



## TOWN OF WAKEFIELD, NEW HAMPSHIRE

### Planning Board Minutes

November 5, 2020

Approved

Zoom Meeting #13

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

Others present: Andrew Nadeau, Coleman P. McDonough, Charles Fredette, Jim Miller and Ted Taylor from Clearview Community TV, Dana Margolis, Richard Dill and Frank Rago. Via Zoom: William C. Tucker, Mr. and Mrs. Williamson, Lauren Wise, , Joe Farnham, Chris Bennett, Bill Rowen, Debra O'Donnell, Graham Baker, Robin Raine-Lobacz, David Consoli, Paul Poirier

#### **Pledge of Allegiance & Call the meeting to order**

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

#### **Seat Alternates as necessary**

None present

#### **CIP**

Mr. Dube announced that the CIP Committee had just met and there are members on zoom and in the audience from that Committee. He asked Mr. Stewart to give an overview of the CIP. Mr. Stewart said after the Board approves this it will be sent on the Selectmen who will use it as a planning document to keep the tax rate as level as possible. It is relatively self-explanatory. Money is put into Capital Reserve Funds so that when there is an expense for a half million-dollar highway truck the money will be there and there will be no large expense all in one year. All the voters will vote on each of these items. Mr. Dube said the CIP falls under the Planning Board and Mr. Stewart heads up a committee who meets with all the department heads and puts together this document. Mr. DesRoches said each year the committee gets better and better and it makes sense to be looking out five years. Mr. Stewart said we did get a lot of new folks so there is a new board looking out for this. The people who have been doing this for a long time are extremely impressed with the new committee.

**Mr. Silcocks made a motion, seconded by Mr. Fifield, to approve the Capital Improvement Plan. Roll call: (Vote 5-0)**

### **Public Comment**

None

### **Public Hearings**

**Minor Subdivision Plan Application:** submitted by Andrew J. Nadeau, Horizons Engineering for property owned by Linda Wickers Williamson on Donahue Road, Tax Map 171-012. The Applicant is seeking an approval of a Minor Subdivision Plan Application in order to subdivide to create 2 residential lots.

Mr. Nadeau stated that he had spent a considerable amount of time doing field surveying, understanding the ordinance requirements and looking at the condition of the road. He did have a conceptual review with this board back in the Spring talking about the necessary upgrades to the road. There is an access from Route 109 and another to the north from Davis Road. The parcel is over thirty acres. They are proposing a simple two lot subdivision of two camp lots on the shoreline. They will both be a little less than two acres. They have delineated the wetlands and done the topography. Mr. Vinagro said all fees have been paid, it is administratively correct, the abutters have been notified and the public notice has run.

**Mr. DesRoches made a motion, seconded by Mr. Stewart, to accept the application. Roll call: (5-0)**

Mr. Dube said they are removing a lot line and then making two lots. The town owns the large abutting parcel. The fire department walked the road and said there is some work that needs to be done. Those areas have been flagged and the work has to be done on their property. Mr. Nadeau said his plan is to see what the cost of the road improvements will be and then he'll delineate and add this to the plan. Mr. DesRoches asked if there were any improvements needed from the Williamsons property line back to 109. Mr. Nadeau said that's his understanding. The town owns the large parcel that goes down to 109 and he understand that the work will be clearing some of the vegetation horizontally and vertically. There will be some road work in a few places where it's boney. The primary concern of the fire department is being able to get a truck in and out. Mr. Silcocks is familiar with the property but hasn't walked it for a while and would like to do so to get a clearer picture of what may be needed. Mr. Nadeau has contracted with a contractor and is waiting for some cost numbers. Mr. Dube said the plan should show what needs to be done including the turnaround do. The fire department is requesting, and the owners have agreed, that any new homes built would be sprinkled. That would also have to be on the plan need to get any places where the road would be widened. The Board decided that they would be fine with the fire department reviewing the plan rather than them walking the area.

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Souza and Ellen Caille Revocable Trust who own property with an address of 411 Davis Road. Although my client has no objection to the two-lot subdivision as proposed, they do seriously object to the fact that the submitted plan shows dotted lines indicating a right-of-way crossing onto their property with an arrow and the legend "to Davis Road." Prior to any approval of the proposed subdivision, we would request that the plan be resubmitted with any accessway, right-of-way, driveway, or the like, crossing onto my client's property being deleted. I have reviewed the deeds to the Wickers/Williamson property and my clients' property, and it is clearly evident that the Wickers/Williamson has no right-of-way or other right of access to Davis Road. Davis Road in fact terminates over 300 feet to the North from the property line separating my clients' property from the Wickers/Williamson property. I would request that a copy of this letter be placed in the subdivision file. I plan to represent my clients at tonight's virtual Zoom meeting and would be happy to answer any questions that may arise.

Linda Wickers Williamson spoke and said she has access from 109 and Davis Road to her property. It's clear in the deed. Mr. Nadeau said the arrow is simply pointing to Davis Road. Mr. Tucker reviewed the deed and disagrees. After some discussion, the Board felt this was a legal issue between the parties. Mr. Dube said it didn't believe this has any bearing on what they are deciding tonight. Mr. DesRoches said Davis Road has nothing to do with this subdivision. Mrs. Williamson said that the fire department walked the road from both access points. Mr. Vinagro feels that the fire department is requesting turnaround so that tells him there is access from only one way. Mr. Dube opened the Public Hearing at 7:35. Mr. Tucker wants the dotted line removed and the arrow and "to Davis Road" from the plan. Mr. Nadeau said it simply shows existing conditions and can't be removed. Mr. Tucker said there is no right-of-way. Mr. Stewart does not believe this Board can approve a subdivision because the owners have not decided on a clear right-of-way. Mr. Williamson said they were still talking to the fire department to get their direction on which road should be the access. All the power comes from Davis Road in. The road is in better condition than their other option although there is a wetland area which would need to be addressed. Mr. Dube closed the Public Hearing at 7:45. Mr. Dube agrees with Mr. Stewart that the access road must be on the plan. He doesn't see a waiver that says the road has to be up to town specs in order to subdivide. All Board members agree. The Planning Board would be giving waivers for a road that isn't up to town specs saving the owners a lot of money. Mr. Stewart would like the land owner to consider putting on the plan that there would be no further subdivisions. Mr. Silcocks feels this should be left open but if there were any more subdividing, they would have to bring the road up to specs. Mr. Dube agreed with Mr. Silcocks. He said that seldom does the Board agree to subdividing on a road that isn't up to town specs without putting land into conversation, doing something to help the lake or something like that. There would have to be a road association established for road maintenance.

Mr. Dube reopened the Public Hearing for Lauren Wise, an abutter, at 7:50. Mrs. Wise said the people on Davis Road own the Road. Mr. Dube said even though you own the road people have the right to pass on it. They may have a legal right to cross your road. Mr. Dube closed the Public Hearing at 7:53. Mr. Nadeau would like the Public Hearing to be continued to the next meeting. He will put that in writing and email it to Mr. Vinagro in the morning.

**Mr. Stewart made a motion seconded by Mr. Silcocks to grant a continuance until November 19th. Roll call; (Vote 5-0)**

**Major Site Plan Application:** submitted by Charles Fredette for property owned by Dube Construction Plus, Inc; located off of Province Lake Road, Tax Map 46-8. The Applicant is seeking an approval for a Major Site Plan Application in order to construct a personal Wireless Service facility comprising of a 12- foot monopole and associated equipment located at the above-referenced property address.

Mr. Dube stepped down from the Board at 7:57 as this is on property he owns. Mr. Fredette said he was here tonight on behalf of Mr. John Kenney. He read the history of the site from the application. He went on to describe the lot pointing out the existing driveway and where the extension will be leading to the tower. The 80x80 ft fenced in compound will hold all elements of the site. They have done a balloon test. Mr. Vinagro said all fees have been paid, it is administratively correct, the abutters have been notified and the public notice has run.

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

Mr. DesRoches said it appears that this meets all Town Zoning requirements. Mr. Fredette explained the balloon test. A balloon is floated to the height of the tower and someone drives all roads within a 1.5-mile radius to see what he can see. Pictures are in the packet he sent to the Board. The pictures included a scaled version of the tower superimposed onto the pictures. Mr. Fifield said he believes not having cell communication is a public safety issue. Mr. DeRoches opened the Public Hearing at 8:14. Dana Margolis, representing Belleau Lake Association's four hundred members, Richard Dill, Frank Rago all spoke in favor of this project. Joe Farnham is opposed to the project. Mr. Fredette said the limit of clearing is only ten to fifteen feet from the compound. Mr. Farnham will not see the tower unless he looks up. There is 450 ft between the compound and his property. The lot is heavily wooded. The only noise would be the sound of a generator if the power goes off and that's if the carrier choses to install one. Zoning is R-2 permitted use. Chris Bennett, Bill Rowen, Debra O'Donnell, Graham Baker, Robin Raine-Lobacz, David Consoli, Paul Poirier are all in support of this tower. Mr. DesRoches closed the Public Hearing at 8:35.

**Mr. Stewart made a motion, seconded by Mr. Silcocks to approve the project. Roll call: (Vote 4-0)**

Mr. Dube was welcomed back to the Board at 8:37.

**Continuance of a Major Site Plan Application:** Submitted by Coleman P. McDonough for property located on Crystal Lane, TM 213-11 owned by 80-82 Blossom Street Realty, Coleman P. McDonough. The applicant is seeking approval of a Major Site Plan Application to construct a building for warehouse leasing space.

Mr. McDonough said we were told to makes some changes to the plan. They added a 16' wide road around the back of the building and they shortened the pavement and reworked the drainage. He said they addressed all the issues the Planning Board had. Mr. Dube asked if he had submitted a new drainage report. He will check with Northpoint to see of there is any change in

the drainage calculations. (inaudible, too far away from the mic) Mr. McDonough said all units have bathrooms and the septic is set up for all bathrooms. Mr. Dube said the Board will need a plan with a stamp, new drainage calculation from the previous plan and the site plan showing the amount of impervious area adding in the back road. The Board talked about whether they could put a condition on the plan requiring a tenant to fill out a business use application. It was decided this is already required. Mr. Vinagro said he hoped the owner would let any potential tenant know to go see him. Mr. Dube opened the Public Hearing at 8:57. Mr. Dube closed the Public Hearing at 8:58.

**Mr. DesRoches made a motion, seconded by Mr. Stewart, to approve the site plan pending the new drainage calculations, pervious area calculations to be updated on the plan and the plan have an engineer's stamp. Roll call: (5-0)**

**Mr. DesRoches made a motion, seconded by Mr. Silcocks, to require a \$3,500 bond, \$2,500 for landscaping and \$1,000 for erosion control. Roll call: (5-0)**

### **Conceptual Review**

None

### **Board Business**

#### **Approval of Minutes**

October 15, 2020

**Mr. Silcocks made a motion, seconded by Mr. Stewart, to approve the minutes of October 15, 2020. Roll call vote (4-0-1)**

The Selectmen has decided to Make Mr. Fifield the new ex-officio.

#### **Set next meeting date**

November 19, 2020

#### **Adjournment**

**Mr. Silcocks made a motion, seconded by Mr. Stewart, to adjourn the meeting at 9:10. Roll call vote (5-0)**

Respectfully submitted for approval at the next Planning Board meeting,

Priscilla Colbath  
Planning Board Secretary