stated in their regulations and zoning. The Board discussed several scenarios. They decided they should have some criteria stating what an Insignificant Change of Use is.

Mr. Dube asked if the Board would like to work on any zoning changes. Mr. Vinagro said he would like to address the ADU that was not approved on the ballot. The limit is 750 sq. ft. evidently to differentiate between the 800 sq. ft. minimum for a permanent structure. Which puts the Town at 750 sq. ft. not 749 or 751 without a variance. He would like it to be 750 to 900 and allow two bedrooms. He would also like a through explanation be given to the residents. Mr. Stewart asked if the Planning Board votes could appear on the ballot and Mr. Vinagro said they could. Mr. Stewart would also like to put forward articles that the Board can agree on instead of just putting them on the ballot and letting the townspeople decide. Mr. Dube asked if the Board was in agreement to have a workshop in June depending on Mile Garrapy's availability and then in August or September have an open forum to ask the public their thoughts and recommendations for zoning changes. Maybe have the forum in June with Mr. Garrapy.

Cassandra Wallace sent a text that Mr. Dube read aloud explaining when they rented the Myer's building space they did come before the Planning Board, explained their intentions and did pay a Change of Use fee. Mr. DesRoches said the definition must be written somewhere because people have been coming to the Board for Changes of Use. There is an application for Change of Use but nothing in the site plans. Mr. Dube read the items on the application. Mr. Vinagro will check with Mr. Garrapy and explain why the Board would like to meet with him. Mr. DesRoches said that the description of Insignificant Changes of Use is in the development regulations on page 22 and not the zoning. This is the place where the Board should have been looking to make sure the criteria was being met. The Building Department should look at that criteria and the site plan to determine if the person needs a Change of Use permit. And if all criteria is met they do not have to come before the Board or pay a fee.

The Board will hold an open forum to get input from the public on zoning changes beginning at 6:00 in the opera house. What kind of town do the people want to see? Growth? No growth? Mr. DesRoches said that it should be explained that the Board is there to listen but their suggestions may not come to fruition

Correspondence

None

Public comment

None

The Planning Board will meet on May 15, 2019

Adjournment

Mr. Stewart made a motion, seconded by Mr. DesRoches, to adjourn the meeting at 8:02 (Vote5-0)

Respectfully Submitted for approval at the next Planning Board meeting,

Priscilla Colbath