



TOWN OF WAKEFIELD, NEW HAMPSHIRE  
PLANNING BOARD

2 HIGH STREET  
SANBORNVILLE, NEW HAMPSHIRE 03872  
TELEPHONE (603) 522-6205 FAX (603) 522-6794

MINUTES OF THE PUBLIC HEARING  
May 3, 2012

Final Copy

MEMBERS		ALTERNATES		STAFF	
Paul Winckler, Chairman	X	Richard DesRoches	X	Michelle MacDonald, Secretary	X
John Blackwood, Vice-Chairman		Doug Stewart	X	Arthur Capello, Code Enforcement	X
Charlie Edwards, Selectmen's Rep	X	Gerard Levesque	X		
Stephen Royle	X				
Tom Dube					

Attendees present: Geoffrey Andrews

Chairman Winckler opened the meeting at 7:00pm, with the Pledge of Allegiance to the Flag. Let the record reflect that alternate member Doug Stewart is sitting in for Vice Chair John Blackwood and alternate member Gerald Levesque is sitting in for member Tom Dube.

**PUBLIC COMMENT**

Chairman Winckler opened the session for public comment. Hearing none, the Chairman closed the public comment session.

**PUBLIC HEARING**

**Geoffrey Andrews has filed an Insignificant Change of Use Application located at 3 High Street, Sanbornville – Wakefield Tax Map 180, Lot 107.**

Chairman Winckler invited Geoffrey Andrews to approach the table. Mr. Winckler asked Mr. Andrews what he wanted to do in the Garvin Building. Mr. Andrews replied that he wanted to open a mercantile business starting with antiques and working to selling local seasonal goods. Mr. Andrews stated that he plans to use the space that was previously used by Curves as well as the space above Lino's Restaurant. Mr. Winckler asked Mr. Capello if the space has been vacant less than two years. Mr. Capello said yes it has been less than two years.

**MOTION:** To accept the application  
**Made by:** Gerald Levesque  
**Seconded by:** Charlie Edwards  
**Discussion:** None  
**Vote:** Unanimous

After a short review of the Insignificant Change of Use Application that was filed by Mr. Andrews it was discussed that this business will not have any adverse impact beyond the boundaries of the site and there will be no additional parking requirements needed. Mr. Andrews stated that there is adequate

parking available on either side of the building. Mr. Andrews discussed that the business will not cause any increase in nuisance to the neighborhood or abutters and will not cause an increase in traffic hazards. Mr. Winckler asked Mr. Andrews if they are going to change the plumbing. Mr. Andrews stated that they will be using the existing plumbing. Mr. Winckler asked if there would be an increase of disposal of solid waste. Mr. Capello stated there will actually be a decrease in solid waste due to the fact that customers will not be staying for periods of time.

Mr. Winckler asked Mr. Andrews if there will be trucks loading and unloading at the business. Mr. Andrews replied no, they will go to the local farmers themselves. Mr. Levesque asked if the bathroom area is sufficient. Mr. Andrews said yes, there are two bathrooms upstairs and one in the common area. Mr. Andrews stated that eventually they want to include baked goods and coffee. They may have a few seats for customers but not a lot. Mr. Levesque asked if the current floor could take the load. Mr. Capello replied yes, there will be less of a load then when it was curves.

Mr. Edwards asked Mr. Andrews if he has contacted Leno of Leno's Restaurant. Mr. Andrew replied yes, actually he has been working with me on this project. Mr. Winckler asked if there were any more questions.

**MOTION:** To accept the Insignificant Change of Use Application with no conditions  
**Made by:** Charlie Edwards  
**Seconded by:** Doug Stewart  
**Discussion:** None  
**Vote:** Unanimous

## **BOARD BUSINESS**

### **1. 2011-2016 Strafford Regional Comprehensive Economic Development Strategy Annual Update.**

Mr. Winckler asked the board if they had any goals or if they had anything in mind that needed to be applied for. Mr. Edwards stated that there are some bridges in the town that are in major need of repair. Mr. Capello added that the board should consider the renovation of the Town Hall. Mr. Edwards responded by saying he thought they had money for the renovation of the Town Hall. Mr. Winckler said yes, but not nearly enough. Mr. Royle asked if the town has to be a member of Strafford Regional Planning. Mr. Capello said no, the town is not required to be a member in order to apply for grants through Strafford Regional Planning. Mr. Edwards was concerned that Strafford Regional was asking for dues but Mr. Capello informed Mr. Edwards that the Town of Wakefield decided to discontinue their membership with Strafford Regional Planning approximately two years ago. Mr. Capello added that since Strafford Regional Planning doubled their dues the Planning Board decided to drop the membership and pay as they go. Mr. Edwards referred to the bill from Strafford Regional to the Planning Board and asked if the Planning Board owed Strafford Regional \$5,766.15 or if they were asking for future dues. Mr. Winckler stated that Strafford Regional was asking for membership dues but that the Planning Board has not been satisfied with their services in the past. However Mr. Winckler did agree that

the Planning Board should apply for a grant for the renovation of the Town Hall. Mr. Capello felt that this was something that should be brought to Mike Garrepy's attention. Mr. Winckler agreed by saying Mr. Garrepy would know what to ask for. Mr. Edwards asked if applying for the renovation of the Town Hall meant that the Planning Board had to pay the dues. Mr. Winckler stated no, and said that the dues aren't even in the budget anyways.

Mr. Edwards mentioned that he has traveled the roads around town frequently in the last month and felt that they are in need of repair. Mr. Edwards stated that ten years ago there were three roads being repaired a year and now we are lucky if one road is being repaired a year.

Mr. DesRoches stated that he has been involved with grants from EPA's before and it was his understanding that the Planning Board would be submitting a plan, which would be prerequisite and then submit grant applications for individual projects. Strafford Regional Planning isn't asking us to apply for a grant they are simply asking to make a plan. If you have a plan then you could apply for a grant at a later date but if something isn't in the plan you may not be able to submit it to the Federal Government for the grant money. Mr. Winckler stated that filling out this paperwork and making a plan would allow us to apply for a grant at a later date. Mr. DesRoches added that the town would have to come up with a percentage of the money, that the grant is not completely free money. Mr. Edwards stated that at least if the town gets a chance to receive a grant that there is some money in the budget for some projects. Mr. Edwards also feels that it wouldn't hurt to fill out the paper work and send it in. Mr. Winckler stated that the paperwork should be filled out by Mike Garrepy. After a brief discussion the Board came up with three areas they would like to see included in the plan. Mr. Winckler said he would contact Mr. Garrepy about the Town Hall, Bridges, and in town sidewalks.

## **2. Follow up on Anglin Road- Wakefield Tax Map 82, Lots 50,51 &52**

Mr. Winckler stated that Mr. Anglin came to the Town Hall stating that he could not access his lot. Mr. Capello stated that Attorney Rick Sager sent a letter to Mr. Colosi requesting specific things that he has seen a follow up on. Mr. Capello asked the board how they want to proceed by asking if they want to send another letter. Mr. Winckler said no, if Mr. Colosi was here it would be one thing but he feels that Mr. Sager said it best when he stated in the letter to Mr. Colosi "There is nothing the Planning Board can do at this point to resolve this dispute between the two trusts. However, it would seem to me that cooler heads should prevail on this matter, and that a negotiated solution between the two trusts to provide more adequate and user friendly access to the otherwise landlocked Anglin Trust property can be achieved without a great deal of effort or expense. To that end, I wish you both the best of luck to achieve a satisfactory result." Mr. Winckler feels this is the way to handle this issue and agrees that they both should sit down and discuss the issue. Mr. Winckler stated that he feels they both should be asked to attend a meeting together to work this out.

Mr. Edwards asked Mr. Capello why he and Mr. Sager went to the property. Mr. Capello stated that they went to look at the issue. Mr. Edwards then asked if the lot was completely blocked off. Mr. Capello replied no, but he feels that it's not reasonable to consider the access acceptable because the terrain is a steep incline and very rocky. Mr. Stewart asked Mr. Capello if there was an acceptable access prior to the subdivision that the Planning Board approved. Mr. Capello replied yes. He believes that the Colosi Trust built a house where that access was and stated that Mr. Anglin could access his lot by entering through the adjacent lot, also owned by Mr. Anglin.

Mr. Edwards asked if they made the access in the same spot as the plan reads or if they placed it in another spot. Mr. Capello stated that the plan that Colosi recorded is not a legal plan because it was not approved by the Planning Board. Mr. Winckler ended the discussion by saying that there was nothing that could be done by the board at this time.

**3. July 19<sup>th</sup> Seminar on Water Quality.**

Mr. Winckler talked about a definite date for the Water Quality Seminar that will be sponsored by the Wakefield Planning Board. The Seminar will be held on July 19<sup>th</sup>, 2012 in the Wakefield Town Hall and is open to the public. Mr. Winckler stated that he will get together with Forest Bell to make publicity packets as well as poster to advertise the seminar.

**4. Review of 1981 minutes on unbuildable lot.**

Mr. Winckler stated he didn't see any record as to why the lot was unbuildable. He only read in the minutes from 1981 that Mrs. Robitalle stated that she was concerned about the subdivision for more building lots. Mr. Winckler felt that it would be fair to grant Mr. Bisson permission to build because he has been paying for a buildable lot for many years. Mr. Stewart stated that the deed doesn't say how much acreage there is but the minutes, in the second paragraph talk about the lot being subdivided and the size of the lot. Mr. Bisson has a two acre lot so it seemed a little confusing to him. Mr. Stewart wasn't sure whether the deed was for a bigger lot that was subdivided at a later date.

Mr. Winckler is concerned that Mr. Bisson has been paying for a buildable lot. The adjacent lot was determined buildable by the Planning Board and based on the deed it states we could approve it for as a buildable lot. Mr. Capello stated the question would be if the references to the lots in the minutes are of both the waterfront sides and the back lots. Mr. Stewart made a comment on what Mr. Winckler said about the fact that Mr. Bisson has been taxed on a buildable lot. Mr. Stewart stated he knows of lots in town that have been taxed as water access lots for years although the deeds have no verbiage as to water access. Mr. Stewart went on to say that the Planning Board doesn't have the right to grant a property owner access to or change something that is not stated on the deed. If the deed states it's a non-buildable lot the owners should take the appropriate steps. Mr. Royle felt that this should be an issue for the Town Assessor not the Planning Board. Mr. Stewart stated it was mentioned that the adjacent lot was labeled non-buildable but the owner met with the Planning Board years ago and was given the okay to build. Mr. Capello replied no, they were issued a permit in error. Mr. Royle asked Mr. Capello if Mr. Bisson wanted to build what would he have to apply for or what would be the process. Mr. Capello said he thought it was determined at the last meeting that it would be a subdivision application. It was agreed upon that if Mr. Bisson wanted to build that he would have to apply for a subdivision requesting a change in the condition of the subdivision.

**CORRESPONDENCE AND MISCELLANEOUS**

**1. Cynthia Crawley – requesting a Zoning Ordinance.**

Mr. Winckler stated that Cynthia Crawley would like to see a Zoning Ordinance for lighting and fences due to some problems she is having with a neighbor. Mr. Winckler is confused as to how she wants the Planning board to solve these issues. He feels that the two parties should talk and resolve the issue

among themselves. Mr. Edwards stated that Ms. Crawley had a problem with the outside light being on for hours at a time in the evening hours. Mr. Levesque asked if the light involved in this issue is a public service light. Mr. Capello replied no, it is a flood light on the house. Mr. Edwards asked how the Board should address this issue while showing respect. Mr. Capello stated the planning Board should let Ms. Crawley know they will not be proposing any kind of zoning change at this time. Mr. Winckler agreed with Mr. Capello. Mr. Royle asked Mr. Capello if he had to follow up on the complaint letter talking about fencing and material piles. Mr. Capello replied, "No, I have done everything I can which is why this issue is before the Planning Board". After a brief discussion it was agreed that the Planning Board will not be taking any action at this time.

## **2. New deeds for Lot Line Adjustments.**

Mr. Royle stated that the board needed to discuss the deeds that need to be recorded with a Lot Line Adjustment that was mentioned at the last meeting. Mr. Royle was wondering about getting the Town Assessor to come to a Planning Board meeting. Mr. Capello stated that the issue has been resolved and that there is no requirement to get a new deed but nothing can happen in the Assessing Department until a new deed is recorded. Mr. Capello added that there will be generic verbiage added to the Notice of Decision letter that goes to the property owner for any boundary line adjustment that will read "please be aware that the boundary line adjustments do not take effect until deeds have been recorded transferring ownership of property. Mr. Royle was concerned that when property owners subdivide their land for Current Use they do not get a new deed until the lots are sold. Mr. Capello stated that what would happen is the taxes would reflect the current deed until a new deed has been recorded.

## **3. Site walk on Route 16.**

Mr. Winckler discussed with the board when they would like to conduct a site walk along Route 16 to determine what parts could be become Commercial. Mr. Levesque asked if they would be walking the north or south side. Mr. Winckler stated that they will be looking at both sides of Route 16 from the south town line all the way to the north line. Mr. Royle asked if there was a chapter in the Master Plan on Future Land Use. Mr. Winckler replied that it was included in the Land Use Chapter that was already done. Parts of Route 16 becoming commercial were added to the chapter. Mr. Edwards stated that Route 16 has been an Industrial Highway since it was created so the road should have commercial businesses on it. Mr. Winckler stated he would like to see this site walk happen some Saturday morning in June and asked the board members if this was feasible. Mr. Edwards felt the biggest concentration should be from the Mobil Station to the top of Wakefield Hill. He just doesn't know how much of the land could actually be used. Mr. Capello stated the problem with south of the Mobile is that it is all wetlands.

Mr. Winckler stated he wanted to make a tentative date for the Site Walk and was thinking about the first Saturday in June. He asked if there were any problems with this date. Mr. Stewart stated he could not attend on this date but all other members agreed that June 2<sup>nd</sup> was fine. After a brief discussion it was decided that a Site Walk along Route 16 would take place on June 2<sup>nd</sup> at 9:00 am. The public is welcome and all interested parties should meet at Union.

## **4. Public Transportation**

Mr. Edwards stated that an elderly gentleman was quite upset about the Town of Wakefield's Public Transportation or lack of. Mr. Edwards said he was under the assumption that the Town had public transportation. Mr. Winckler stated that the Town has the Coast Bus which runs once a week and is transportation for the elderly and disabled. The bus picks the rider up at their home

and then takes them shopping. Mr. Edwards asked if any transportation could have taken this gentleman to Dover for a doctor's appointment. Mr. Winckler did mention a program called the Good Shepard Program that is an Out Reach Program of the Congregational Church in Wakefield Village. They provide transportation services for anyone in need of transportation services. The requirement is to call the church.

### **APPROVAL OF MINUTES**

**MOTION:** To approve the minutes of the April 12<sup>th</sup> meeting.

**Made by:** Steve Royle

**Seconded by:** Paul Winckler

**Discussion:** None

**Vote:** Unanimous

**MOTION:** To approve the minutes of the April 19<sup>th</sup> meeting

**Made by:** Steve Royle

**Seconded by:** Paul Winckler

**Discussion:** None

**Vote:** Unanimous

### **ADJOURNMENT**

**MOTION:** To adjourn the meeting at 8:15pm

**Made by:** Steve Royle

**Seconded by:** Paul Winckler

**Discussion:** None

**Vote:** Unanimous

Respectfully submitted,

*Michelle MacDonald*

Michelle MacDonald  
Planning Board Secretary