



TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

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MINUTES OF THE PLANNING BOARD MEETING

7 March 2019

Approved

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

Also Present: Al Patenaude Jr. and Donna Martin with ClearView Community TV

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

Mr. DesRoches seated Donna Martin

Public Comment

None

Conceptual Review

Al Patenaude Jr, Silver Hill Drive, Tax Map 7-2, 8-32 & 8-31, Site Plan Review.

Mr. Patenaude purchased two parcels on Silver Hill Drive and the back parcel which contains about fifty acres and he adopted the road that was never deeded out to the association. He is in the process of having the road surveyed and documented. The property abuts the board launch. The subdivision was approved by the Planning Board in 1986 and the plan and regulations were recorded. The road agreement and the homeowner's agreement were all mixed into one and he is trying to sort out all of that. Mr. Silcocks asked how many lots were in the association. Mr. Patenaude replied, there are seven lots that are part of the subdivision. In 1974 there was a separation of ownership within the Ames family. Ames Prentice still retains a piece of the property. One parcel was subdivided out by itself and the remainder was kept by one of the family members.

He showed the Board a map of the 1986 subdivision. Seven lots were shown and four lots were never tied in to the subdivision which makes the subdivision incomplete. He bought lots 5, 6, two parcels on the water, the entirety of the road and the large parcel in the back plus a two acre parcel. The lot by

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Pickpocket Road he did not cut, it was cut prior to him purchasing the property. Mr. Patenaude spoke with Mr. Vinagro and Mr. Bookholz along with the Fire Department concerning public safety on the road. They discussed the gradient of the road. It is a heavy sloped, non maintained dirt road with severe water runoff and impassible for emergency equipment especially fire trucks. He talked about how the water would be dealt with. He eventually wants to build something for himself, buy and sell some. His focus now is to be able to control what happens. Fire Safety is his concern with the road access. He is considering a dead end road with a turnaround for large equipment. He expounded on how he would handle the water runoff. He said the width of the road is 50' although the map doesn't show it. He also had a map showing the topography of the lots. He talked about using retention walls although he'd rather do a tiering with vegetation. Mr. Stewart asked if one of the lots had a right away across a portion of the land. Mr. Patenaude said they have a right to pass and re-pass. They don't have a right to use it as frontage and they are not part of the association. The road was approved as part of the subdivision. He said there is nothing in your regulations that say anything about discontinuing a private road. He will continue access and upgrade that access. He said in your regs you have 1000 linier feet for a dead end road and this road eighty feet over. Mr. DesRoches said it's basically a dead end road now.

He'd rather not move any stone walls. Mr. Silcocks said the turnaround are would have to be bigger to accommodate the large fire trucks. And he pointed out on the map where Mr. Patenaude might locate the wider area. Neither he nor the Board feel he'd have to go thought an entire subdivision process. Mr. Patenaude asked if a waiver would be needed. Mr. DesRoches said in order to waive something they'd need an application to do something. Mr. Silcocks said he'd have to notify the abutters because they all have a say when it comes to the road. Mr. Patenaude said that's not the way it's written. He said it was a poorly written document. He owns two out of the seven lots. Mr. Stewart said this seems like a win win for everyone but he'd want the abutters to be notified and Mr. Patenaude said he had no problem with that. Mr. Silcocks said nothing here is binding on either you or the Planning Board. Mr. Patenaude said the road isn't part of any subdivision, this is him trying to improve it. He said the association hasn't filed anything with the state for years, it's basically a defunct system. The Board had a discussion on why Mr. Patenaude would come before the Planning Board as this isn't a subdivision, site plan or new building. Mr. Vinagro said the people who live on that road use an alternate entrance. The road isn't maintained right now and it's too steep. Mr. Vinagro thinks this is a great plan especially to protect the shoreline. Mr. Patenaude would like to work with zoning, building, fire and the road agent to make sure this is all done correctly even if it's not mandatory. Mr. Vinagro will seek advice as to whether any of this will need to come before the Planning Board. Mr. Patenaude explained how he would fix the gradient of the road.

Mr. Patenaude said he would have to come to the Board for a minor subdivision to take the two present lots and convert them into three lots actually cutting both existing lots to make the three. He has talked to Mr. Bookholz and Mr. Vinagro about the entrances to these lots. All the requirements would be met. Mr. DesRoches questioned whether the road would have to be improved to meet town regs. Mr. Patenaude would have to sign a release saying he would maintain the road for emergency vehicle access. The deed says that any future subdivision does not have to be part of the association. Mr. DesRoches said he thought the Board had dealt with this issue of improving a road before, the gentlemen that owns the roads and wants to subdivide. (Robert Halloran) Mrs. Colbath provided the section of the minutes where this was discussed. Mr. DesRoches said that Mr. Dube had stated that the Board does have a right to waive it. Mr. Stewart asked if lots #32 and #34 have access to the water and if you were to subdivide the two into three one would not have water access. Mr. Patenaude said that is correct. He wanted to talk to the town before he talked to the association. Mr. DesRoches said the right away is sufficient at 50

feet. It might be best to do all of this at one time. Mr. Patenaude asked if he'd have to do a full perimeter survey if he ties in the back fifty acres that he plans to tackle in the future. The Board said in the past they have waived that. Mr. DesRoches said the road is not technically part of the land that's being subdivided but believes the Board can deal with that along with the subdivision. He believes the plans should be circulated between fire and police and get a recommendation from them about the road. Mr. Patenaude will work with his engineers to show the changes. There was discussion on how to change the road, the turnaround, drainage etc. Mr. Patenaude asked about a permit to cut a few trees. Mr. Vinagro will check to see if they are all outside of the 250' shoreline area.

Board Business

Release Escrow for Silcocks Case

Mr. Mike Garrapy waved the fees for Wakefield Garage. Mr. Vinagro is requesting that \$400.00 plus accrued interest for the planning professional service fees be returned.

Mr. Stewart made a motion, seconded by Mrs. Twombly, to release the fees. (Vote 4-0-1)

Approval of Minutes

Mr. Silcocks made a motion, seconded by Mrs. Twombly, to approve the minutes of February 7, 2019. (Vote 4-0-1)

The minutes of February 21, 2019 were tabled until the next meeting.

Correspondence

New Conservation Commission By-Laws

Distributed for informational purposes only.

Public comment

None

The Planning Board will meet next on March 21st, 2019.

Adjournment

Mr. Silcocks made a motion, seconded by Mrs. Twombly, to adjourn the meeting at 8:01 (Vote 5-0)

Respectfully Submitted for approval at the next Planning Board meeting,

Priscilla Colbath