



## TOWN OF WAKEFIELD, NEW HAMPSHIRE

### Planning Board Minutes

October 7, 2021

Approved

MEMBERS		ALTERNATES		OTHERS	
Tom Dube Chairman	✓	Robert DeColfmacker Alternate		Victor Vinagro, Building Inspector/Code Enforcement Officer Shoreland Officer	
Dick DesRoches Vice Chairman	✓	Johnny Blackwood Alternate		Peter Gosselin, Building Inspector	
Ken Fifield Selectmen's Representative	✓	Stephen Leroux Alternate			
David Silcocks, Member	✓			Richard Sager, Town Counsel	
Doug Stewart Member	✓				

Others present: Relf Fogg, Tom Daniels, Chuck Robbins, Gail Hewins, Rob Hewins, Jon Balanoff with AWWA, Steve Leroux, Mark McRobbie, and Max Gearing 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 present

#### **Public Comment**

##### CIP

Mr. Daniels told the Board that this year, along with the spreadsheet, a project detail sheet was included explaining in detail what each project is. Mary Collins, Relf Fogg and Mr. Daniels met with eight department heads. Their goal was to eliminate surprises when it comes to capital expenditures. They included long term projects. The Board was very happy with what the CIP committee accomplished. Mr. Silcocks felt this was a huge improvement over past CIP's. Mr. DesRoches felt the Invasive Species should be more detailed. Mr. Stewart will work with Mr. Vinagro to see that the CIP gets on the Planning Board website. The CIP is a planning document.

**Mr. DesRoches made a motion, seconded by Mr. Silcocks, to forward the document to the Selectmen and School Board. (Vote 5-0)** Mr. Dube thanked the committee for their work.

## **Public Hearings**

Minor Site Plan Review; Relf Fogg, Wakefield Conservation Commission, re: property on Harmony Drive, Map 240, Lot 2, parking lot, driveway enhancement

**Mr. DesRoches made a motion, seconded by Mr. Silcocks, to accept the application. (Vote 5-0)**

Mr. Fogg presented the plan. Mr. Dube said that the applications is complete, fees have been paid, abutters notified and the notice has run. He then opened up the Public Hearing at 7:25. No comments so Mr. Dube closed the Public Hearing at 7:26. Mr. Dube said when the land was purchased the public were told that this would be open to the public and with Mr. Fogg and the Commissions hard work, he's happy to see this moving forward. Mr. Fogg explained the privy would be located on the northeast corner of the parking lot.

**Mr. DesRoches made a motion, seconded by Mr. Stewart, to approve the plan. (Vote 5-0)**

Proposed Amendment #1: Developmental Regulations, Article VI, Roadways

### **ARTICLE VI:ROADWAY REGULATIONS**

#### **6.01 ROADWAYS-GENERAL**

Adding #7- **7. Subdivision along a Class VI Road. 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. The Class VI Road or private road shall meet the "Suggested Minimum Design Standards for Rural Subdivision Streets" as published by NHDOT.I**

Mr. Dube said this has always been in the towns regulations and got mistakenly dropped when they were redone. This can be waived by the Planning Board. Mr. Dube opened the Public Hearing at 7:32. Mr. Dube closed the Public Hearing at 7:34.

**Mr. DesRoches made a motion, seconded by Mr. Fifield, to approve the changes. (Vote 5-0)**

Proposed Amendment #2: Developmental Regulations,

### **ARTICLE 4.05-MINOR SUBDIVISIONS**

#### **4.05 TYPES OF SUBDIVISION APPLICATIONS**

Mr. Stewart said that the following were inadvertently left out of the Towns regulations (**marked in red**)

The following are considered subdivision applications:

**CONDOMINIUM CONVERSION:** The division of an existing or approved building or group of buildings into units owned individually and the common areas and facilities are all owned all the owners on a proportional, undivided basis.

**LOT LINE ADJUSTMENT:** A subdivision where no new buildable lots are created. A lot line adjustment may not create a more non-conforming lot per the Town of Wakefield Zoning Ordinance, save those cases where a variance has been granted for such.

**MINOR SUBDIVISION:** The division of a lot, tract or parcel of land which would result in three (3) or fewer new building lots and which does not require the installation of any new roads (public or private) or the extension of any municipally owned utilities (sewer and water). **The**

phasing of a series of minor subdivisions to escape the review requirements of a major subdivision is not permitted.

**MAJOR SUBDIVISION:** The division of a lot tract or parcel of land which creates four (4) or more additional building lots or an application which requires the installation of new roads (public or private) or the extension of municipally owned utilities (sewer and water). Major subdivisions also include the series of successive minor subdivision(s) of the same parcels or remainders thereof that occur within forty-eight (48) months of a prior subdivision and that when combined together would constitute a major subdivision. Such subdivisions shall comply with the applicable current provisions governing a major subdivision.

## ARTICLE X: DEFINITIONS

### 10.01 DEFINITIONS

**Subdivision, Minor:** The division of a lot, tract or parcel of land which would result in three (3) or fewer new building lots and which does not require the installation of any new roads (public or private) or the extension of any municipally owned utilities (sewer and water). The phasing of a series of minor subdivisions to escape the review requirements of a major subdivision is not permitted.

**Subdivision, Major:** The division of a lot, tract or parcel of land which creates four (4) or more additional building lots or an application which requires the installation of new roads (public or private) or the extension of municipally owned utilities (sewer and water). Major subdivisions also include the series of successive minor subdivision(s) of the same parcels or remainders thereof that occur within forty-eight (48) months of a prior subdivision and that when combined together would constitute a major subdivision. Such subdivisions shall comply with the applicable current provisions governing a major subdivision.

Mr. Dube opened the Public Hearing at 7:39. Mr. Leroux asked how these were found. Mr. Dube explained that the Board and Mr. Vinagro were looking for them as they knew they were in the regulations at one time. They took 200 pages and consolidated them into 87 pages and some things got missed.

**Mr. Stewart made a motion, seconded by Mr. DesRoches, to approve amendment 2 Developmental Regulations, Article 4.05 types of Subdivisions Applications (Vote 5-0)**

### **Conceptual Review**

#### Chuck Robbins – Shoreland Department Proposal/Presentation

Mr. Robbins is concerned with the health of the lakes. He read the following:

The following information is based on the Latest Lakes Lay UNH monitoring site from 2019 and it shows the 4 categories that are important to the lakes survival as to be life sustaining to the aquatic animals and Plants.

\*Great East Lake has great numbers in all 4 categories, and very good Dissolved Oxygen numbers which are mainly due to the deep lake depth. It also has a very proactive lake association that just this spring did a lake erosion survey. The 3 other categories are Water Transparency, Chlorophyll a, and Total Phosphorous.

\*Horn Pond Dissolved Oxygen is at the threshold of what would be considered fair health and is doing well in 3 other categories. It also has the luxury being fed from the waters of Great East Lake.

The Dissolved Oxygen numbers on Lovell Lake are very low and of great concern, the 3 other categories are doing well.

\*Pine River Pond Dissolved Oxygen numbers are very low and of great concern. Also, Pine River Pond has warnings of Benthic mats of cyanobacteria blooms in the previous 2 years issued by the DES. Attached letter from Amanda McQuaid PH.D of the Harmful Algal Cyanobacteria Bloom Program explains these mats in great detail. other 3 categories doing well.

\*Ivanhoe does not report on Dissolved Oxygen. Concern and caution in 2 other categories, and good Water Transparency' Province Lake does not have the water quality ability to report on Dissolved Oxygen, is doing fair in Water Transparency and Chlorophyll a, and poor in Total Phosphorous. It has ongoing cyanobacteria Present in lake.

\*Belleau does not/cannot test for dissolve oxygen and has poor numbers in the 3 other categories, but this is to be expected as it is a manmade water body, formerly a wetlands.

\*Balch Lake is not on the Lakes Lay testing site, but I was informed by a lake member that they are joining this year.

\*Sandy Pond is not currently on Lakes Lay site.

In summary the poor dissolved oxygen levels in all lakes tested excluding Great East Lake VERY GOOD and Horn Pond FAIR are of great concern as they represent the decreasing ability to sustain aquatic life in those lakes as they degrade more as nutrients and erosion continue to increase. Lovell Lake and Pine River Pond are surpassed only by Great East Lake in recent sale prices of over a million dollars and their dissolved oxygen numbers are in my opinion the canary in the coal mine for the future aquatic and tax assessment health of the lakes.

There are other attachments available from the Land Use Department explaining dissolved oxygen, and sampling highlights from the different lakes. He said if the lakes are not kept healthy the millions of dollars that are spent in Wakefield would have an undesirable impact to the town. He mentioned that available grants are not plentiful.

Mr. DesRoches introduced Mr. Balanoff, Executive Director of AWWA who explained what AWWA does on and for the lakes. AWWA is a resource for the town paid for by grants. Mr. Balanoff told the board that polluted storm water and erosion are the sources of pollution for fresh water lakes and is the main causes of algae blooms. Their programs are geared toward stopping erosion. They have a youth program and also work with the state. Fifteen to twenty projects are completed in the summer by their youth corp. They typically find between one and two hundred erosion sites on a lake but almost all are low impact. Most are residential sites but some are camp roads. The road projects are done with the 319 Grant and usually a couple are completed during the year working with the road associations. The outreach component is the most powerful tool.

Mr. Robbins said the straw pole came back with a 4.5 to 1 from the 120 responses in favor of a three man crew.

Mr. Dube said he is not in favor of hiring another town department. He is totally in favor of AWWA, Mr. Robbins, the Planning Board and others that educate people around the lakes. The education has greatly increased over the last ten years. He said lake associations are much more involved and educated. Mr. Fifield said you can't take taxpayer money and use it on a private road or on private property or subsidize the project with taxpayer funds. It's illegal. He doesn't agree with Mr. Robbins plan either. He feels that the department is in a better position now that there is a full time Building Inspector. There would have to be some identifying and planning

established prior to instituting more crew members. He told Mr. Balanoff that his organization is critical to Wakefield. Mr. DesRoches said in order to do a project on the lake you need a shoreland permit and the state tells you what you need to do to protect the water quality but the state has no one to investigate if rules aren't followed or if there is a complaint. He believes that at a minimum we need a full time dedicated shoreland officer. He believes we have to keep collecting data and find solutions for the problems. Mr. Silcocks believes another person, maybe not full time to start, should be added to shoreland. Mr. Fifield said the parttime person in the department has just been made full time. Mr. DesRoches said we need to focus on the lakes. Mr. Dube said Mr. Gosselin is doing all the home inspections now and Mr. Vinagro is doing the shoreland issues and complaints and is teaching Mr. Gosselin to do them also. Mr. Stewart said it appears that we have better shoreland protection than we did six months ago. Mts. Colbath said that a lot of the reports of violations come from neighbors and boaters. Mr. Hewins agreed education is key. Mr. Dube said that we can do a betterment assessment on a property that's really bad and even take over the work and put an assessment on that piece of property to get the funding back. Mr. Dube said everyone is working hard to make sure the lakes are healthy. Mr. DesRoches would like to have, on an ongoing basis, a discussion at the Planning Board level with Mr. Vinagro as to what we want the shoreland job to consist of. The Board felt that was a good idea. Mr. Robbins asked if Mr. Sagar could be asked if town employees can work on private roads. Mr. Fifield said you can not take public funds and give it to a private person. We can't grade a private road. Mr. Robbins will try and get an answer to see if any other municipalities have done what he is proposing. Mr. Dube said if there was a major crisis the town could do the betterment assessment.

### **Board Business**

#### Approval of Previous Minutes September 13th

**Mr. DesRoches made a motion, seconded by Mr. Stewart, to approve the minutes of September 13<sup>th</sup> (Vote 4-0-1)**

### **Public Comment**

None

### **Set next meeting date**

October 21, 2021 (Joint ZBA/PB Meeting)

### **Adjournment**

**Mr. Silcocks made a motion, seconded by Mr. DesRoches, to adjourn the meeting at 8:00. (Vote 5-0)**

Respectfully submitted for approval at the next Planning Board meeting,

Priscilla Colbath  
Planning Board Secretary

