



Town of Plaistow, NH
Office of the Planning Board
145 Main Street, Plaistow, NH 03865

PLANNING BOARD MINUTES March 21, 2018

Call to Order: 6:32 p.m.

ROLL CALL: Tim Moore, *Chair*
Lisa Lambert, *Vice Chair*
Laurie Milette
James Peck, *Excused*
Steve Ranlett, *Selectman Ex-Officio*
Geoffrey Adams, *Alternate*
Chantel Boudreau, *Absent*

Also present was: Dee Voss, *Planning Coordinator* and P. Michael Dorman, *Chief Building Official*

Tim Moore appointed G. Adams as a voting member for James Peck.

Minutes of February 21, 2018

S. Ranlett moved, second by L. Milette to approve the minutes of February 21, 2018. There was no discussion on the motion. The vote was 4-0-1, (L. Lambert abstained).

The Planning Board discussed the re-organization by electing officers and committee assignments of the Planning Board. Tim Moore states that Geoffrey Adams warrant has been signed.

S. Ranlett nominated Tim Moore for Chair of the Planning Board, second by L. Lambert. The vote was 5-0-0. U/A.

L. Milette nominated L. Lambert for Vice Chair of the Planning Board, second by S. Ranlett. The vote was 5-0-0. U/A.

Public Hearings:

PB 18-03: An application from Lewis N. Gould, Jr. and Gina C. Despres for a site plan proposing a combined residential/commercial use. The commercial use will be a garage to house a tractor trailer. The property is located at 18B Danville Rd, Tax Map 30, Lot 89 in the C1/Danville Road Overlay District. The property owner of record is J & M. Realty Trust, Michael W. and Jeanmarie Drago Trustees.

Dan Johnson of Plaistow Consultants was present for the application on behalf of the prospective owners Lewis Gould Jr. and Gina C. Despres. The current owner on record is J & M Realty Trust, Michael W. and Jeanmarie Drago Trustees.

Discussion:

D. Johnson presented to the board the updated site plan proposing a combined residential / commercial use. He relayed to the Board that L. Gould and G. Despres intend to live on the property and have a garage as commercial use to garage a tractor trailer that is used for Mr. Lewis's business. D. Johnson further discussed with the Board that the house and garage are not built yet. He displayed the plans on screen and pointed out the proposed location of the house and garage that would be built. He explained further they do not own the property yet and the purchase would be contingent on the Boards decision to allow the combined use.

D. Johnson discussed the following:

- 1) Landscaping will include bushes.
- 2) Some trees would need to be removed to ensure site distance.
- 3) Utilities will be underground. There will be several pole lights to light up the driveway.
- 4) Drainage flow will be toward the back side of the property
- 5) There will be a 6-foot stockade fence. This was confirmed by Mr. Gould.

Mr. Dorman stated he recommends a 6-foot stockade on the northern side.

The Board asked about the garage housing the tractor trailer. They asked about the position of the garage in relation to the driveway. The Board discussed footage and width of the driveway in relation to the safe entering and exiting of the tractor trailer.

The Board discusses hours of operation and when Mr. Gould would be driving the tractor trailer (coming and going) he explains he travels to Boston every day and needs to leave by 4:00 AM to beat the traffic. His schedule is not constant. He leaves once and then comes home. The board questions hours during the weekends. The Board points out the truck would be plugged in and there would be less idling of the truck.

Mr. Jordan Shallow asked questions for the abutter that are not in town.

He is reminded by D. Voss that he must have a letter from the abutter if he is representing the abutters. Mr. Shallow asked about the fence and the noise of the tractor trailer.

The board asks about when the house will be built. He stated the property will be purchased contingent upon the Board approving the plan. If approved he plans on building in the fall.

The Board discussed the width of the driveway. The Board discussed the width of the driveway near the garage and where the pavement starts and ends. D. Voss responds with 45 feet. She mentioned there is variations throughout the plan. D Johnson explains there is 43 feet.

S. Ranlett motioned to accept the site plan as complete, second by L. Lambert. Vote was 5-0-0. U/A.

Waivers:

D. Johnson requested to waive the following Site Plan Review Regulations:

Site Plan Regulation, 230-141.1F, no to establish escrow account for the reasons stated in the request.

D. Voss relayed to the Board a civil engineer has designed a detention basin and the impact of the drainage is minimal. She informs the Board they have a copy of the engineer's report in their folders.

S. Ranlett motioned to waive site plan regulation 230-141.1F, second by L. Lambert. There was no discussion. Vote was 5-0-0. U/A.

Site Plan Regulation, 230-14.1FF, not to require loading/ unloading bays for reasons stated in the request.

S. Ranlett motioned to waive site plan regulation 230-141.1FF, second by L. Lambert. There was no discussion. Vote was 5-0-0. U/A.

Site Plan Regulation 230-14.1XX, not to require a dumpster location for reason stated in the request.

S. Ranlett motioned to waive site plan regulation 230-141.1XX, second L. Lambert. There was no discussion. Vote was 5-0-0. U/A.

Site Plan Regulation 230-14.1NN, not to require fire lanes for reasons stated in the request. The Board discussed this would be waived contingent upon a letter from Chief McArdle.

S. Ranlett motioned to waive site plan regulation 230-14.1NN contingent upon a favorable letter from the Fire Chief, second by L. Lambert. There was no further discussion. Vote was 5-0-0. U/A.

Site Plan Regulation 230-14.1KK, not to require handicap parking space for reason stated in the request.

S. Ranlett motioned to waive site plan regulation 230-14.1KK, second by L. Lambert. There was a brief discussion as to why there was no handicap parking with this plan. The Boards concern was if the property should sell would the handicap parking then be required No Further discussion. Vote was 5-0-0. U/A.

Site Plan Regulation 230-14.1 HH, not to require a separate landscaping plan for reason stated in the request.

S. Ranlett motioned to waive site plan regulation 230-14.1HH, second by L. Lambert. There was no discussion. Vote was 5-0-0. U/A.

Site Plan Regulation 230-14.1 II, not to require a separate lighting plan for reasons stated in the request.

S. Ranlett motioned to waive site plan regulation 230-14.1 II, with the stipulation code enforcement would be consulted with, second by L. Lambert. There was no discussion. Vote was 5-0-0. U/A.

Site Plan Regulation 230-14.1 LL, not to require a circulation plan for reasons stated in the request.

S. Ranlett motioned to waive site plan regulation 230-14.1 LL, second by L. Lambert. There was no discussion. Vote was 5-0-0. U/A.

S. Ranlett motioned to approve the site plan conditional upon a letter from the Fire Chief, the New Hampshire Department of Transportation (DOT) driveway permit and a note indicating the stockade fence is 6 foot on North side and 5 foot stockade fence on the South side, second by L. Lambert. Vote was 5-0-0. U/A.

Discussion:

M. Dorman requested a pre -construction meeting and bond amount be set. This request will be put in the notice of decision.

PB 18-04: An application for a Preliminary Design Review of Residential Subdivision utilizing Haverhill MA municipal water supply for the dwellings. The conceptual plan proposes twenty-six (26) residential lots on a 45.39-acre parcel located off North Ave, Tax Map 47, Lot 3 and Tax Map 36, Lot 18, in the LDR district. The property owner of record is Brighton Drive, Inc.

James Lavelle is present for the applicants Brighton Drive, Inc., Mr. Robert Villella.

Discussion:

J. Lavelle explains to the Board the property is on the Haverhill line, easterly side. He stated this property is the 110 thousand square foot lot size. He mentions there has been discussion with Haverhill for water a water supply, potable water which would be good for Plaistow. J. Lavelle stated they know they have to go before the ZBA but would like the Board to review their plan any way. J. Lavelle stated this is a conceptual plan at this point.

The board discusses the water and sewage. The Board discussed with Mr. Lavelle that the lot size he is proposing does not meet the minimal lot size requirement. The Board informed Mr. Lavelle and Mr. Robert Villella that the people in the town have recently voted down a citizen's petition regarding the lot size requirements.

The Board informed the applicant the conceptual plan needs to go to the ZBA for a variance. The Planning Board discussed sending a letter to the ZBA relaying the Boards concerns and comments on the application. This will depend if they go before the ZBA or not.

The applicants requested denial of the application from the Planning Board so they can go before the Zoning Board of Adjustment (ZBA).

L. Lambert motioned to deny the application for two reasons, non-compliant with lot size requirements and the plan does not meet the 200-foot minimum frontage, second by S. Ranlett. Vote was 5-0-0. U/A. There was no further discussion.

Discussion

Ron Brown addressed the Board regarding the sub-division for Ron Brown Investments of Gunstock Road. Dee Voss asked R. Brown if the plan they are discussing is the Planning Board approved plan; he acknowledge yes. Mr. Brown is requesting a decrease in size of paved roadway from 11- feet paved to 9- feet paved lanes to slow traffic. Board discussed numerous modifications to his site plan. Mr. Dorman states there are no sidewalks. Mr. Brown states the Town of Plaistow gave him a waiver not to put in sidewalks. The Board discusses the history at Gunstock with delays and waivers for years. The Board discussed the problem with narrowing the road way for several reasons, one being the snow accumulation and plowing narrowing the roadway. R. Brown explains the other roadways in the project including blueberry lane, raspberry lane and Gunstock. Motion to deny request to reduce the roadway from 22 to 18 feet.

L. Milette motioned to deny the request to decrease footage from 22 to 18 feet, second by G. Adams. Vote was 5-0-0. U/A.

R. Brown explains the bank would like to proceed pending Occupancy Permits for 8 houses starting with Raspberry Lane. He needs to complete the paving on Gunstock to access the Raspberry Lane portion of the project. The Board discusses the banks request and the roadway conditions. Raspberry Lane would be paved during construction Gunstock up to binder.

T. Moore informed the Board issuing occupancy permits in phases is not unusual. The Board discussed infrastructure. Cash bond and escrow is still in place. L. Milette motioned to allow building inspector to issue building permits before the remainder of 15 units, 3 Gunstock Lane and 12 on Raspberry Lane to be constructed and inspected give in occupancy permit before further paving is done on Gunstock.

T. Moore motioned to allow the building inspector to issue occupancy permits for 15 units, 3 on Gunstock Lane and 12 on Raspberry Lane with binder and all to be completed before the remainder of Gunstock Rd is paved, second by L. Milette. Vote was 5-0-0. U/A.

Board discussed they will not support any further waivers until these houses are done.

M. Dorman asked R. Brown for a start and finish date for this phase. R. Brown stated there are many factors and he cannot give an exact date. The Board further discussed street lighting and guardrails.

Discussion with Jay Davey regarding 71 Plaistow Rd for non-Compliance and violations of site plan. M. Dorman discussed with the Board that J. Davey, after numerous letters and phone calls, has still not brought his property in to compliance. The Board discussed with J. Davey the violations must be addressed including removal of all vehicles and other junk on the property. The Board relayed to J. Davey he has had more than enough time to correct the violations and would like for him to explain why he has not corrected the problem. J. Davey told the Board he has moved some of his property around and considers the vehicles and everything else he has brought to 71 Plaistow Rd his property and he feels he should be allowed to keep his property on his own property. He further explained he has fallen on hard times with many losses and had to bring his belongings to the 71 Plaistow Rd site to preserve all he has left. The Board discussed he must clean up the site or come before the Planning Board to amend the current Planning Board approved site plan. The Board expressed concern that he has failed to use the site for what it was intended for. The approved Planning Board plan is for office space.

The Board requested J. Davey to provide the Board with a letter stating he will bring the property into compliance or submit a new site plan by June 6, 2018. The Board discusses with J. Davey a final deadline to clean up the property. J. Davey stated he was looking at June 1, 2018 to clean it up. The Board discusses further and decided to give a final deadline of June 6, 2018.

S. Ranlett motioned for J. Davey to bring the property in to compliance or bring in an amended site plan for whatever he intends to use it for no later than June 6, 2018, second by G. Adams. Vote was 5-0-0. U/A.

D. Voss asked J. Davey several times for his correct mailing address so she can send out a letter of decision. There was no further discussion.

Discussion with Brian Rivard and Michelle ????? regarding 253 Main St (Non-conforming Use). They are seeking an occupancy permit to use as a warehouse and would like the original site plan signed off on as an “as built site plan” The Board discusses the history of the site.

S. Ranlett motioned to approve amended site plan for the property located at 253 Main Street as an as built plan for residential and warehouse use, second by G. Adams. Vote was 5-0-0.

D. Voss informed B. Rivard she will send him a notice of decision in the mail. There was no further discussion.

Discussion:

Austin Realty Trust requested by letter a voluntary lot merger of 1 Palmer Ave, Map-52-Lot -19 & 3 Palmer Ave, Map—52-Lot 20. There was a brief discussion about the voluntary lot merger.

Ranlett motioned to approve the lot merger of 1 Palmer Ave, Map-52-Lot -19 and 3 Palmer Ave, Map—52-Lot 20, second by L. Lambert. Vote was 5-0-0.

Other Business:

Dee Voss informs the Board that Michael Malynowski of Allen & Major Associates sent a letter on behalf of MBT Worldwide, Inc., regarding the project at 88 Plaistow Rd., Map-27, Lot-21. He is asking the Board for a 60-day extension on the conditional use permit as they are still waiting for 3 state permits; septic, driveway and wetland permits.

S. Ranlett motioned to allow sixty (60) day extension to meet the conditions of approval for Case # PB17-17, second by L. Lambert. There was no further discussion. Vote was 4-1-0 (L. Milette votes no).

D. Voss informs the Board they need to start reviewing and working on the language for the site plan and sub-division regulations.

The Board discusses 3-5 Main Street. The Board questions what their plan is for that area. The Board discussed if there will be retail or not.

No Further business. Meeting adjourns at 8:43 PM.

Respectfully Submitted,

Joyce C. Ingerson
Recording Secretary