



# TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

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## MINUTES OF THE PLANNING BOARD MEETING

11 July 2019

Approved

Approved: 7/18/2019

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: Bill Denley, Geoff Denley, Malory Denley, Al Nichols, Mark Lucy, Officer Landry and Donna Martin with ClearView Community TV

Mr. Dube called the meeting to order at 7:00pm.

### Seat Alternates as necessary

Mr. Dube sat Ms. Martin for Mr. Silcocks

### Public Comment

None

### Conceptual Review

#### **Mark Lucy and Dick DesRoches for Gafney Library addition TM 179-12, 14 High Street**

Mr. DesRoches stepped down as a voting member of the Planning Board. Mr. DesRoches explained when they were previously before the Board they presented a drawing with a larger addition. They have scaled it back to closer meet the setback requirements for the wetlands and onsite water management. Mr. Lucy explained the changes in water management. He said they needed a waiver from the Planning Board for the wetland setback as they will need to build within the 30' setback. The plan shows a 10' setback. Also, they are looking for a waiver for some of the water management because the water level is sometimes higher than the ground. The Barber Shop will be demolished but they will be adding 2,500 feet of roof. They are seeking relief for those items and are there to see what the Planning Board may require or recommend. Mr. Dube said, this is conceptual and non-binding on either party in any way. Mr. Edwards asked how this adds more water to this site. He was told that with more impervious area, roof water and the water table being so high it doesn't percolate into the ground. There isn't actually more water but less area for it to percolate into the ground. The water will run swiftly off the roof into a

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gutter system and it will be collected in a 600 sq. ft. x 12" shallow depression. Mr. Lucy said it his was calculated for a fifty year storm and should be sufficient. Mr. Dube told Mr. Lucy that he would have to go to the ZBA for a variance for the building setback from the property line. The Planning Board could grant relief for the wetland setback of 10' instead of 30'. Mr. Dube explained that the water that spewed from the ground is water that came down High Street and backed up. It's not because the river is high. Mr. Dube suggested that they do a little research about this issue to maybe determine a way, perhaps with AWWA's help, to monitor or help control the pollution from the water runoff down from the high roads to the river that may impact the water quality. Perhaps come up with some mitigation solutions. Mr. Lucy will contact the Department of Public Works to see what kind of drainage system they have now. It would help their case if they suggest some off site improvement, perhaps collaboratively with the town this could be done.

### **Geoff Denley 2305 Wakefield Road, TM161-1 Wedding /Farm Event Venue**

Mr. Denley would like to turn the barn, as part of the farm, into a venue/reception hall. He said the zoning requires a Conditional Use Permit because it's zoned agriculture. *Classification Page 9, Community Center, Meeting Hall, Reception Hall & other places for public assembly.* Because it is a working farm it falls under agri-tourism.

Mr. Denley asked how he should apply for the permit. Mr. Dube read the following stating that this is a Conceptual Review and what is said is non-binding on either party.

ARTICLE 29 – CONDITIONAL USE PERMIT A. The Planning Board may, in appropriate cases, and subject to safeguards as determined by the Planning Board, grant a conditional use permit per RSA 674:21 for a land use in accordance with Table 1 of Article 3.

1. The proposed use(s) shall be only those allowed in this Ordinance by Conditional Use Permit;  
Meets this
2. The proposed use(s) is/are consistent with the adopted Master Plan;  
Meets this
3. The specific site is in an appropriate location and of adequate size for the use;  
Meets this
4. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located;  
Meets this
5. There will be no nuisance or serious hazard to vehicles or pedestrians; 2019Wakefield Zoning Ordinance Page 76  
Meets this. Off street parking in field. Be ready to answer how you will deal with traffic. Talk to DOT about existing driveway.
6. The use will not place excessive or undue burden on Town services and facilities;  
Meets this
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.  
Meets this. Rough idea how many events would you have.  
All contingent with what the public may bring up.  
Next, apply for the permit, draw a diagram where people will park, abutters would be notified and a Public Hearing would be set up. Mr. Denley will meet with Mr. Vinagro to go over the steps.

### **Al Nichols 1014 Pine River Pond Road, TM 42-13, Family Compound.**

Mr. Nichols presented a map with the layout. He would like to put another structure 819 ft. back on this parcel. This parcel is no longer in current use. There is currently one family dwelling on the property. A Family Compound can have 3 dwelling units. He would be land locking a portion of the property so Mr. Vinagro suggested a flag lot for a possible future subdivision. It's not mandatory but is suggested in case sometime in the future someone wants to subdivide the property. The setbacks will all be met with no problem. There is no frontage requirements in a family compound. He has 396' of road frontage. The new structure will be about 40x40. It will have a separate well, septic, etc. He plans to take a total of eleven acres out of current use. Mr. Dube said this is a Conceptual Review and everything said here is non-binding.

### **Board Business**

#### **Sign Bodah Boundary Line Adjustment Plan**

The pins were placed in the ground and are depicted on the drawing. The Board signed the Plan.

#### **Approval of Minutes**

Minutes of June 20<sup>th</sup> unable to be approved for lack of a quorum of those present at that meeting.

### **Correspondence**

#### **EverSource Conditional Use Permit Application.**

Mr. Vinagro told the Board that EverSource is putting in a line and structures along the tracks from Rines Road to Sanbornville substation. He wanted to give the Board a heads-up. There are forty-six abutters. Thirty one steel structures will replace sixteen wooden poles. They need a Conditional Use Permit because all Public Utilities require a permit. Mr. Stewart said that the public may have questions about the poles and this gives them an opportunity to get their questions answered before it happens. The Board said that Mr. Vinagro should contact Mike Garrepy and ask if he's had any experiences with this kind of thing and if after speaking with him Mr. Vinagro believes he should be at the Public Hearing than he should ask him to be present. EverSource will come before the Planning Board on Thursday, July 18<sup>th</sup>.

### **Board Business**

Mr. Edwards asked what the plan for the Board is for future planning. Mr. Dube would like to discuss and clarify ADU's. He said it was always this Board's opinion that detached ADU's were allowed. Mr. Stewart said, there are some contradictions in the wording that has to be fixed so there is no question that an attached and a detached ADU is permissible. Mr. Dube said they are allowed in R2 and the Board could change that to not allowed. Mr. Dube wondered how many people have inquired about ADU's. Mr. Vinagro said one approved, two pending and a few more they have not received building applications for. Mr. Dube said we allowed the detached because there are a lot of garages that are not attached to homes that can add the ADU over their garage. Mr. Dube said if Mr. Vinagro researches the minutes when this zoning ordinance was approved, as written, there was a discussion about whether it was detached or attached and we agreed to leave in that you could have a detached unit. If Mr. Vinagro can find the minutes that say our intent was to have them attached and detached in those minutes with a Board vote, we can tell you that's the way we want it to go. Mr. Stewart said he sees a risk, for instance,

a neighbor who doesn't want someone to build a detached unit could read the zoning and say it should have not been allowed and end up in court. Mr. Vinagro is neither for or against it he just needs to know for code enforcement. He will research the minutes and bring them to a meeting for Board discussion.

Mr. Vinagro has a small list of housekeeping items for Board discussion. Mr. Dube said there was an item on the agenda about changing the zoning at Route 109 and Route 16 but she didn't come in. Mr. Vinagro will reach out to her. Mr. Vinagro will bring one or two items for discussion to each meeting. Mr. DesRoches said they have not had people come to them for clarification this year. The ordinances are easier to understand, they have made them clearer. Mr. Edwards believes that if we are going to add more regulations there has to be some deregulation also. The Board discussed the benefits of procedure.

**Public comment**

None

The Planning Board will meet next on July 18<sup>th</sup>.

**Adjournment**

Mr. DesRoches made a motion, seconded by Mr. Stewart, to adjourn the meeting at 8:41 (Vote5-0)

Respectfully Submitted for approval at the next Planning Board meeting,

Priscilla Colbath