



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

**PLANNING BOARD MINUTES**  
**June 6, 2018**

**Call to Order:** The meeting was called to order at 6:30 PM

**ROLL CALL:** Tim Moore, *Chair*  
Lisa Lambert, *Vice Chair*  
Laurie Milette  
James Peck  
Steve Ranlett, *Selectman's Rep*  
Geoffrey Adams, *Alternate*

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

**Agenda Item 2: Minutes of May 16, 2018 Planning Board Meeting**

★ **Steve Ranlett moved, second by J. Peck, to approve the minutes of the May 16, 2018 meeting. There was no discussion on the motion. The vote was 5-0-0 U/A.**

**Agenda Item 3: Discussion: Steve Whitman, Resilience Planning re: Master Plan Update**

Steve Whitman, Resilience Planning and Design, Inc. was present for the discussion.

S. Whitman reviewed drafts of the "Looking to the Future," "Open Space and Conservation," and "Existing Land Use" Master Plan chapter updates. He noted where the significant changes were answered questions from the Board regarding the information in the draft chapters.

There was discussion about recent updates in EPA (Environmental Protection Agency) and other conservation and air quality rules and regulations.

There was discussion by the Board regarding a community forum to focus on the "Vision" and "Future Land Use" chapters.

S. Whitman will provide a cost proposal to the Planning Office for a community forum and the Board will discuss which way to process from there.

## Agenda Item 4: Public Hearings

Various amendments to the Plaistow Site Plan Regulations (Chapter 230) and Subdivision Regulations (Chapter 235).

Deletions are in ~~*bold italic strikethrough*~~; Additions are in *bold italic*

### GENERAL CHANGES

Change all references in Site Plan and Subdivision Regulations of ~~“Town Engineer”~~ or ~~“Planning Board Engineer”~~ to *“Planning Board Review Engineer”*

★ *Steve Ranlett moved, second by L. Lambert, to approve the General Changes. There was no discussion on the motion. The vote was 5-0-0 U/A.*

### SITE PLAN REGULATIONS

Page 8:

Modify §230-12.G (Minimum Parking Spaces Required) as follows:

Schools	
Nursery/preschool	1 space per <i>for</i> each employee, and 1 space for each 10 students, <i>and 1 visitor space</i>
<del><i>All other institutions of learning</i></del>	<del><i>1 space per each employee, plus designated student parking (see church/chapel/funeral home and other places of assembly.</i></del>
<i>Private Schools without student drivers</i>	<i>1 space for each employee, 1 bus loading/unloading area for each 30 students, and 1 visitor parking space per 100 students</i>
<i>Private Schools with student drivers</i>	<i>1 space for each employee, 1 bus loading/unloading area for each 30 students without school parking permits, 1 space for each student with a parking permit, and 1 visitor space per 100 students.</i>
<i>Additional parking for athletic facilities and concert facilities</i>	<i>1 space for 60% of the available facilities seating capacity.</i>

Page 11:

Modify §230-13 by adding a new paragraph E as follows:

**E. For businesses that do not receive or send large volumes of materials, loading/unloading bays do not need to be shown on the site plan provided all provisions of paragraph A of this section are met.**

**§230-14.1.AA (AKA “the checklist”)**

**Page 12:**

AA. Existing and proposed grades, drainage systems, **siltation/erosion controls**, structures and/or features.

**Page 13:**

**Modify FF as follows:**

FF. Loading and unloading information, ~~including bay size, location and access to~~ **in conformity with §230-13.**

**Page 13:**

**Modify §230-14.1.HH as follows:**

HH. ~~Landscaping plan that complies~~ **Compliance** with all requirements of the Town’s landscaping regulations.

**Page 13:**

**Modify §230-14.1.II as follows:**

II. ~~Lighting plan that complies~~ **Compliance** with all requirements of the Town’s lighting regulations.

**Page 14:**

II. Wetlands boundaries/buffers.

Change “II.” to **AAA** to continue the numbering system

**Page 14:**

Add to checklist:

**BBB. Hours of Operation (See Plaistow Zoning Ordinance §220-11.1)**

**CCC. Note stating: "Construction hours shall be in accordance with Plaistow Zoning Ordinance 220-11"**

**DDD. Note stating: "Additional information, not included on this Amended Site Plan, can be found on Plan \_\_\_\_\_, recorded at the Rockingham County Registry of Deeds Recording." (Amended Site Plans only)**

**Page 17:**

**Replace §230-22.D in its entirety and replace it with the following new sections as follows:**

~~**D. Authorization for installation of public area and roadway lighting.**~~

~~\_\_\_\_\_ (1). Installation of any new public area and roadway lighting fixtures, other than for traffic control, shall be specifically approved by the Plaistow Planning Board and Highway Safety Committee.~~

~~\_\_\_\_\_ (2). All requests for new public area and roadway lighting fixtures shall be made in writing to the Plaistow Planning Board.~~

~~\_\_\_\_\_ (3). (Reserved).<sup>13</sup> Footnote reference removed Highway Safety Committee references and requirement for a public hearing.~~

**D. Installation of roadway lighting that is part of a new or amended subdivision plan – See Subdivision regulations.**

**E. Requests for installation or removal of roadway lighting that is not part of a new or amended subdivision plan shall be made to the Board of Selectmen, since the request would fall outside of the Planning Board’s jurisdiction.**

**F. Installation of area lighting that is part of a new or amended site plan shall meet the following criteria:**

**1. All luminaires shall be shown on the site plan with an accompanying note that all the fixtures and their associated bulbs satisfy the lumens requirements of this section.**

**2. If the inclusion of all luminaires on the site plan makes the site plan too cluttered, the Planning Board may at its discretion require a separate plan sheet showing all the luminaire details.**

**G. Requests for new lighting in a public area shall be requested by submitting a site plan or an amended site plan to the Planning Board that is properly noticed and meets all of the Site Plan Review requirements.**

Page 18:

**Article III Landscaping §230-23.B. General landscape provisions.**

Per the request of the Fire Chief John McArdle.

Add a 1 (a) that would read:

***Prohibited Products: flammable or combustible products (i.e. bark mulch, wood chips, and other similar natural products)***

There was discussion regarding the proposed change. It was reported to the Board that the Fire Department was being called out for multiple fires caused by disposal of smoking materials in bark mulch. There was discussion as to what other materials, such as rubber mulch, stone, grass and other plantings. Members expressed concern that would cause unnecessary cost increases to

developers. It was noted that the regulation would only apply to commercial site and those with existing site plans would be asked to voluntarily comply, but could not be forced. Any applicant for an amended site plan could be asked to make the change at that time.

The Board requested that the public hearing on this item be continued to the next meeting and the Fire Chief be invited in to discuss.

There was discussion about Page 18: Article III Landscaping §230-23.B. General landscape provisions being a new addition not previously reviewed. It was stated that Fire Chief, John McArdle asked for it to be added to the Site Plan Regulation changes.

The public hearing on Article III Landscaping §230-23.B. General landscape provisions is continued until June 20, 2018 Planning Board Meeting.

**Page 20:**

**Modify §230-23** by adding a new paragraph as follows:

***C. Landscaping Features***

***1. All landscaping features and plantings shall be shown on the site plan or subdivision plan, as appropriate.***

***2. If the features and plantings make the site or subdivision plans too cluttered, the Planning Board may at its discretion require the applicant to provide the features and plantings on a separate plan sheet. This shall apply to both original and amended plans.***

★Steve Ranlett moved, second by J. Peck, to approve the Site Plan Regulation Changes with the exception of Article III Landscaping §230-23.B. General landscape provisions. There was no discussion on the motion. The vote was 5-0-0 U/A.

**SUBDIVISION REGULATIONS**

**§235-8 Rights-of-way; reserve strips**

**Page 8:** Add a new section...

**§235-8 – Shared Driveways**

***A. Each existing lot, or new lot(s) created by a subdivision, for single-family dwelling unit must have a separate driveway that connects to a Class V or better road.***

**B. Each duplex dwelling unit may have two separate driveways or may share one driveway for some or all of the driveway length, provided that each dwelling unit of the duplex dwelling unit has its street address clearly displayed on the mailboxes, as well as each dwelling unit. Each driveway (shared or unique) must connect to a Class V or better road.**

**C. Multi-family dwellings may share driveways provided dwelling unit numbers or other address identifiers are clearly displayed at the driveway entrance/mailbox, as well as each dwelling unit.**

**§235-9 Adequacy of land.**

**Page 8: Modify §235-9** – Adequacy of Land, Paragraph B.(2)(a) Land use limitations as follows:

Currently reads:

- (a) Wetland areas in which soils are classified as very poorly drained, freshwater marsh, or alluvial soils shall not be utilized to fulfill any portion of the minimum lot size requirements. (See also Chapter 220, Zoning, Article IV, § 220-25.)

Proposed Amendment:

- (a) Wetland areas as defined in Chapter 220, Zoning, Article IV, § 220-20 ~~in which soils are classified as very poorly drained, freshwater marsh, or alluvial soils~~ shall not be utilized to fulfill any portion of the minimum lot size requirements. ~~(See also.)~~

**§235-12 – Board’s procedures on plats**

**Page 14:**

**§235-12.B.(2)(b)** – *Note: This amendment is to comply with NHRSA 676:4-b)*

(b) Once the application has been submitted the Planning Staff shall review all submitted materials as to their compliance with the Regulations and report all comments to the Board. In addition, the Planning Staff shall refer, as appropriate, all submitted materials to the Planning Board’s Review Engineer for review and comment. **Options for the selection of the Review Engineer are as follows:**

- 1) The applicant may elect to use the Planning Board’s designated Planning Board Review Engineer.**
- 2) The applicant may select a Planning Board Review Engineer from a list pre-approved by the Planning Board.**
- 3) The applicant may submit their own request for a Planning Board**

*Review Engineer, subject to Planning Board approval.*

- 4) *In all instances the Planning Board Review Engineer will be retained to review plans on behalf of the Plaistow Planning Board. All communication and invoicing with the Planning Board Review Engineer will be conducted through Planning Staff.*

Page 15:

§235-12 – Board’s procedures on plats

***ADD letter [c] to B.2.(e)[3] Escrow Amount***

[3] Escrow amount.

[a] The initial escrow amount is listed in the Plaistow Fee Schedule. [Amended 12-3-2008]

[b] The determination of the required escrow fee shall be based on an estimated number of reviews and/or inspections required for the submitted plan.

***[c] If the Staff determines that no engineering reviews, legal reviews, or additional studies are required, then an escrow account does not need to be established.***

Page 17:

Modify §235-12.B.5.e as follows:

e. “...shall address the vesting requirements necessary to meet the ~~one-year~~ ***two-year*** and ~~four-year~~ ***five-year*** exemptions as specified in RSA 674:39.

Page 20: §235-12.B.

(10) Construction bonds (amended 4-1-15)

(a) **For Site Plans:** Construction bonding of sites includes on-site roads, drainage systems and individual public parking areas, erosion control systems, landscaping (or plantings) in buffer areas, loam and seed for the entire project area, fencing, construction survey, preparation of record drawings and other site improvements.

The security for site plans, ***including amended site plans***, shall be the ***greater amount of 10% of the total site improvement cost estimate, or \$5,000.***

(b) **For Subdivisions:** Construction bonding for streets and roadways shall cover all work to be performed within the proposed

right(s)-of-way and all work associated with the storm drain system(s). It shall also cover any required off-site improvements.

***The security for subdivision plans shall cover a minimum of 50% of the total site improvement cost estimate.***

**Page 21:**

Current Language:

(13) Performance bonds

(a) Upon completion of improvements and approval by the Town, surety (performance bond) covering maintenance of roads and improvements for a period of two years from completion shall be required in an amount based on the cost of such improvements, as approved by the governing body. The amount of the performance bond shall be 10% of the construction ***bond costs of the new road.*** (Amended 4-1-15)

(b) The amount of the performance bond shall reflect 10% of construction costs and winter maintenance of streets, public improvements, drainage structures, other utilities. This amount shall not be released from the construction bond until the performance bond has been received by the Board of Selectmen. (Amended 4-1-15)

**Proposed Change:**

Make switch paragraphs (b) and (a) – letter (a) is more of a definition and should come first

Amend the last sentence of letter (a) to be 10% of the construction costs as defined in paragraph (a) of this section. As is “performance bond shall be 10% of the construction ***bond***” to read “construction ***costs of the new road.***” If the current language stands then the calculations are taking 10% of the 10% or 50% that was set as the construction bond, not 10% of the construction costs, which is what is intended to be bonded.

The revised section would read:

(13) Performance bonds

(a) The amount of the performance bond shall reflect 10% of construction costs and winter maintenance of streets, public improvements, drainage structures, other utilities. This amount shall not be released from the construction bond until the performance bond has been received by the

Board of Selectmen. (Amended 4-1-15)

(b) Upon completion of improvements and approval by the Town, surety (performance bond) covering maintenance of roads and improvements for a period of two years from completion shall be required in an amount based on the cost of such improvements, as approved by the governing body. The amount of the performance bond shall be 10% of the construction **costs of the new road**. (Amended 4-1-15)

### **Starts on Page 33**

Add a new paragraph K. Street Lighting to § 235-32. Construction of roads.

#### ***K. Street Lighting***

***(1) The location of all streetlights shall be shown on all new subdivision roads and on connecting roads where they intersect new subdivision roads. Streetlights shall properly illuminate all street intersections. Streetlights should be placed approximately every 300 feet and on sharp curves or other potentially dangerous areas along the street that should be lit at night.***

***(2) New street lights shall have LED fixtures and bulbs and shall comply with the Lighting Requirements as specified in the Site Plan Regulations Article II, §230-22.***

***(3) Street sign location(s) shall be shown on the subdivision plan. The street sign must not block site distance and must be a location that is lit by a streetlight.***

***(4) Streetlights should be on the side of the road where provisions, if any, for a pedestrian or bicycle paths are made and that are part of the road profile.***

**★ Steve Ranlett moved, second by J. Peck, to approve the Subdivision Regulation Changes There was no discussion on the motion. The vote was 5-0-0 U/A.**

**Adoption of the updated Recreation Impact Fee Methodology as prepared by Bruce C. Mayberry, BCM Planning. LLC**

**★Steve Ranlett moved, second by L. Milette, to approve the Recreation Impact Fee Methodology. There was no discussion on the motion. The vote was 5-0-0 U/A.**

#### **Agenda Item 5: Old Business**

Update on 71 Plaistow Road:

Note: Jay Davey, property owner of 71 Plaistow was in the gallery but was not asked to speak.

It was noted that this date was the deadline set by the Planning Board for the site to be brought into compliance. The matter is under the jurisdiction of the Code Enforcement Officer, M. Dorman.

M. Dorman stated that Mr. Davey still has the option to appeal his decision to the ZBA (Zoning Board of Adjustment).

**Agenda Item 6: New Business**

Discussion with Rob Waters re: 105 Plaistow Road:

Rob Waters, property owner of 105 Plaistow Road was present for the discussion.

R. Waters explained that his goal is to be able to sell vehicles on the Internet, buyers purchase online, and then pick up the purchased vehicle at his 105 Plaistow Road location, in his warehouse building. He added that any vehicle that was being held for pick-up would be kept inside the building and there would not be any outside display.

It was discussed that R. Waters application to get a retail dealers license under a Vehicular Brokerage Office or Vehicular Dealership are being inhibited by Zoning Ordinance §220-16.B. which prohibits a motor vehicle dealership within 1,000 feet of another motor vehicle dealership.

There was discussion regarding the State's requirements for issuing motor vehicle dealership licenses. One of their requirements is that there be a physical location for the purchase of the vehicle, even though the sale happens over the internet. The only displaying that would be proposed is to the customer who has already made an online purchase to finalize the transaction. There is an item on the State's form that asks if display of vehicles is allowed. The Town would not be able to check this box as it would be contrary to the ordinance. It was noted that the ordinance does not distinguish between inside or outside display of vehicles or retail or virtual sales.

R. Waters offered that he is willing to sell his 78 Plaistow Rd dealership to a non-dealer and is willing to do additional landscaping and improvements to the 105 Plaistow Rd location.

T. Moore suggested that R. Waters apply for an amended site plan that the Board could deny. That would then allow him to apply for a variance.

M. Dorman offered that he could deny an occupancy permit to expedite the process to get Mr. Waters to the ZBA.

## **Agenda Item 7: Communications, Updates, & Other Business**

### Communications:

FYI Abutter Notices from City of Haverhill, MA RE: Floodplain Map Update for communication only

### Safe Routes to Schools Update:

The Safe Routes to Schools (SRTS) project has now received full funding. The project is scheduled for construction this summer.

### Westville Road Bridge Reconstruction Update:

Bids for the Westville Road Bridge Reconstruction project are due and will be opened on Friday, June 8, 2018 at 10:00 a.m.

### Other Business

L. Lambert offered concern about March 21, 2018 meeting minutes not including the discussion about J. Davey's deadline. She added that there was no mention of the discussion with Ron Brown (Falls at Gunstock) either.

D. Voss will check into the possibility that the wrong draft had been provided to the Board.

There was discussion regarding keeping the Board updated regarding progress of Plans that have been conditionally approved. The Board will be provided with updates as they are reported to the Planning Department.

There was no additional business before the Board and the meeting was adjourned at 8:25 p.m.

Respectfully Submitted,

Samantha D. Cote  
Recording Secretary