



TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

2 HIGH STREET

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MINUTES OF THE PLANNING BOARD MEETING 17 August 2017

Approved: 09/21/17

MEMBERS		ALTERNATES		OTHERS	
Stephen Royle, Chairman	X	Doug Stewart	X	Nathan Fogg, Land Use Clerk & Code Enforcement Officer	X
Tom Dube, Vice Chairman	X	John Blackwood	X		
Connie Twombly, Selectmen's Representative		Nancy Spencer-Smith		Mike Garrepy, Planning Consultant	
David Silcocks, Member	X			Richard Sager, Town Counsel	
Dick DesRoches, Member	X				

Also present were: Donna Martin, videographer, William Gaudet, Bryan Berind, Ted Wright, Mark Duffy, Tammy Duffy, Terry Martell, David Flint, Paul Delisle, Eric Boggs, & Stan Tremblay.

CALL TO ORDER

1. Chairman Royle called the meeting to order at 7:00pm following the pledge of allegiance.

PUBLIC COMMENT

2. None

PRELIMINARY DISCUSSIONS

3. None

PUBLIC HEARING

4. **Conditional Use Permit Application**, submitted by William Gaudet for a property owned by Weston Griffith Sr, located at 44 Chapel Street, Tax Map 244, Lots 29. The applicants are proposing to use the property for "Agriculture-Personal", which is permitted with a Conditional Use Permit.

5. William Gaudet came forward and explained that they have various barnyard animals that they keep for personal use.
6. S Royle pulled out the conditional use checklist form and asked if the application was complete and fees paid. N Fogg confirmed it was complete and properly noticed.

MOTION: To accept the Gaudet Conditional Use Application
Made by: Tom Dube
Seconded by: David Silcocks
Discussion: None
Vote: 4-0 in favor of the motion.

7. S Royle read through the list of conditions:

- 1. The proposed use(s) shall be only those allowed in this Ordinance by Conditional Use Permit;*

Listed as approvable with a conditional use permit in the zoning ordinance table of permitted uses.

- 2. The proposed use(s) is/are consistent with the adopted Master Plan;*

Agriculture is unquestionably consistent with our master plan.

- 3. The specific site is in an appropriate location and of adequate size for the use;*

Some of the yard has grown in, but the goats will reclaim what has grown up into brush. They typically have: 10-12 chickens; 6 sheep, 6 goats, and 15 rabbits. The rabbits are kept in cages and the sheep and goats graze quietly. N Fogg asked about manure and soil disturbance as it relates to potential erosion. Mr Gaudet noted that they use all their manure in gardens and the ground will not become tilled to create a potential erosion problem. The chickens will be not be free range and will be located within a fenced in area.

- 4. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located;*

S Royle did not feel the character of the neighborhood would be affected. N Fogg noted that farm houses along Main Street in Union. D Silcocks mentioned donkeys and ponies that are located near this address.

- 5. There will be no nuisance or serious hazard to vehicles or pedestrians;*

No nuisance or hazard likely.

- 6. The use will not place excessive or undue burden on Town services and facilities;*

Other than a potential call to the animal control officer it is unlikely there were would be any burden on town services.

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.*

They use all their animal waste so there not any likely public health nuisance from the animals.

8. *If the Conditional Use is for a Boat Launch Facility, the Planning Board shall consider whether the addition of the boat launch facility will pose an increased risk of infestation by invasive species (such as milfoil, etc.) to the Town's natural resources and, if so, what steps will be taken to eliminate the increased risk.*

Not applicable.

8. S Royle asked if any abutters were present. Seeing none, he closed the public input portion of the hearing.
9. T Dube asked if they were going to place a limit on the number of animals. D Silcocks asked if any abutters had called about the application. N Fogg noted that he had not received any communication from any abutter. D Stewart asked if there would be a rooster on the property. Mr Gaudet confirmed that he had one rooster. Hens lay more eggs when there is a rooster on the property.
10. Mr Gaudet noted they currently live on one acre in downtown Farmington. They currently have to supplement their food supply with hay because one acre is not enough to maintain the animals.
11. T Dube said that he was not against limiting the number of animals maintained on the property. Mr Gaudet said they were considering reducing the number of animals on their farm.
12. Concern over the noise of a rooster was discussed. There are other animals in the area. Mr Gaudet noted that it was not unlike the noise of a barking dog.

MOTION: To approve the Conditional Use Permit for Personal Agriculture, including 12 hooved animals, 12 chickens, and one rooster. The rooster to be managed in a way to not cause a neighborhood disturbance.

Made by: Tom Dube

Seconded by: David Silcocks

Discussion: Rabbits will also be kept at the property, however are housed in a cage.

Vote: 4-0 in favor of the motion.

13. **Boundary Line Adjustment Application**, submitted by Land Tech for properties owned by The Terry & Irene Martell Revocable Trusts, located at 419 & 456 Brackett Road, Tax Map 186 01 & 11 and 185-09. The applicants are proposing to move the property line between their two parcels.
14. Bryan Berlind from Land Tech reviewed the proposed Boundary Line Adjustment Application. The boundary line adjustment makes TM 186-1 more non-conforming. A variance was received from the ZBA in August. The parcel becomes conforming in shoreline frontage because it will no longer be a waterfront lot.
15. N Fogg confirmed that the application was complete, properly noticed, and fees were paid.

MOTION: To accept the Boundary Line Adjustment Application as complete.
Made by: Tom Dube
Seconded by: Dick DesRoches
Discussion: None.
Vote: 4-0 in favor of the motion.

16. S Royle opened the public hearing for any public input.
17. D Stewart asked if a dock or docks could be added on the waterfront because of the additional frontage being added to parcel 185-9.
18. S Royle closed the public input portion of the hearing.

MOTION: To approve two waivers for the Boundary Line Adjustment. Waivers requested are 4.06-11 delineation of wetlands, and 4.016 waiver applications.
Made by: Tom Dube
Seconded by: Dick DesRoches
Discussion: None.
Vote: 4-0 in favor of the motion.

19. N Fogg asked about monuments, specifically monuments. Bryan Berlind felt that all the necessary pins are in place. The PB agreed with N Fogg that the pins along the water side of Brackett Road should be set to delineate the new edge of TM 186-1. Mr Berlind said that he would set the 3 pins and show them on the final plan.

MOTION: To conditionally approve the Boundary Line Adjustment Application for Martell. The condition being that three monuments be set on the lake side of Brackett Road and be added to the final plan to be recorded.

Made by: Tom Dube
Seconded by: David Silcocks
Discussion: None.
Vote: 4-0 in favor of the motion.

20. **Minor Subdivision Application**, submitted by Norway Plains Associates, for property owned by Canal Farm LLC, located at 1324 Canal Road, Tax Map 155, Lot 07. The parcel has frontage on Canal Road and Davis Road. The applicants are proposing to divide the property into 3 lots.

21. Ted Wright presented the application and showed a couple of minor changes he had made to the plan. The changes address M Garrepy's comments in his review.

MOTION: To accept the Boundary Line Adjustment Application as complete.
Made by: Tom Dube
Seconded by: David Silcocks
Discussion: None.
Vote: 4-0 in favor of the motion.

22. Ted Wright reviewed M Garrepy's comments and explained how the items were addressed.

23. S Royle opened the public input portion of the hearing. N Fogg invited the abutters forward so that they could see the plan. The board discussed the items in M Garrrepy's comments and how they were addressed. Drainage is unaffected by this development.

24. Mr Wright found no reference to or permission to cross land to access the cemetery in any of the deeds. No passway exists to access the cemetery. D DesRoche suggested that there is likely an RSA exists that would allow access to family to access the cemetery. The applicant agreed to reference any RSA about cemetery access on the final plan.

MOTION: To approve a waiver for the Boundary Line Adjustment. Waiver requested is for test holes on the three parcels. Each parcel is over nine acres in size.
Made by: Tom Dube
Seconded by: Dick DesRoches
Discussion: None.
Vote: 4-0 in favor of the motion.

MOTION: To conditionally approve the Boundary Line Adjustment Application for Canal Farm LLC, with the following conditions: 1. PB signature block required on the plans; 2. Wetland certification and stamp be

placed on the plan; 3. Label the pins as set in the field on the plan;
4. Correct the wetland setback to 30 feet on the plans; and reference any applicable State RSA regarding rights of access to the cemetery.

Made by: Tom Dube
Seconded by: David Silcocks
Discussion: None.
Vote: 4-0 in favor of the motion.

25. **Minor Subdivision Application**, submitted by Norway Plains Associates, for property owned by Daniel, Anna, & David Flint, located on Fellows Road, Tax Map 197, Lot 44. The parcel has frontage on Fellows Road and Lovell Lake Road. The applicants are proposing to divide the property into 3 lots.
26. Ted Wright presented new plans which changed the easement for driveway access for lot 2 into making it part of the parcel. He made some other minor changes based upon TRC comments, including separate access points for each of the lots.
27. D Stewart asked about split zone lots. N Fogg referred to Article 35 of the Zoning Ordinance which addresses split zone lots. The wording of the zoning article is unclear as to whether it refers to use only or whether it can be moved for lot size and frontage requirements.
28. If moving the zoning boundary creates 3 acres of R-II district, there would be adequate area to subdivide. That would require a Special Exception through the Zoning Board of Adjustment. T Dube suggested going for a variance so that the lots could be divided with lot 2 having frontage on Fellows Road rather than only an access easement.
29. D Stewart noted his opinion that it appeared to him that moving the zoning line 100 feet would give enough for three parcels. The parcels would not be the best configuration for the lot layout. He suggested applying to the ZBA to get a variance and make it possible to make a subdivision with a better lot layout. That could be their argument for the variance.
30. D DesRoches noted that the agricultural zone sticking up into the lot was not a mistake, but rather can to be when the Residential-II zone was added to the map. J Blackwood remembers that at one point a split zone lot was governed by the zone that covered the majority of the parcel.
31. Ted Wright asked the PB if they thought there were any other issues with the plan as presented. They only noted some of the same items that were discussed in the Canal Road subdivision plan.

32. The PB directed the applicant to seek review through a variance at the ZBA and come back to the PB.

BOARD BUSINESS

33. Doug Stewart was seated for Dick DesRoches on the board.

APPROVAL OF MINUTES

34. Approval of the minutes from July 20th, 2017.

MOTION: To approve the minutes from July 20th, 2017
Made by: Tom Dube
Seconded by: Steve Royle
Discussion: None
Vote: 3-0-1 in favor of the motion, with David Silcocks abstaining.

BOARD BUSINESS

35. N Fogg noted that the ZBA was meeting on the 21st to hear 3 applications and the Burroughs Avenue Dollar General court case is being heard at the Carroll County Courthouse. No court decision has been issued for the Sanborn House court case.

PUBLIC COMMENT

36. None

SET MEETING DATE

37. The next scheduled PB meeting will be 7pm, Thursday, September 7th, 2017 in Town Hall.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:28 pm.
Made by: Tom Dube
Seconded by: David Silcocks
Discussion: None
Vote: 4-0 in favor of the motion.

Respectfully submitted,
Nathan Fogg