



TOWN OF WAKEFIELD, NEW HAMPSHIRE

Planning Board Minutes

July 16, 2020

APPROVED

Zoom Meeting #6

MEMBERS		ALTERNATES		OTHERS	
Tom Dube, Chair	X	Donna Martin		Victor Vinagro, Building Inspector/Code Enforcement Officer	X
Dick DesRoches, Vice Chair	X	John Blackwood			
Charlie Edwards, Selectmen's Representative	X			Mike Garrepy, Planning Consultant	
David Silcocks, Member	X			Richard Sager, Town Counsel	
Doug Stewart					

Others present: Sally and John Hildreth, Joe Berry, Mark LaRoche, Melissa Kenison, Jon Surette, **Kurt ?**, Scott Lawler, Jim Miller and Ted Taylor of Clearview Community TV.

Pledge of Allegiance & Call the meeting to order

Chairman Dube called the meeting to order at 7:00.

Seat Alternates as necessary

No alternates were present.

Public Comment

None

Public Hearings

Conditional Use Permit Application: submitted by John & Sally Hildreth for property they own at 39 Main Street, Tax Map 240-4. The applicants are seeking approval of a Conditional Use Permit to change the use from Business/Commercial to a single family 2Bedroom dwelling.

This is the old SAU building in Union. Mr. Dube opened the Public Hearing at 7:04. Mr. Silcocks asked if this would be a two or four bedroom house. Mr. Hildreth answered that it will be a two bedroom house but the septic is approved for four bedrooms. Mr. Vinagro said the commercial building was set up for twenty-eight employees. Mr. Vinagro has all the approvals for a four bedroom. The application is complete, the fees have been paid, the abutters notified, and the notice has run. Mr. Dube read the seven criteria for a Conditional Use Permit.

1. The proposed use(s) shall be only those allowed in this Ordinance by Conditional Use;
yes
2. The proposed use(s) is/are consistent with the adopted Master Plan;
Yes
3. The specific site is an appropriate location and is of adequate size for the use;
Yes
4. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located;
Yes, it will improve the area.
5. There will be no nuisance or serious hazard to vehicles or pedestrians.
Yes
6. The use will not place excessive or undue burden on Town services and facilities.
Yes
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
Yes

Mr. Edwards made a motion, seconded by Mr. Silcocks, to approve the Conditional Use Permit for Sally and John Hildreth. Roll call vote (4-0)

Major Site Plan Application: Submitted by Scott Lawler, Norway Plains

Associates, Inc. for property owned by Mark LaRoche on Wakefield Road, NH Route 153, Tax Map 184-74. The applicant is seeking approval of a Major Site Plan Application for retail sales of landscape, garden, property maintenance materials and products. The proposed project is to construct 12 landscape material storage bins and install a stormwater management system. No buildings are proposed.

Mr. Lawler said this is a 6-acre tract of land located in Village/Residential zoning. It is bordered by Route 153 and the railroad tracts. Wetlands scientist, Mr. Coons delineated the wetlands. There is some tree coverage along the road. The storage bins would be 10x10. Mr. Lawler pointed out their location on the map. There will be five parking spaces located on the north corner. They propose a grass treatment swale and a retention basin designed to follow DES criteria for conveyance and pretreatment. The soils on the site are mostly fine sandy loam with some stony gravels. Mr. LaRoche's hours of operation will be 7:30am to 5:00pm with some appointments outside that time frame and he will have two employees on site.

He will have two pole lights installed to illuminate the gravel area and they will be on timers. They have prepared a stormwater manual for inspection for Mr. LaRoche to inspect the retention basin and stormwater system yearly. At this time, he is not planning any storage of salt products, herbicides or pesticides. He will store landscaping products. Mr. Lawler said an operation of this size does not trigger state permitting. He does have a permitted driveway and the north driveway will be blocked off.

Mr. Dube asked if there was a sequence of events on the plan as far as construction goes. He also said the treatment swale should be the first thing. Mr. LaRoche agreed that should be the first thing. Mr. Dube said this piece of property has had some problems because of some wetland

violations and he noticed there is no stamp from the wetland's person on the plan. Also, there are no numbered flags on the plan. Mr. Lawler said they could add those on the plan. Mr. Vinagro asked if they had a 30' setback from the wetlands. Mr. Lawler responded, that is depicted. Mr. Dube said there is also a 10' no cut on that 30' setback. Mr. Lawler said the plan will show the wetlands scientists stamp and the points that were marked. The signing block should have a place for all five Planning Board members signatures. Mr. Lawler pointed out some existing catch basins on the map. He will see that all requested from the Board is done.

Mr. Dube opened the Public Hearing at 7:31. Mr. Surette said he lives right across the street from this property and was concerned about the trucks and other traffic entering and leaving the property and turning around in his driveway. Mr. Vinagro said the application is complete, the fees have been paid, the abutters notified, and the notice has run. Mr. Dube said we really now have to accept this application.

Mr. Silcocks made a motion, seconded by Mr. Edwards to accept the application as complete. Roll call vote (4-0)

Mr. Dube closed the Public Hearing at 7:37. Mr. Dube re-opened the Public Hearing at 7:37 recognizing Mr. Miller. Mr. Miller is not an abutter, but he is a taxpayer and he is concerned, although the plans look great, what insurance is there that they will be followed through. He knows some of his taxpayer funds have been used because of situations with this applicant. He is requesting that the Planning Board consider a bond. Mr. Dube said there will be a bond. Mr. Miller considers this an insurance policy to make sure more expenses are not incurred by the town. Mr. Dube said every site plan that we do we require a bond for erosion control. For this one we will also require one for the retention area, proposed swale, flat area to be grassed. If Mr. LaRoche does not complete this list, we take the money and we will do it. Mr. Dube closed the Hearing at 7:41.

The application is complete, the fees have been paid, the abutters notified and the notice has run. Mr. Lawler asked if this bond would be 100% of the estimated construction value. Mr. Dube replied, we should be able to come up with a number. It won't be as high as \$20,000. Mr. Dube said there has been violations on this property, and this is the only property we're discussing tonight and we want to make sure this is done properly. He told Mr. LaRoche that the rain we have recently had has washed out his yard and gone into the retention area he has currently set up. There is a maintenance plan he must follow for the swale and the pond. At the very least Code Enforcement must have a copy of that yearly or two-year inspection.

It's unstable right now so the silt fence should go up right away and it should be bonded. We're probably looking for a \$500 bond for a silt sock. The swale and retention basin which is about 40'x30' would need to be bonded. Mr. Lawler would like to submit a cost estimate and figure the cost of the bond from that if the Board is willing to list this as a condition of approval. They will bring in the cost estimate with the final plat and the board will discuss both. Mr. Dube said if the board isn't satisfied with the bond amount it will be sent back and the plat won't be signed until the bond is approved by the board. The board agreed with that by consensus. Mr. Dube said, you are now bringing to us a site plan that we have been asking for from you for a few years now.

Mr. Debe closed the Public Hearing at 7:45. Mr. Dube told the public that Mr. LaRoche's plan does meet our zoning requirements.

Mr. Silcocks made a motion, seconded by Mr. Edwards, to approve the applications with three restrictions; an agreed upon bond for the drainage and erosion control, a wetlands stamp and the flags properly marked on the plan, the town to be notified every two years concerning the stormwater inspection and maintenance manual and the signature block being corrected on the plan. Roll call vote (4-0)

Minor Subdivision Plan Application: submitted by Joseph Berry, Berry Surveying for property owned by Chester Czepyha located at 2126 Lovell Lake Road, Tax Map 205-4. The Applicant is seeking an approval for a Minor Subdivision Plan Application in order to subdivide 30 acres into 3 residential lots. Most of the land is in Milton. Only the street frontage is in Wakefield.

Mr. Berry stated that this has been approved by Milton. They have looked into RSA 674:53 on mutual boundaries it says land which is located in more than one municipality may treat a municipal boundary line as an existing boundary. They are able to use the function of one town to satisfy the building requirements. These properties can no longer be subdivided at the town lines. They will have to get DOT approval for two driveways. Mr. Vinagro said all fees have been paid, the plan is complete, abutters have been notified and the notice has run.

Mr. Edwards made a motion, seconded by Mr. Silcocks, to accept the application. Roll call vote (4-0)

Mr. Vinagro sent the information to the town attorney and he saw no problems. Presently they get one tax bill from Wakefield, now all three lots will get separate tax bills. Mr. Vinagro asked what the conditions were that Milton placed on the property. Mr. Berry said they wanted the lots to show separate totals and they wanted DOT driveway permits to go in front of the Wakefield Board. Mr. Dube opened up the Public Hearing at 7:55. Gail Baker lives right across from the property. She is concerned that driveways would be across from her driveway. Mr. Edwards said we have no jurisdiction over driveways. Mr. Berry pointed out where the proposed driveways would go and it's doubtful that it would be in front of her house. Mr. Dube closed the Public Hearing at 8:00. The plans will be filed in both counties.

Mr. Silcocks made a motion, seconded by Mr. Edwards, to approve the minor subdivision for Mr. Chester Czepyha with the following conditions: state driveway permits, the bounds get set and the final approval from Milton. Roll call vote (4-0)

Board Business

Correspondence

Public comment

None

Approval of previous meeting minutes

Mr. DesRoches made a motion, seconded by Mr. Edwards, to approve the minutes of July 2, 2020. Roll call vote (3-0-1)

Set next meeting date

August 6, 2020

Adjournment

Mr. DesRoches made a motion, seconded by Mr. Silcocks, to adjourn the meeting at 8:10. Roll call vote (4-0)

Respectfully submitted for approval at the next Planning Board meeting,

Priscilla Colbath
Planning Board Secretary