



TOWN OF WAKEFIELD, NEW HAMPSHIRE

Planning Board Minutes

August 20, 2020

APPROVED

Zoom Meeting #8

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	X				

Others present: Kerry Fox, Gerald Crocco, David Patterson, Mr. and Mrs. Craig Miller, Robert Harrison, Timothy Curtis, Jim Miller and Ted Taylor from 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

Full Board present

Public Comment

None

Public Hearings

Minor Subdivision Plan Application: submitted by Kerry M. Fox for property owned by Thomas W. & Leslie Coates at Leighton Corners Road. The Applicant is seeking an approval of a Minor Subdivision Plan Application in order to subdivide 15.87 acres into 3 residential lots. The applicant is requesting 2 waivers, 1. Section 5.010-Surface Drainage and 2. Section 5.011-Erosion Control.

Mr. Fox handed out a copy of the plan with test pit data and a note with the notice of decision made by the ZBA in May. The property has 896.46 feet of road frontage and it is zoned agricultural. Lot #1 has 5.53 acres with 5.04 acres of buildable land. Lot #2 is ? Acres with ? buildable acres. Lot #3 is a flag lot. Total acreage is 5 acres and there is 3.79 acres of buildable land. This is the lot they went to the ZBA for a variance. Mr. Dube asked why the flag portion of the lot couldn't be counted. Mr. Fox explained that it is in the zoning. Lot #1 will have its own driveway and lots #2 and #3 will have a shared driveway. This is a subdivision to create lots for

family members. They are asking for a waiver from section 5.010 and 5.011 surface drainage and erosion control. Mr. Vinagro said the application is correct, the fees have been paid the notice has run and the abutters notified.

Mr. Silcocks made a motion, seconded by Mr. Edwards to accept the application. Roll call (Vote 5-0)

Mr. Edwards said no drainage problems exist. There is ledge in that area. The soils are good. Mr. Dube opened the Public Hearing at 7:15. There was no public comments. Mr. Dube closed the Public Hearing at 7:15.

Mr. Silcocks made a motion, seconded by Mr. Stewart, to waive 5.010 and 5.011. The pins need to be set and noted on the plan and the signing block must be there for five members to sign, standard plans with mylar, Roll call (Vote 5-0)

Insignificant Change of Use Application: submitted by Gerard W. & Joyce M. Crocco for property they own at 3431 Province Lake Rd; Tax Map 47-17. The applicants are seeking approval of an Insignificant Change of Use Permit to change the use from a restaurant to a 2-bedroom apartment & office retail.

Mr. Crocco said it would be more profitable to have this building as a rental unit rather than a restaurant. There is an apartment upstairs now. The septic meets the gallons per day. Mr. Vinagro stated that the application is complete, fees paid, notice has been run and abutters notified. It is zoned business/commercial.

Mr. Edwards made a motion, seconded by Mr. Silcocks to approve the application as complete. Roll call (vote 5-0)

Mr. Dube opened the Public Hearing at 7:24. No public comment. Mr. Dube closed the Public Hearing at 7:24.

The Board went through all the INSIGNIFICANT CHANGE OF USE items.

1. It will not have any adverse impacts beyond the boundaries of the site.

No

2. It will not result in increased parking requirements that cannot be satisfied by the present site.

No

3. It will not result in any increased nuisance to the neighborhood or abutters.

No

4. It will not result in increased traffic hazards either on-site or off-site.

No

5. It will not result in additional drainage beyond the site or adversely affect groundwater resources.

No

6. It will not increase the sanitary waste loading of the site beyond that which already exists.

No

7. The present on-site solid waste disposal system can handle any increase in solid waste.

Yes

8. The present parking, circulation and loading layout is adequate to accommodate the change.

Yes

9. The change or intensification of use can be adequately protected with existing firefighting resources. Yes

10. The present and proposed use of the site is otherwise lawful.

Yes

11. It will not adversely impact the traditional New Hampshire architectural character or differ significantly from the appearance of buildings in the area.

No

12. The type of business or activity will not adversely alter the character of the neighborhood, village, or town.

No

13. It does not meet the requirements for a major or minor site plan

Yes

The Board agrees with all of the above.

Mr. Silcocks made a motion, seconded by Mr. Edwards, to approve the insignificant change of use. Roll call (5-0)

Mr. Crocco praised Mr. Vinagro for his work ethic and dedication to the Town of Wakefield.

Conceptual Review

David Patterson for property owned by the Crochet's at 192 Ferguson Rd. TM 208-12, questions on rebuilding camp in the R-II shoreland District.

Mr. Patterson is asking what the process is for rebuilding a camp. The lot is very narrow, the septic system is very old. This is a camper with a roof with outbuildings. Mr. Dube stated that if he uses the same footprint he can build there and could build upwards. He would have to hire a surveyor and do shoreland protection. Mr. Vinagro explained that if they take the building down they may have to meet setbacks as it appears that the existing building may be too close to the line. The new building would have to be 10 feet from the line. Mr. Dube said that this is a conceptual review and nothing said here tonight is binding in any way on either party. The surveyor will know what has to be done. Variances could also be requested. The existing building is 50ft from the shoreline.

Craig Miller for TM 34-83, Belleau Blvd. questions on accessing a lot and setbacks.

Mr. Dube stated that this is a conceptual review and nothing said here tonight is binding on either

party. Mr. Miller pointed out the wetland area on his two lots. The land has been surveyed. This property is landlocked. The road was never built. The only portion of the land that is buildable is 3494 sq. ft. Mr. Miller said he understands that 25% of the land has to remain undisturbed. He asked if that 25% includes just the buildable area of the whole piece of property. He is referring to the shoreland rules, the woodland buffer. Mr. Vinagro said the only requirement is 50 ft. from the waters edge would be the waterfront buffer. Then from 50 to 150 ft. would be the woodlands buffer. The state requires that 25% of that area is to be left undisturbed but it doesn't have to be all one area. The wetlands area on his map would count in that 25%. Mr. Dube said this is a state rule and will be marked by the person that does the state shoreline.

Mr. Miller asked if he could go up to 35% for a building. Mr. Vinagro said it's 30% of the buildable lot in the shoreland protection zone. Mr. Miller explained that his septic designer said he would have to do a three-tank system up to a two-bedroom home. They have decided on a two-story home that's 26x35. They need to get a state approved septic system. Mr. Vinagro said the main reason this is before the board is how will they access this land. At the Belleau Lake meeting the board agreed to give them access off the existing right-of-way. Now this has to go to the annual meeting which is August 29th for the whole membership to vote.

The association owns this road. If it passes, he would have to get two shoreland permits, one for the building and one for the driveway. His attorney is involved and he's not sure if the association president or he himself would have to sign for the shore land permit. They will have to pay all costs and upkeep for the driveway. The Board gave them a list of things to do. Mr. DesRoches asked about them sharing the well. There is no rule against that. Mr. Miller asked if the driveway requires a setback. Mr. Edwards said you can go right to the edge.

Robert & Laura Harrison 1090 Lord Rd; TM 67-50 discussion of subdividing property across the street from their residence, TM 74-45 owned by Kraft Revocable Trust.

Timothy & Gail Curtis 1080 Lord Road, TM 67-51 discussion of subdividing property across the street from their residence, TM 74-45 owned by Kraft Revocable Trust.

Mr. Harrison told the Board that he and Mr. Curtis plan on purchasing land across the street from their homes. Mr. Harrison has 70 ft. of frontage and Mr. Curtis has 80 ft. The lots behind them go back 200 ft. The land they would be purchasing would be one-third of an acre each. Mr. Stewart said if you add this land to the existing parcel it would be a lot line adjustment. The only thing he sees that might be a problem is the road. He has seen other areas in town where the lot does cross the road. It might require a variance.

Mr. Dube said nothing said here is binding on either party. Mr. Dube said this would have to be a combined lot unless they wish to seek a variance. Mr. Stewart replied, if they chose to do that, they would be getting into a subdivision process. Mr. Vinagro asked if they could get a one-acre lot and sharing it between yourselves? Mr. Curtis said that's an option but would prefer to do it like all the other neighbors especially in the future for heirs. Mr. Dube and Mr. Stewart feel the way they want to do it is best. Attorneys may have to get involved. There may be something in Wakefield's zoning that says the lot has to be contiguous and there may be an RSA that deals with this. Mr. Edwards feels that because Lord Road is private why couldn't there just be an

easement across the road. Mr. Kraft owns 55 acres and may own Lord Road right-of-way. People on Lord Road may own parts of this road on a deed. A land use attorney would be able to sort this out. Mr. Stewart said there are examples in town of exactly what Mr. Curtis and Mr. Harrison are trying to do. Mr. Edwards said the tax map shows that Mr. Kraft owns that road and if that's the case they may be able to carry that line across the street.

Board Business

Garvin Mercantile project, adding to scope of work.

They would like to add two windows and remove a window and replace it with a door. Mr. Vinagro hasn't been able to get in touch with the Heritage Commission, so he brought this before the Board to see what they suggest. The Board gave Mr. Vinagro permission, by consensus, to issue the appropriate building permits.

Laroche

Mr. Vinagro said the missing pages were sent to him. He did not have a conversation about the bond. This will be on the next agenda.

Approval of Minutes

July 16th, 2020 & August 6th, 2020

Mr. Silcocks made a motion, seconded by Mr. Edwards, to approve the minutes of July 16th. Roll call vote (4-0-1)

Mr. Stewart made a motion, seconded by Mr. DesRoches, to approve the minutes of August 6th. Roll call vote (3-0-2)

Set next meeting date

September 3rd, 2020

Adjournment

Mr. Edwards made a motion, seconded by Mr. Silcocks, to adjourn the meeting at 8:32. Roll call vote (5-0)

Respectfully submitted for approval at the next Planning Board meeting,

Priscilla Colbath
Planning Board Secretary

