



# TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

2 HIGH STREET  
 SANBORNVILLE NH 03872  
 TELEPHONE (603) 522-6205 X 308 FAX (603) 522-6794  
 LANDUSECODEDEPT@WAKEFIELDNH.COM

## MINUTES OF THE PLANNING BOARD MEETING 17 December 2015

Approved 1/7/16

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

**Also present were:** Donna Martin (videographer), Kerry Fox, David Joy, Annette Thomlinson, Don Cheever, Phil Twombly, Pam Wiggin, Toni Bettencourt, Ann Bettencourt, David Mankus, Rob Bevard, Bill Martin, Harold Jarvis, Peter Brown, Joe Moreschi, Dorothy Shull.

### CALL TO ORDER – 7:00pm

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

### PUBLIC COMMENT

- None.

### PUBLIC HEARINGS

- Boundary Line Adjustment Plan Application** submitted by Fox Survey Company for David Joy for properties on Railroad Avenue and Pigeon Hill Road, Tax Maps 244-21 & 244-23. The applicant is proposing to change the boundary line between his two properties. This will make 244-23 less non-conforming. **2-Lot Subdivision Plan Application** for Pigeon Hill Road property known as TM 244-21.

**MOTION:** To accept the Boundary Line Adjustment Plan Application for David Joy, Tax Maps 244-21 & 244-23.  
**Made by:** Tom Dube  
**Seconded by:** Dick DesRoches  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

**MOTION:** To accept the 2-Lot Subdivision Plan Application for David Joy, Tax Map 244-21.  
**Made by:** Tom Dube  
**Seconded by:** Connie Twombly  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

4. Kerry Fox proceeded to explain that David Joy owns these 2 parcels of land. He wishes to add area to the smaller parcel where his home is located to make it less non-conforming and to subdivide the remaining 13 acres into two building lots. A wetland scientist mapped adequate upland area to provide buildable area for each of the proposed 2 lots and to allow for a wetland application to be filed for driveway crossings to the buildable areas. The wetland approval has been received.
5. Mr Fox explained two areas where his boundary research did not agree with the tax map. One area was near the old Union Village School House which still appears to be owned by the Town of Wakefield, and the other was near the Middleton town line that appears to be owned by the heirs of John Stevens. Neither of these discrepancies affects the plan presented.
6. Chairman Royle asked if there was any public comment on the application. None.
7. The PB discussed N Fogg's review and the necessary waiver and conditions for a conditional approval. Mr Fox had requested in writing waivers for 4.06 (11) & (24) of the submittal requirements.

**MOTION:** To accept the Waiver for #11 & 24 as not necessary to evaluate this particular application.  
**Made by:** Tom Dube  
**Seconded by:** Connie Twombly  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

8. Conditions required for approval. 1: Add driveway for parcel across Pigeon Hill Road from proposed lower driveway; 2: Add a note defining the purpose of the plan; 3: Add a note with approved waivers to the plan; and 4: Add a planning board signature block to the plan.

**MOTION:** To conditionally approve the Boundary Line Adjustment Plan Application for David Joy, Tax Maps 244-21 & 244-23, with the approved waivers and 4 conditions listed above.  
**Made by:** Dick DesRoches  
**Seconded by:** Tom Dube  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

**MOTION:** To conditionally approve the 2-Lot Subdivision Plan Application for David Joy, Tax Map 244-21, with the approved waivers and 4 conditions listed above.  
**Made by:** Dick DesRoches

**Seconded by:** Connie Twombly  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

9. Kerry Fox noted that he would update the plan and bring a mylar and prints for signing in the near future.

## **BOARD BUSINESS**

10. Chairman Royle noted that we were now entering a public hearing for the proposed warrant articles to be placed on the ballot for the March election.

Chairman Royle read the first proposed warrant article:

Amendment adds “Laundromat” as a use permitted in the Business & Commercial, and Village/Residential districts, and allows it with a conditional use permit in the Residential III and Agricultural districts, and does not permit the use in the remaining districts. The amendment also adds “Laundromat” to Article 33 “Definitions.”

11. No public comment.

**MOTION:** To place the proposed zoning amendment on the ballot as written in March.  
**Made by:** Connie Twombly  
**Seconded by:** David Silcocks  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

12. Chairman Royle read the second proposed warrant article:  
Amendment changes parcels known as TM 212-10, 212-11, & 212-12.2 to “Residential III (Rural) from “Light Industrial.” These three parcels front on Governors Road and are being rezoned to match their existing use.

13. No public comment.

14. N Fogg noted that the affected parcel owners had received written notice of the proposed change and that he had received no calls or communication regarding the change.

**MOTION:** To place the proposed zoning amendment on the ballot as written in March.  
**Made by:** Dick DesRoches  
**Seconded by:** Connie Twombly  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

15. Chairman Royle read the third proposed warrant article:  
Amendment changes certain parcels located along Perkins Hill Road, Acton Ridge Road, and Province Lake Road to the “Residential III” Zoning District from the “Agricultural”

Zoning District (excepting portions of parcels within 500 feet of Balch Lake and Lake Ivanhoe.) This article reverses a change in the Zoning Map approved in 2015.

16. N Fogg noted that the affected parcel owners had received written notice of the proposed change and that he had received several phone calls from owners who were asking about the proposed change. Some did not know that their property had changed last March and most were concerned with whether or not there was a proposed gravel pit for the property on Perkins Hill Road (TM 92-34.) Several property owners were in attendance to inquire about a proposed gravel pit and the change in zoning.
17. S Royle noted that the PB was putting this article forward because they felt that the real reason for the petitioned warrant article being put forth last year was not clearly stated in the warrant article.
18. J Blackwood noted that having a gravel pit in town would save the town money on their winter sand. The town should even consider owning a gravel pit.
19. N Fogg read a facsimile he received from the owner of TM 92-34 which noted that there was insufficient gravel to pursue a gravel pit on his property and that he would like the area to remain in the Agricultural zoning district.
20. It was noted that the difference between the Residential III zone and the Agricultural zone was lot size, 3 acres instead of 5 acres and that the agricultural zone allowed gravel pits.
21. The PB took an informal vote from the public in attendance as to whether they wanted the parcels rezoned back to Residential-III. A majority would like the area rezoned back to R-III. The PB decided that it should be put to the voters.

**MOTION:** To place the proposed zoning amendment on the ballot as written in March.  
**Made by:** Dick DesRoches  
**Seconded by:** Connie Twombly  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

22. Chairman Royle read the fourth proposed warrant article:  
Amendment requires that in the Historic Overlay District, the construction, alteration, moving or demolition of any fence requires a Certificate of Approval from the Heritage Commission.
23. N Fogg noted that the only question brought up while previously discussing the proposed warrant article was the details on what fences were allowed, etc. This article only affects residences located within the Historic District.
24. Pam Wiggin and Peter Brown both spoke to the fact that they feel the fences help define the Historic District and that they should be regulated so that they do not disappear. The details of the types, colors, locations of fences would be determined by the Heritage Commission. If this

article passes, the Heritage Commission would need to update the "Town Historic District Guidelines" to be specific regarding fences.

**MOTION:** To place the proposed zoning amendment on the ballot as written in March.  
**Made by:** David Silcocks  
**Seconded by:** Connie Twombly  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

25. Chairman Royle read the fifth proposed warrant article:  
Amendment adds wording to the "Purpose" section of the Open Space Conservation/Cluster Development, Article 12, to add clarity to the purpose.
26. T Dube noted that we had found the 'missing language' that prompted the article in another section of the zoning ordinance so this amendment was unnecessary.
27. No public comment.

**MOTION:** To table the proposed zoning amendment and not place it on the ballot in March.  
**Made by:** Tom Dube  
**Seconded by:** David Silcocks  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

28. Chairman Royle read the sixth proposed warrant article:  
Amendment adds impervious surface coverage restrictions (formerly found within the Site Plan Regulations) to the Zoning Ordinance. The amendment also changes the definition of "Impervious Coverage" to "Impervious Surface Coverage" and adds clarity in the wording of the definition within Article 33 "Definitions."
29. No public comment.

**MOTION:** To place the proposed zoning amendment on the ballot as written in March.  
**Made by:** Dick DesRoches  
**Seconded by:** Tom Dube  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

30. Chairman Royle read the seventh proposed warrant article:  
Amendment adds "Section J" to Article 21 to add specific sign standards for Hawkers & Peddlers (temporary and/or mobile) type businesses.

31. J Blackwood and Rob Bevard asked why the limitation to 4 square feet for hawkers and peddlers. Discussion ensued regarding hawkers and peddlers verses other agricultural uses, especially farmers selling their own products on their own property.
32. N Fogg understood the lack of clarity. He noted that the 4 square feet was only applicable to a directional parking sign. He also noted that due to a US Supreme Court decision back in June; our sign ordinance section of the zoning ordinance would require an overhaul perhaps as early as next year.

**MOTION:** To table the proposed zoning amendment and not place it on the ballot in March.  
**Made by:** Tom Dube  
**Seconded by:** Connie Twombly  
**Discussion:** None.  
**Vote:** 5-0 in favor of the motion.

33. The PB signed the revised Boucher Subdivision plans. There was a mistake in the lot areas on the previously signed plans. Those plans were not recorded. N Fogg will record these plans on December 18<sup>th</sup>.

**PRELIMINARY CONCEPTUAL HEARINGS**

34. None.

**APPROVAL OF MINUTES**

35. Approval of the minutes from 3 December 2015.

**MOTION:** To accept the minutes of 3 December 2015.  
**Made by:** Tom Dube  
**Seconded by:** Connie Twombly  
**Discussion:** None  
**Vote:** 4-0-1 in favor of the motion, with D Silcocks abstaining.

**CORRESPONDENCE**

36. N Fogg noted that White Mountain Survey had dropped off the proposed plans for the parking lot expansion at the Paul School. A public hearing will be noticed for January 7<sup>th</sup>.
37. There has not been any communication from Dollar General on their application.

**PUBLIC COMMENT**

38. None.

**SET MEETING DATE**

39. The next regularly scheduled PB meeting will be 7pm, Thursday, January 7<sup>th</sup>, 2015 in the Town Hall Conference Room.

**ADJOURNMENT**

<b>MOTION:</b>	To adjourn the meeting at 8:53 pm.
<b>Made by:</b>	Tom Dube
<b>Seconded by:</b>	David Silcocks
<b>Discussion:</b>	None
<b>Vote:</b>	5-0 in favor of the motion

Respectfully submitted,  
Nathan Fogg