



TOWN OF WAKEFIELD, NEW HAMPSHIRE  
LAND USE DEPARTMENT

2 HIGH STREET  
SANBORNVILLE, NEW HAMPSHIRE 03872  
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MINUTES OF THE PLANNING BOARD MEETING  
4 September 2014

Approved 9/18/14

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

**Also present were:** Mark Lucy, Bob Adams, Dino Scala, David Guttadauro, Donna Martin (videographer)

**CALL TO ORDER – 7:00pm**

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

**PUBLIC COMMENT**

2. None.

**PUBLIC HEARINGS**

3. S Royle opened the public hearing for the **Tumbledown Café Major Site Plan Application**. Mark Lucy from White Mountain Survey apologized for missing the public hearing on August 21<sup>st</sup>. They simply placed the appointment on the calendar for August 28<sup>th</sup> by mistake. Mr Lucy described what was being sought with this application. Mr Lucy was handed the planner review just before the meeting. He noted that there did not appear to be anything that could not be addressed in the review. The intent of the application is to add a 14" by 48 foot porch to the front of the rebuilt 'bakery building' for outdoor dining. The number of patrons will stay the same at 154 diners. They are enhancing the parking/ delivery area behind the existing buildings. They are also planning to create grass areas behind the Dow Academy building which are currently graveled. Adding a dumpster area and grassing the area as proposed will restrict the flow of traffic across the parcel to the Danny Davis property. No further

landscaping is currently proposed. Highway boulders can be placed and spaced to further prevent vehicular traffic to the abutting parcel. No new exterior lighting is proposed. Current impervious area is 76.7%. By changing the area behind the Dow Academy to grass they are lowering the overall impervious area to 74.6%. This will slightly lower the runoff from the site because of the reduced impervious area. The proposed porch is replacing a paved area so there is no increase in impervious area.

4. N Fogg noted that the application was accepted at the August 21<sup>st</sup> meeting.
5. S Royle noted that there are cones between the restaurant parking area and the masonry parking area. Is any change proposed to block traffic? David Guttadauro does not want to permanently block the access between the properties. He suggested placing planters to block the traffic. These could be removed in the winter to aid in snow removal.
6. The seating is currently 85 to 90 seats, when both sides are open the seating will increase to 154 seats.
7. D DesRoches asked if the fire department had any problem with blocking off the access behind/ between the properties out back. N Fogg noted that they will still have access around the building. The police department would like to see lighting in the rear of the building to aid in security, especially because of the skateboard park being located behind the restaurant. David Guttadauro noted that they will add lighting as necessary to make the area more safe and secure.
8. C Twombly asked about deliveries and whether they would be made in front or behind the building. David Guttadauro noted that only the linen delivery made deliveries to the rear of the building. Other suppliers deliver to the front door during off-peak hours. The waste disposal truck would have to access the rear of the building, however for the time being, they are taking their own solid waste to the transfer station.
9. S Royle opened the public hearing for public input. Hearing none he closed the public comment portion of the hearing.
10. S Royle reviewed the planner's review and noted that section 4.06(D)'s 8 notes need to be added to the plan. Some information is already shown on the plan. N Fogg noted that a note explaining why there is no drainage plan needs to be added to the plan.
11. D Silcocks asked when the TRC meeting was held. N Fogg noted that the full plan had been reviewed by the police and fire departments. A lighting plan can be covered by a note that states that any additional lighting will be ground directed to protect the night sky. Exact lighting configuration will be determined by actual need and will be coordinated with neighboring properties.

12. Snow storage can be addressed by a note that there is no change to existing. Signage is not changing. Existing sign was lit previously. The intent is to have the sign lit again.
13. Most of the required plans are provided or are not necessary. The dumpster will only be installed if necessary. The dumpster will only be screened and/or locked as necessary. Separating the parking areas will be taken care of with planters or other agreed upon method.

**MOTION:** To conditionally approve the Major Site Plan Application for Tumbledown Family Farms LLC, TM 179, Lot 132, pending adding notes regarding reduction of stormwater runoff, lighting of rear parking area to be dark sky (IDA) compliant, Section 4.06(D) notes 1-8, and boulders to eliminate cross traffic behind building to adjacent properties.

**Made by:** Tom Dube

**Seconded by:** David Silcocks

**Discussion:** None.

**Vote:** 5-0 in favor of the motion.

### **PRELIMINARY DISCUSSION**

14. Dino Scala from Hayes Real Estate is asking the PB for guidance for the **Williamson/Wickers family that own TM 171-12 on Donahue road** on the shore of Horn Pond. There are 3 lake-frontage access points for a total of just over 2,000 feet of shore frontage. The road is very seasonal. Would a road have to be improved in order to subdivide into two or three parcels? The road to the property crosses the land of others. The access from Davis Road is gated and is muddy. The road is from Route 109 is through a right of way or easement from Donahue. Quite often there is no width given to old easements and knowing whether or not a road can be improved is up to the relationship between grantor and grantee.
15. J Blackwood noted that each PB member should see the road for themselves. T Dube noted that town subdivision regulations require a certain length of road per lot built to town specifications. He questioned whether the PB was willing to waive subdivision regulations if the number of parcels created was limited to 2 or 3. The PB was overall non-committal to allowing subdivision on the substandard road. J Blackwood asked if they would be willing to trade off additional lots for the right to subdivide on the substandard road. Dino Scala will check with his clients and ask what they might be willing to give up, such as the possibility of additional future subdivision, to allow for a couple of parcels to be created. His clients have discussed placing land in a conservation easement. There is a possibility of placing shore frontage into conservation land.

- 16.N Fogg asked if there was a possibility of doing a boundary line adjustment with existing parcels on the road so that no new lots were created. That would be much easier for the PB to approve. Adding lots on this road expands a safety issue because of the condition of the road and the ability of safety equipment to reach the properties. The owners can come in and get one building permit right now.
- 17.S Royle invited Bob Adams, Facility Director for SAU 64, to the table. Bob Adams explained that the school board received 2 bids to do a design build for the expansion of the **Paul School parking lot**. Both bids were rejected after discussion because one bidder came in with an alternate design. The new design changed the area where the bulk of the new runoff would be directed. The new design adds 14 more parking spaces. The school board adopted the revised design and are going back out to bid.
- 18.C Twombly noted that the entire parcel had been cleared of trees. Bob Adams noted that they had all been removed except the trees along the border with TM 180-39, 84 Gary Road. They planned to plant arborvitaes trees to protect the abutter there.
- 19.D DesRoches asked where the drainage from the new parking area would flow. Bob Adams noted that approximately half would flow to the low area between the existing parking area and TM 180-63, 5 Taylor Way and the other half would flow to the existing catch basin located next to the remaining garage on the new parcel. T Dube noted that a portion of the lot had been impervious when the house, garages, and driveway were present as a residence. He noted that the other abutter was concerned with how the traffic would flow by her house at TM 180-36, 37 Burroughs Avenue. She had concerns regarding the safety of the school children walking without sidewalks and how the headlights would shine on her house while exiting the parking area.
- 20.T Dube noted that he would like to see treatment of stormwater before it leaves the site. Ensuring that the stormwater does not leave faster than it currently does and that it receives treatment after leaving the parking area prior to entering the catch basin and flowing to the Branch River. Arranging and/or combining the exits from the new parking area should leave room for a treatment area. The exit between the utility pole and fire hydrant is narrow, but there should be an option that can work. The utility pole guy wires will need to be relocated to allow room. Combining the exits on the school property would keep any bottleneck on the school property instead of on the public roads. Using the existing driveway from the new property would line the exit up with the intersection of Burroughs Avenue and Gary Road.
- 21.D Silcocks asked about having the existing parking exit back out Martin Lane to split up the exiting flow in multiple directions. Bob Adams noted that a major reason for the new parking is to alleviate the congestion on Martin Lane for parents arriving to pick up their children. Bob Adams noted that one way traffic is safer for pedestrians. PB members noted that runoff needs to be treated and controlled regardless of which

direction it flows. The existing drainage area next to 5 Taylor Way has a fairly large natural treatment (wetland) area associated with it prior to heading to the Branch River.

22. T Dube feels that there are 2 real issues. 1. Treatment and infiltration of the stormwater runoff before leaving the site and 2. Protecting 37 Burroughs Avenue from headlights leaving the new parking area. The PB discussed the previous attempt to place sidewalks in the area near the school. Nobody present seemed to recall definitively why the project failed to get completed. C Twombly seemed to remember that there was issues with the terms of the grant that was being applied for to pay for the sidewalk. T Dube noted that while we do not have control of the school project, we do have regulations that are important for a project this size to consider to protect the environment. The PB is willing to help with the design to ensure success of the project through some sort of joint meeting between the boards.

### **BOARD BUSINESS**

23. N Fogg noted that he had been to the **LaRoche property on Sandy Pond** along with Dave Steven, the building inspector, Dave Price from NHDES, Mark LaRoche, and Marks' surveyor. Dave Price noted the violations, Mark LaRoche explained how he felt that he met the rules. Some of the items on the property could be permitted, however no permit has been applied for to date. The town issue is that the camping trailer does not meet setbacks. Dave Price noted that the state does not have a setback for temporary structures from the shoreline. N Fogg noted that Mark LaRoche could possibly relocate his camper to meet all town setbacks thus elevating that issue. The town would still like to see compliance with the state Shoreland Protection Act. Dave Price noted that the state would be issuing either a Letter of Deficiency to Mr LaRoche regarding his violations or an Administrative Order. The notice would include fines. N Fogg noted that he has sent letters to Mr LaRoche. LaRoche always contacts him back and explains why he feels that he is in compliance and does nothing to remedy any of the violations. In fact he has added additional violations since the last letter including pavers being placed over a portion of the property, including the creation of a boat ramp to the pond.

24. T Dube noted that it is the base placed under the pavers that makes it pervious, not the brick itself. N Fogg noted that regardless of how it gets done, it needs a permit to be legal. J Blackwood asked about a septic system. N Fogg noted that a septic is not required for a camper, only proper disposal of the sewage. A septic system would be required if the camper was connected to running water.

25. N Fogg received a call recently that someone was cutting trees along the back side of Sandy Pond. After an investigation it was found that the Sparhawk property is being logged and the property runs within 200 feet of the back side of Sandy Pond. They have proper permits in place.

26. S Royle reviewed the **proposed budget** with the PB. N Fogg and S Royle have met with the town administrator regarding the proposed budget. The only real change was to up the legal line from \$1,500 to \$2,000, which allows N Fogg to contact the town attorney with specific questions about applications or regulations. General questions are referred to NH Municipal Association (NHMA) legal department. The town is a member of NHMA and they provide legal review as part of the membership.
27. S Royle noted that we need to justify the professional services line of the budget. D DesRoche gave an overview of how we would move forward with and updating the lake data report to include the addition of the rest of our lakes. N Fogg asked for a written report from D DesRoche to explain. Some lakes do not monitor phosphorus and are more concerned with weed control. N Fogg also noted that we should note how the data and report will be used to assist the PB. Province Lake needs to reduce the level of phosphorus in the lake. Other lakes need to monitor phosphorus levels and try to stop any increase in the levels. J Blackwood noted that lawns on Lovell Lake are nice and green. D DesRoches noted that he did not believe that you could purchase fertilizer with phosphorus any longer in NH.
28. The other portion of the professional services line is for Mike Garrepy. He is currently under contract for \$2,000 to provide **updated site plan regulations**. He can provide an updated combination subdivision and site plan regulations for \$4,000. There is a great deal of commonality between the regulations. The PB discussed whether to put the contract out to bid. Mike Garrepy is familiar with Wakefield, which is a benefit towards getting regulations that we can use effectively. Timeliness was discussed. N Fogg noted that he had been trying to be as timely as possible with applicants and only requiring submission 21 days prior to a meeting. He can go back to 28 days to give adequate time for reviews. Reviews need to be received a week before the meeting to allow time for the PB and applicants to review and respond if necessary. The PB likes Garrepy's reviews and is willing to continue with him. We will set firm dates with him to ensure that we receive reviews in a timelier manner. We will encumber \$2,000 for Garrepy and spend \$2,000 out of next year's budget to get an updated, combined subdivision & site plan regulations.
29. No other major changes to the budget are proposed. There is still money in this year's budget for training, if any individuals are interested in going.
30. N Fogg asked about "**Natural Expansion**" which he and the town administrator (TA) have reviewed as it applies to a billboard sign. N Fogg read article 25 from the zoning ordinance, which mentions natural expansion, which he and the TA agreed would allow for the change in the billboard. N Fogg asked if the PB had any input into the definition. The PB asked if I was referring to expanding the business and commercial areas in town by allowing parcels next to existing businesses to have more commercial options than properties that are neither within the business and commercial zone or next to an existing business use. The PB asked if N Fogg was asking for a change to

the zoning ordinance. He responded "no", that he was comfortable with the wording, but was just checking to make sure that he was not off base with his interpretation.

31. N Fogg noted that there is a ZBA meeting on the 15<sup>th</sup> to consider relief from a wetland setback. North Coast Construction will be in on the 18<sup>th</sup> requesting an extension of conditions of approval.

32. Steve Brown was reappointed to the Strafford Municipal Transportation Authority.

33. J Blackwood asked about a stonewall ordinance. He is concerned about the wording in Heritage Chapter of our Master Plan. S Royle reminded him that we have not taken any steps towards enacting a stone wall ordinance.

### **APPROVAL OF MINUTES**

34. Approval of minutes from August 21<sup>st</sup>.

**MOTION:** To approve the minutes from August 21<sup>st</sup> as presented.  
**Made by:** Tom Dube  
**Seconded by:** David Silcocks  
**Discussion:** None  
**Vote:** 5-0 in favor of the motion

### **PUBLIC INPUT**

35. None

### **SET MEETING DATE**

36. The next regularly scheduled PB meeting will be Thursday, September 18<sup>th</sup>.

### **ADJOURNMENT**

**MOTION:** To adjourn the meeting at 9:05 pm  
**Made by:** Tom Dube  
**Seconded by:** David Silcocks  
**Discussion:** None  
**Vote:** 5-0 in favor of the motion

Respectfully submitted,  
Nathan Fogg  
Code Enforcement Officer  
Land Use Clerk