

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



**PLANNING BOARD MINUTES**  
**April 20, 2022**

**Call to Order:** The meeting was called to order at 6:31 PM.

**1. ROLL CALL:**

Tom Alberti, *Ch.* – Excused  
Tim Moore, *Vice Ch.* - Present at Town Hall  
Laurie Milette - Present at Town Hall  
Karen Robinson – Present at Town Hall  
Darrell Britton, *Selectman's Alt.* excused  
Richard Anthony, Alternate – Present at Town Hall  
Bill Coye, *Selectman's Rep.* - Present at Town Hall  
Dee Voss, *Zoning Official/Administrative Assistant* –Present at Town  
Hall (non-voting)

Also Present: James Lavelle, James M. Lavelle Associates  
Gary King, resident  
Laurie Mancinnelli, Greenfield Hills Estates Homeowners Association  
Daniel Johnson, Plaistow Consultants  
Valeri Roderick, resident

In the absence of Ch. Alberti, Vice Ch. T. Moore appointed R. Anthony a voting member for this meeting.

**2. REVIEW/APPROVAL OF APRIL 6, 2022 MINUTES:**

Draft minutes of the April 6, 2022 meeting were included with the meeting materials.

*B. Coye moved, second by K. Robinson, to approve the minutes of the April 6, 2022 meeting as issued.*

*The motion to approve the minutes as issued passed 5-0-0.*

**3. PUBLIC HEARINGS**

*Continued from February 16, and March 20, 2022*

**PB 22-06:** The completeness of a Site Plan application from Panniello Plaistow 216 Realty Trust and Panniello Plaistow 214 Realty Trust. The Site Plan is for an existing container sales and leasing business, with associated drainage, parking, landscaping and lighting, on a newly configured lot resultant of a lot consolidation and lot line adjustment between 214A Plaistow Rd (45-1), 216 Plaistow Rd (45-3) and 218 Plaistow Rd (45-4). All parcels are located in the I2 Zoning District. The applicants are the property owners of record. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application.

It was noted the application had been accepted as complete at the March 20, 2022 meeting. T. Moore opened the public hearing.

Applicant's representative James Lavelle, Lavelle Associates, 2 Starwood Drive, Hampstead, NH spoke to the application, noting that Gary King, 2 Greenfield Dr., Plaistow was also present and wanted his driveway on his own property and that the lot lines had been moved to accommodate that. He noted the deed shows the two lots in question are not part of the homeowners association. L. Milette noted that though the lots are not part of the association they are part of the subdivision. He discussed the lot elevations and that a house built on the smaller lot would not affect the view of the house on the hill. When question if the lot was conformable to the 110,000SF lots size for the LDR district, he noted that requirement was not in effect when the smaller lot was created and it was considered buildable as a pre-existing lot. There was discussion or whether this was a newly created lot. T. Moore noted that changing the lot lines does not diminish the lot size and does not affect the buildable rights. He said an equal exchange of acreage between the lots doesn't make them more or less buildable. D. Voss referred to the Zoning Official's decision there is no need of a variance from the Zoning Board of Adjustment.

There was further discussion of whether the lots have the right to water or sewer from the homeowners association. J. Lavelle said that if the lot line adjustment was approved, they would not be opposed to the stipulation that the owner of these lots would never apply to be part of the association. T. Moore said that could be made a condition of the lot line adjustment approval if desired.

T. Moore invited public comment. Laurie Mancinelli, representing the homeowners association, said there are two points to be made: that they believe that 4 Greenfield Drive is part of the homeowners association and that the records in Rockingham Book page 1963 show there are 42 lots in the subdivision which includes #4 and as such they have a right in the lot line decision. They also believe that the ultimate intention is to sell #4 and if it is built and connects to the water system it will have an adverse effect on it. She noted the deed said they could connect to any utility and noted they are a utility. She asked if the Board votes in favor, it stipulate that the lot never be tied into their water system and that any structure built on it must secure its own water source, or that if they do tie into the GHEHA system it be conditional on water system engineering and adjustments necessary to support the additional strain and complexity of the HOW water system. She noted further that even if the Board grants it, they believe the lot is part of the association and it cannot be done without their approval. D. Voss noted that GHEHA has no jurisdiction over the Town's zoning and the Board has no jurisdiction over their condo documents, and they cannot tie up the Planning Board from making a lot like adjustment. L. Mancinelli asked that their two requests be stipulated conditions in granting the lot line adjustment. J. Lavelle said the owner has offered as part of this that he not become part of or request any services from the GHEHA.

Gary King, 2 Greenfield Drive, Plaistow said that when he bought the property he was told it was a buildable lot and he has titles for each lot. He noted the sensitive nature of the issue. K. Robinson noted the original owners' intent and agreed the stipulations are to be added to the approval.

***T. Moore moved, second by R. Anthony, to approve the Lot Line Adjustment Plan that transfers equal 32,000 SF land areas between 2 Greenfield Dr., Tax Map 62, Lot 48 with 4 Greenfield Dr., Tax Map 62, Lot 47 and abandons the access easement for the benefit of 2 Greenfield Dr., Tax Map 62, Lot 48 with the following conditions:***

- ***The final plan submitted for recording will have all appropriate professional stamps on the plan.***
- ***The owner of the lots will submit a letter to the Planning Board stating that he or any subsequent owner of rather lot will not request membership of the homeowners association and will not request the homeowners association for any services that association it may provide. This will be noted on the plan.***

***The vote to conditionally approve passed 5-0-0***

T. Moore closed the public hearing.

T. Moore noted that the following applications had all been continued from February 16 and March 20 and that the owner had requested they be continued again to the May 18, 2022 meeting. He said the Board must decide whether or not to submit the plan as a potential Development of Regional Impact (DRI). He suggested and the Board agreed that PB 22-03, PB 22-04 and PB 22-06 in of themselves do not have regional impact. He suggested that only PB 22-05 would potentially qualify as a DRI. R. Anthony said that conceptually, all the plans form an organic whole that has a potential impact upon abutting municipalities and could not be separated. D. Voss noted that two of the businesses already exist and will not be increasing the impact; that impact will come from PB 22-05 which is the 301,000 SF warehouse and its traffic.

***Continued from February 16, and March 20, 2022***

**PB 22-03:** The completeness of an application for from HOW-PLAISTOW, LLC, Wayne R. Finnegan, CFO for a Subdivision, Lot Line Adjustment and Lot Consolidation. The plan proposes to subdivide 214A Plaistow Rd, Tax Map 45, Lot 1, to create a 123,245SF, standalone lot (Lot A), with 170.42' frontage on a private access road, for an existing business; and a lot of 1,129,093SF (Lot B) with 151' frontage on a private access road. The private access road is 214 Plaistow Road, Tax Map 45, Lot 2, property owner of record is 216 Panniello Plaistow Realty Trust, Joseph G., Sr., and Michael Panniello, TR. The owner of record for 214A Plaistow Rd is Panniello Plaistow 214 Realty Trust, Maria C. Levin, TR. The plan further proposes to consolidate 216 Plaistow Rd, Tax Map 45, Lot 3 and 218 Plaistow Road, Tax Map 45, Lot 4 and then add, by Lot Line Adjustment 169,638 SF from 214A Plaistow Rd for a resultant lot of 486,046SF (Lot C). The resultant Lot C will have total 486,046SF of land area and 413.55' frontage on Route 125. The owner of record for 216 Plaistow Rd is Panniello Plaistow 216 Realty Trust, Joseph G., Sr., and Michael Panniello, TR. and the owner of record for 218 Plaistow Rd is Panniello Plaistow 214 Realty Trust, Maria C. Levin, TR. All involved parcels are located in the I2 Zoning District. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application.

T. Moore continued the application to May 18, 2022. There will be no further notice to abutters.

***Continued from February 16, and March 20, 2022***

**PB 22-04:** The completeness of a Site Plan application from Panniello Plaistow 214 Realty Trust. The site plan is for an existing contractor business on a standalone lot created by subdivision from 214A Plaistow Road, Tax Map 45, Lot 1 with associated parking, lighting, drainage and landscaping. The applicant is the property owner of record. The parcel is located in the I2 Zoning District. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application.

T. Moore continued the application to May 18, 2022. There will be no further notice to abutters.

***Continued from February 16, and March 20, 2022***

**PB 22-06:** The completeness of a Site Plan application from Panniello Plaistow 216 Realty Trust and Panniello Plaistow 214 Realty Trust. The Site Plan is for an existing container sales and leasing business, with associated drainage, parking, landscaping and lighting, on a newly configured lot resultant of a lot consolidation and lot line adjustment between 214A Plaistow Rd (45-1), 216 Plaistow Rd (45-3) and 218 Plaistow Rd (45-4). All parcels are located in the I2 Zoning District. The applicants are the property owners of record. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application

T. Moore continued the application to May 18, 2022. There will be no further notice to abutters.

***Continued from February 16, and March 20, 2022***

**PB 22-05:** The completeness of a Site Plan application from HOW-PLAISTOW, LLC. The Site Plan proposes a 301,000SF warehouse structure and associated parking, drainage, lighting, and landscaping. The parcel is 214 Plaistow Road, Tax Map 45, Lot 1 with 1,129,093SF (25.92Ac) with 151' frontage on a private access road. The property is located in the I2 Zoning District. The property owner of record is Panniello Plaistow 214 Realty Trust, Maria C. Levin, TR. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application.

***B. Coye moved, second by K. Robinson, that the proposed 302,000SF warehouse/distribution facility, on a standalone lot to be created by lot line adjustment, lot consolidation and subdivision, be declared a Development of Regional Impact.***

D. Voss will send the Board a draft of a letter to Tim Roache of the Rockingham Planning Commission regarding the DRI.

***The vote to declare a DRI passed 5-0-0***

T. Moore continued the application to May 18, 2022. It was noted that Steve Keach of Keach-Nordstrom Associates will be at this meeting.

**PB 22-08:** The completeness of an application from J & C Properties Realty Trust, Jeffrey K. Roy TR, for a Lot Consolidation that will join two (2) deeds that make up a single parcel on the Plaistow Tax Maps. The property is located at 3 Chandler Ave, Tax Map 37, Lot 19 in the MDR Zoning District. The applicant is the property owner of record. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application.

***L. Milette moved, second by R. Anthony to accept the application for a lot consolidation of the two property deeds that comprise 3 Chandler Ave., Tax Map 37, Lot 19 as complete.***

***The vote to accept the application as complete passed 5-0-0***

T. Moore opened the hearing. Applicant's representative Daniel Johnson, Plaistow Consultants, 22 Smith Corner Rd., Plaistow, spoke to the application which is related to the applications for PB 22-09 and PB 22-10. He said they are looking to eliminate one lot line to create one solid lot.

T. Moore invited questions and public comment. There was none.

***K. Robinson moved, second by B. Coye to approve the lot consolidation of the two property deeds that comprise 3 Chandler Ave., Tax Map 37, Lot 19 with the following condition:***

- ***The final plan submitted for recording will have all appropriate professional stamps on the plan.***

***The vote to accept the approve the lot consolidation passed 5-0-0***

T. Moore closed the hearing

**PB 22-09:** The completeness of an application from Valerie Roderick, for a Lot Consolidation that will join two (2) deeds that make up a single parcel on the Plaistow Tax Maps. The property is located at 30 Main St, Tax Map 37, Lot 20 in the CII Zoning District. The applicant is the property owner of record. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application.

***K. Robinson moved, second by L. Milette to accept the application for a lot consolidation of the two property deeds that comprise 30 Main Street., Tax Map 37, Lot 20 as complete.***

***The vote to accept the application as complete passed 5-0-0***

T. Moore opened the public hearing. D. Johnson said this application is similar to the first and will join two deeded lots into a single parcel owned by Valerie Roderick and the common property line is being eliminated.

***K. Robinson moved, second by R. Anthony to approve the lot consolidation of the two property deeds that comprise 30 Main Street., Tax Map 37, Lot 20 with the following condition:***

- *The final plan submitted for recording will have all appropriate professional stamps on the plan.*

*The vote to accept the approve the lot consolidation passed 5-0-0*

T. Moore closed the hearing

**PB 22-10:** The completeness of an application from J&C Properties Realty Trust, Jeffrey K. Roy, TR and Valerie Roderick, for a Lot Line Adjustment that will transfer 324SF of land area from 30 Main St, Tax Map 37, Lot 20 in the CII Zoning District, to 3 Chandler Ave, Tax Map 37, Lot 19 in the MDR Zoning District. The applicants are the property owners of record. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application.

*R. Anthony moved, second by K. Robinson to accept the application for a lot line adjustment to transfer 324 SF of land from 30 Main Street, Tax Map 37, Lot 20 to 3 Chandler Ave., Tax Map 37, Lot 19 as complete.*

*The vote to accept the application as complete passed 5-0-0*

T. Moore opened the public hearing. D. Johnson said this application solves the problem of a building in the wrong place; the problem did not become known until a survey was done. He said the result is agreed to by both parties. Valerie Roddick, 30 Main Street, Plaistow spoke to the history of the house.

*K. Robinson moved, second by B. Coye to approve the lot line adjustment that transfers 324 SF of land from 30 Main Street, Tax Map 37, Lot 20 to 3 Chandler Ave., Tax Map 37, Lot 19 as complete with the following condition:*

- *The final plan submitted for recording will have all appropriate professional stamps on the plan.*

*The vote to approve the adjustment passed 5-0-0*

There are no applicable Impact Fees for this application.

There will be a LCHIP fee of \$25.00 payable to Rockingham County Registry of Deeds required at the time if recording of the plan. This will need to be submitted with the final recording mylar.

Once the Lot Consolidation /Lot Line Adjustment Plan has been recorded, it is the applicant's responsibility to have new deeds prepared and recorded that will reflect the new dimensions of each single lot.

D. Johnson assumed the Tax Map will be revised for this area and he asked the zoning line be adjusted to the lot line. D. Voss said this would happen automatically.

T. Moore closed the hearing

#### **4. OLD BUSINESS**

D. Voss noted the Zoning Board of Adjustment has two applications related to 2 Main Street, Plaistow where they want to put an apartment on the second floor for the owner, and they need a variance as it is not permitted in the C1 District. If the variance is approved they will need to return to the Planning Board to amend the site plan.

#### **5. NEW BUSINESS**

T. Moore reported the Rockingham Planning Commission will attend the May 3<sup>rd</sup> workshop to speak on regional housing and economic development.

#### **6. ADJOURNMENT**

There was no additional business before the Board and the meeting was adjourned at 7:59 PM.

Respectfully Submitted,

Charlene A. Glorieux  
Minute Taker