

TOWN OF WAKEFIELD, NEW HAMPSHIRE  
PLANNING BOARD

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**WAKEFIELD PLANNING BOARD**

**January 16, 2012**

<b>MEMBERS</b>		<b>ALTERNATES</b>		<b>STAFF</b>	
Paul Winckler, Chairman	X	Tom Dube	X	Anna Williams, Secretary	X
John Blackwood, Vice Chairman	X	Stephen Royle	X	Arthur Capello, Bldg. Inspector	X
Peter Kasprzyk, Selectmen's Rep		Dick DesRoches	X	Mike Garrepy, Planning Cons	X
Peg Stevenson					
Charles Edwards					

Also present was a Member of the Heritage Commission and Robey Bevard.

**A. CALL TO ORDER**

Mr. Winckler called the meeting to order at 7:00 PM and appointed Mr. Royle to fill in for Ms. Stevenson and Mr. DesRoches to fill in for Mr. Edwards. It was noted that Selectman Mark Duffy filled in for Mr. Kasprzyk.

**B. PUBLIC COMMENT**

There was no public comment.

**C. PUBLIC HEARING**

**Zoning Ordinance Amendments Continued from January 5, 2012** – Mr. Garrepy mentioned that another Notice for this public hearing was published in the Foster's Daily Democrat which included all of the Zoning Ordinance Articles that are being amended, therefore, the Board should vote on all of the revisions this evening. He stated that any amendments made to the previously reviewed articles, as suggested by the Town Attorney, have been made and they did not qualify as "substantive". He explained that no changes can be made this evening because the final version of the amendments must be forwarded for inclusion in the Warrant. He explained that he made the following revisions to the previously reviewed Articles:

**1. Article 3 – Table 1**

- a) Museum was added as a permitted use in the Historic District where they were previously prohibited;
- b) The addition of the term "engine" to small repair services;
- c) Note 13 was amended regarding home enterprise;

- d) Any reference to the State definition and criteria of agriculture was removed and the existing definition contained in the Ordinance was retained and will apply to both “personal” and “commercial” uses and
- e) The definition of a “preservation site” was amended and the requirement of a “public hearing” was replaced with “public meeting”.

At this time, Mr. Winckler asked if there was anyone in the audience who would like to speak and there was no reply.

**A Motion was made and seconded to advance the following Zoning Ordinance Amendments for placement on the Warrant for the 2012 Annual Town Meeting:**

- a) **Article 3 – Table 1 – Permitted Uses – Several new land uses were added to the table which will be permitted by right as well as others by a conditional use permit, some of the existing uses in the table relative to zoning districts and permitting requirements were modified and the table has been reorganized.**
- b) **Article 33 – Definitions – the definition of “Historic Preservation Site” was added and the definition of “Building” was revised to remove the language “...with the exception of a doghouse constructed for a single animal”.**

**Royle/Blackwood – Unanimous.**

**A Motion was made and seconded to advance the following Zoning Ordinance Amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 3 – Table 3 – Density and Minimum Dimensional Requirements – Footnote 2 was revised to indicate the minimum lot area required for residential and non-residential in the Village/Residential District.**

**DesRoches/Blackwood – Unanimous.**

- 2. **Article 4 – Official Zoning Map - It was decided to use the zoning map produced in November, 2011 by Cartographics as the Town of Wakefield’s Official Zoning Map.**

**A Motion was made and seconded to advance the following Zoning Ordinance Amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 4 – Official Zoning Map – To adopt the zoning map produced in November, 2011 by Cartographics as the Town of Wakefield’s Official Zoning Map.**

**Duffy/Royle - Unanimous**

- 3. **Article 9 – Wetland Conservation Overlay Zoning District – The language in Article 9 – Wetland Conservation Overlay Zoning District was amended to modify the definition of “wetlands” to comply with the NH DES definition. Also, delete were the words “Special Exception” from Section E, and only require a Conditional Use Permit and adopt the language in**

NH RSA 674:21 regarding the criteria for the Planning Board to approve a Conditional Use Permit for this section.

**A Motion was made and seconded to advance the following Zoning Ordinance Amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 9 – Wetland Conservation Overlay Zoning District – By amending the definition of “wetlands” as noted above and to delete the words “Special Exception” from Section E.**

**Blackwood/Royle – Unanimous.**

4. **Article 10 – Historic Overlay Zoning District** – Amend Section D to establish specific activities that do not require a Certificate of Approval in the Historic Overlay Zoning District.

**A Motion was made and seconded to advance the following Zoning Ordinance Amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 10 – Historic Overlay Zoning District - amend Section D to establish specific activities that do not require a Certificate of Approval in the Historic Overlay Zoning District.**

**Duffy/Blackwood – Unanimous.**

5. **Article 11 – Floodplain Development Overlay District** – It was noted that nothing has been amended since the December 29, 2012 public hearing and at that time the amendments were merely housekeeping in nature.

**A Motion was made and seconded to advance the following Zoning Ordinance Amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 11 – Floodplain Development Overlay District – To adopt the amendments discussed at the December 29, 2011 public hearing.**

**Duffy/Royle – Unanimous.**

6. **Article 23-D – In-Law Apartment** – It was noted that there have been no revisions since the December 29, 2011 public hearing when the revisions made by the Town Attorney were included.

**A Motion was made and seconded to advance the following Zoning Ordinance Amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 23-D – In-Law Apartment – To adopt the amendments discussed at the December 29, 2011 public hearing.**

7. **Article 25 – Conforming and Nonconforming Structures and Uses – Grandfather Clause** – It was noted that there have been no revisions since the December 29, 2011 public hearing.

**A Motion was made and seconded to advance the following Zoning Ordinance amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 25 – Conforming and Nonconforming Structures and Uses – Grandfather Clause – as amended at the December 29, 2011 public hearing.**

**Royle/Blackwood – Unanimous.**

8. **Article 36 – Permit Required** - It was noted that the original language proposed by the Code Enforcement Officer was amended to comply with the Town Attorney’s suggestions after his review of the article. There was no change to the definition.

**A Motion was made and seconded to advance the following Zoning Ordinance amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Article 36 – Permit Required – As amended to reflect the Town Attorney’s suggestions.**

**Blackwood/Duffy – Unanimous.**

9. **Amendment #10 – Various Articles – Conditional Use Permitting and Special Exceptions –** It was noted that amendments were made to Articles 3, 23-B and 29 by removing the special exception process in certain cases while still providing for the conditional use process through the Planning Board and to amend Articles 13, 21 and 28 by removing the conditional use permit process in certain cases while still providing for the special exception process through the Zoning Board of Adjustment.

**A Motion was made and seconded to advance the following Zoning Ordinance amendment for placement on the Warrant for the 2012 Annual Town Meeting:**

**Amendment 10 – Conditional Use Permitting and Special Exceptions in Various Articles – Regarding the removal of the requirement for a special exception from Articles 3, 23-B and 29 and the removal of the requirement for a conditional use permit from Articles 13 ,21 and 28.**

**Duffy/Blackwood – Unanimous.**

**D. BOARD BUSINESS**

**Notice of Decisions Format** – The Board reviewed a copy of the Notice of Decision for the Alliance Energy Corp. application which was drafted by Mr. Garrepy.

Mr. Garrepy advised that he didn’t think there were very many details in previous Notices of Decision that have been from the Land Use Office. He said he is more comfortable with including data such as what plans were reviewed, identifying the date of those plans and like information. He pointed out that this format advises the applicant when the Board’s approval will expire.

**A Motion was made and seconded to adopt the format used for the Alliance Energy Corp. for all future Notices of Decision emanating from the Land Use Department. DesRoches/Royle – 4/1 – Abstention (Mr. Duffy).**

**E. CORRESPONDENCE and MISCELLANEOUS**

1. **February 16, 2012** – Mr. Winckler advised that he will not be present for the Meeting of February 16, 2012.
2. **CIP Public Hearing** – It was noted that the CIP public hearing has been scheduled for Thursday, February 2, 2012 and that invitations to attend will be forwarded to all department heads as well the Wakefield Library and the school.

**F. APPROVAL OF MINUTES**

1. **December 1, 2011** – A Motion was made and seconded to approve the Minutes of the December 1, 2011 Meeting as submitted. Dube/Blackwood – 3/2 – Abstentions (Messrs. Royle and DesRoches).
2. **December 8, 2011** – A Motion was made and seconded to approve the Minutes of the December 8, 2011 Meeting as amended. Dube/Royle – 4/1 (Mr. Blackwood as he was not present for that Meeting).
3. **December 29, 2011** – A Motion was made and seconded to approve the Minutes of the December 29, 2011 Meeting as submitted. Blackwood/Royle – Unanimous.
4. **December 29, 2011 – Non-Public Session** – A Motion was made and seconded to approve the Minutes of the December 29, 2011- Non-Public Session- as submitted. Blackwood/Royce – Unanimous.

**G. ADJOURNMENT**

**A Motion was made and seconded to adjourn the meeting at 8:30 PM. Dube/Royle – Unanimous.**

Respectfully submitted,  
**ANNA M. WILLIAMS**  
Planning Board Secretary