



TOWN OF WAKEFIELD, NEW HAMPSHIRE

Planning Board Minutes

August 5, 2021

Approved

MEMBERS		ALTERNATES		OTHERS	
Tom Dube, Chair	✓	Robert DeColfmacker		Victor Vinagro, Building Inspector/Code Enforcement Officer	✓
Dick DesRoches, Vice Chair	✓				
Ken Fifield Selectmen's Representative	✓				
David Silcocks, Member	✓			Richard Sager, Town Counsel	
Doug Stewart	✓				

Others present: Charlie Zilch, John Blackwood, Ryan Fowler, Philip Emilio, Mark McRobbie
Jim Miller from Clearview Community TV

Pledge of Allegiance & Call the meeting to order

Chairman Dube opened the meeting at 7:00 and led those present in the flag salute.

Seat Alternates as necessary

None

Public Comment

None

Conceptual Review

Charlie Zilch S.E.C. Associates Inc. for property on Province Lake Road., TM 34-L99 and property on Carmichael Lane, TM 31-L28, owned by Province Lake Holdings LLC, Philip Emilio. Discussion of consolidating two parcels and subdividing into three parcels.

Mr. Zilch handed out a concept design. Both lots are in the R3 zone with one being 34.99 acres and the other 31.28 acres for a total of 97 acres. Mr. Emilio wishes to merge the two lots and subdivide them into three lots. The DOT will only allow one access to these parcels so there would have to have a shared driveway in lot two. Lot 1 is 9.8 acres and would have 1,140 feet of frontage. Lot 2 is 34 acres with 230 feet of frontage. Lot 3 would have 53 acres and 643 feet of frontage. The driveway would go along the lot line of lot 2 and 3. He does not want to prohibit any future subdivisions of the larger parcels. He asked if the Board was okay with three driveways coming off one point. He has left a 50 ft. wide driveway easement so that a town approved road could be built with subdivided lots along the road for lot 2 and 3. The easement

would be on lot 2. That would have to be stated on the Plan. Mr. Zilch said as he develops the plans, he'll be more descriptive about the easement. Mr. Dube said we have triple driveways along this road so that shouldn't be a problem. Mr. Dube said this is a conceptual review and anything said tonight is not binding on either party.

Ryan M. Fowler, Horizons Engineering for property on Lord Road TM 74-45 owned by Virginia Lane Realty Trust, Dorothea Amanti Trustee.

Mr. Fowler told the Board that they are proposing a two lot subdivision on a 55 acre parcel. And a two lot subdivision on an existing 1.4 acre parcel for water frontage for these two lots. They want to know if this is allowed and if there would be any requirements to make improvements to the road. He said the road these parcels are on is pretty narrow in places. They are proposing to create a 2.4 acre lot and the rest of the 55 acres would be the other lot plus they would like to create two non-buildable water frontage lots to travel with the 2.4 acre lot and the remaining lot. He said that lot would need a variance because it doesn't meet zoning for acreage but it does have plenty of water frontage and road frontage.

Mr. Stewart explained the frontage calculation used in Wakefield's zoning. He said using that formula you wouldn't have enough water frontage for the two lots. Mr. Fowler said they would go for a variance and Mr. Stewart told him that he was an alternate on the ZBA, and in his opinion, stating that this is a conceptual review and nothing said is binding on either party, that could be a difficult request. You're not looking at a unique situation here. Mr. Stewart is familiar with this property and offered some potential suggestions. He said he did not know what future intentions are for this property but does know a little about its history. He said it was bought as a package deal. There was a property on the lakefront side across from an existing garage and if the people that bought that are looking to buy that garage with that land there might be an option to do a lot line adjustment. You would probably still need a variance to allow the property to cross the road and this does exist in other areas in town.

Mr. Stewart said he had conversations with others on that road before the property was sold last year and they were talking about buying small pieces of that property and adding it to their lots on both sides of that garage. He has connections with someone who might wish to buy a substantial amount of land. He said another possibility was to leave the waterfront property intact and shoehorn a building on it or add acreage from across the road to that property. All those things are lot line adjustments. These are ideas of what might be possible. Mr. Fowler told the Board that when Mr. Lord conveyed all the land titles, he did not convey the title to the road. It was specifically left out in the deed. There was specific intention in the deed that the road not be included.

Mr. Dube said steep slopes and wetlands are not calculated for the buildable acreage of a lot. Mr. Stewart said the snowmobile trail that is now allowed would have to be depicted on the plan. Mr. Fowler said they have not done a field survey this is all based off of existing data. Mr. Fowler said the southern position of Lord Road is 40 feet wide and the portion that curves around the water is 18-20 feet wide. He said the road is one of their biggest concerns. Virginia Lane Realty Trust also own additional property on Lord Road.

Mr. Stewart told Mr. Fowler that there is a potential that others that live on Lord Road, during a town meeting, could prompt the Board to ask or require that an upgrade to the road be done. Mr. Fowler said some of the sections of the road are owned by individual land owners or associations. Mr. Dube said the Board has just approved a two lot subdivision on Lord Road but it wasn't that far in and it wasn't a narrow part of the road.

Coleman McDonough for 80-82 Blossom Street Realty trust for 49 Crystal Lane, Commercial Condominium Conversion.

The surveyor couldn't make it tonight so this will be on the next agenda.

Board Business

Wakefield Site Plan Review and Subdivision Regulations: Private Roads and subdivisions, minor and major.

Mr. Dube said we've always had the following in our regulations for a subdivision along class 6 roads or private roads and when the regulations were redone two years ago for some reason some information for private existing roads did not make it back into our regulations and we're looking at putting that back in.

3.11B.

30. Subdivision along a Class VI roads, or any private road, shall not be approved unless the applicant upgrades such road to meet the design standards of this regulation and the Town's ordinances. Also, other applicable State regulations may apply. Sampling and testing of soils in such existing roads, to show conformance with the Town's standards shall be conducted by licensed professional engineer. Test pits shall be dug every two-hundred (200) feet and two (2) samples from each pit (top and bottom) shall be tested for compliance with the latest version of "standard Specifications for Road and Bridge Construction" by NHDOT. ***The Class VI road or private road shall meet the "Suggested Minimum Design Standards for Rural Subdivision Streets" as published by NHDOT.***

1.03B.1. The division of a parcel into three (3) or fewer parcels fronting on an existing street, and not requiring the upgrade of municipal services. ***None of the lots in the subdivision, including any otherwise subdividable "remainder" lot shall be further subdivided and this restriction shall be noted on the plan.***

Mr. Dube made it clear that any of these regulations can be waived by the Board. The bold italicized print in 3:11B and 1:03B.1 would be the added language. After one minor subdivision you must come in for a major after that or ask to have it waived. A note on the plan must state that this transfers to any new owners. This could still be waived. After some discussion the Board members, by consensus, agreed that this language should go back into the regulations. Mr. Vinagro will contact Stafford Regional Planning Commission to help write these regulations and he will set up and post one public hearing for both regulations. Zoning came into town in arch of 1986.

Recommend Planning Board Alternate
Johnny Blackwood

Mr. Silcocks made a motion, seconded by Mr. Stewart, to approve Johnny Blackwood as an alternate to the Planning Board and have Mr. Vinagro write a letter of recommendation to the Selectmen for their approval. (Vote 5-0)

Continuation of Zoom meetings?

Mr. Vinagro said that most of the Boards have discontinued Zoom meetings. He said we have a link for a reoccurring Zoom meeting and we don't have to have one every meeting but could when we felt there was a need. He said the meetings will still be broadcast live. Many members felt it was a benefit to continue Zoom for members traveling or for applicants, their presenters who live out of the area and abutters. Mr. Dube asked Mr. Miller if Zoom meetings were more work for him. He replied, they aren't. The Board, by consensus, decided to continue Zoom meetings

Approval of previous meeting minutes.

Mr. Stewart made a motion, seconded by Mr. Silcocks, to approve the minutes of July 15th. (Vote 5-0)

Mr. DesRoches left the meeting at 8:12.

Correspondence

None

Set next meeting date

August 19, 2021

Sign Plans and Mylars

The Board signed thee mylars and plans for Boundary Line Adjustment for Henderson and Monnat and also the mylar and plan for Dube Construction Plus and Bateman.

Adjournment

Mr. Silcocks made a motion, seconded by Mr. Stewart, to adjourn the meeting at 8:25. (5-0)

Respectfully submitted for approval at the next Planning Board meeting,

Priscilla Colbath
Planning Board Secretary