

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



**PLANNING BOARD MINUTES** (***DRAFT MINUTES – Subject to change once approved and amended by the board at its next meeting on June 1, 2022***)  
**May 18, 2022**

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

**1. ROLL CALL:**

Tom Alberti, *Ch.* – Present at Town Hall  
Tim Moore, *Vice Ch.* - Present at Town Hall  
Laurie Milette - Present at Town Hall  
Karen Robinson – Present at Town Hall  
Richard Anthony, Alternate – Present at Town Hall  
Darrell Britton, *Selectman's Alt.* 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: Paul Feldman, attorney, Davis Malm Attorneys  
William Bergeron, P.E. Hayes Engineering  
Wayne Finnegan, HOW-PLAISTOW LLC.  
Jeffrey Dirk, Vanasse & Associates Inc.  
Steven Keach, Keach-Nordstrom Associates  
Joe Barbone, METCOM Realty, LLC  
Charlie Zilch, SEC & Associates

**2. REVIEW/APPROVAL OF MAY 4, 2022 MINUTES:**

Draft minutes of the May 4, 2022 meeting were included with the meeting materials.

***T. Moore moved, second by K. Robinson, to approve the minutes of the May 4, 2022 meeting as written.***

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

### 3. PUBLIC HEARINGS:

*Continued from February 16, and March 16 and April 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.

Ch. Alberti opened the Public Hearing and invited the application representatives to speak. Atty. Paul Feldman, Davis Malm Attorneys, introduced Wayne Finnegan, HOW-PLAISTOW LLC, William Bergeron, Hayes Engineering and Jeffrey Dirk, Vanasse & Associates. He noted that there are three additional applications that compose the whole project and suggested that all four applications be opened simultaneously as the presentation they were giving encompasses the entire project. The Board agreed it made sense to do as suggested.

*Continued from February 16, and March 16 and April 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.

*Continued from February 16, and March 16 and April 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.

***Continued from February 16, and March 16 and April 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.

Ch. Alberti noted the applications had been accepted as complete and the public hearings were being opened. P. Feldman said the presentation would be on all for applications and apply to all of them at the same time, and that any further discussion on specific applications could be cited to the pertinent one. He also noted that the Planning Board had determined that PB 22-05, the 301,000SF warehouse structure, was a potential Development of Regional Impact and it had been referred to the Rockingham Planning Commission, a public hearing was held, and a comment letter had been issued.

William Bergeron, Hayes Engineering, introduced the presentation. Wayne, Finnegan, Howland Development, spoke to the history of his firm, and said they manage 14 buildings with 1.5 million SF and they had just finished a project in Haverhill. He said they do not yet know who the user will be, but they follow a process of construction on the building, and as it moves forward they begin to see activity around the use of the building. He also spoke to the look of the actual building and how they chose the site. P. Feldman noted that the topography of the building is below Rte. 125.

There was discussion about the history of the properties under consideration, their ownership and use, and wetlands on and adjacent to the site. W. Bergeron said there would be no wetland filling on the site with the proposed work to be done and that all the wetlands have been flagged. Lot designations for the various site plans were discussed and set PB 22-04 as Lot A, PB 22-05 as Lot B add PB 22-06 and the balance of the property as Lot C. PB 22-03, the subdivision road, will be on its own lot in the future. R. Antony asked about when the verification of no vernal pools was done; he was told this was verified in the Spring of 2021 and verified in the Spring of 2022.

W. Bergeron discussed the subdivision road and the necessary frontage for the lots, as well as the variances granted by the ZBA in reference to them. Ch. Alberti noted that Steve Keach from Keach-Nordstrom Associates was present and available for questions. W. Bergeron noted they had planned to use the existing profile and roadway, and that S. Keach had asked them to improve the grade approach to Rte. 125 and they have revised the profile to address this and S. Keach's concern about the existing 35' wide pavement right of way did not meet the subdivision rules and regulations. S. Keach said his initial concern was that this way would become more highly traveled and the approach grade to Rte. 125 creates a constraint to the visibility to the vertical alignment and he had challenged them to lessen the approach

grade recognizing that outbound vehicles which may be large commercial vehicles would have to stop before accelerating to take a left or right onto Rte. 125, and that in winter conditions a 5+% grade could be difficult. He noted the improvement over the initial design of the grade and the length of the platform where the vehicle would be stopped prior to exiting. He said he likes to see 3%, B. Bergeron said the worst part is at 4% and the rest is 3%; S. Keach said he is pleased with the effort. Several questions were deferred to the traffic study presentation to come by Jeffrey Dirk. There was discussion of the future changes to Rte, 125 by the state; P. Feldman asserted that every facet of their plans to connect to Rte. 125 s completely compatible with the current and future plans of the State for the road.

W. Bergeron discussed storm water mitigation, the on-site well and septic plans. They anticipate 2,390 gallons of daily septic flow for the expected 239 employees; S. Keach noted this 10 gal/day/employee is a DES requirement. P. Feldman noted that they believe their design makes perfect sense for the uses they have submitted for and any change would require coming back to the Board with a change of use. W. Bergeron cited changes that occurred due to the contamination of wells in the Rte. 125 area which allowed the water line for fire suppression to be used for domestic use, and that they have committed to extend that water main from the intersection of Old County Rd. to their site. He noted there will be a gas and a water line going down the entire length of the subdivision road and so they will reconstruct the entire road.

There was discussion of the retention pond and where it would release if it exceeded flood stage. W. Bergeron said their calculations up to and including a 100-year storm show all water is contained on the site. S. Keach noted the design as described by W. Bergeron attempts to mimic the natural conditions of delivering this large amount of water into the aquifers. W. Bergeron noted that once they have municipal water the well and the water storage tank will not be needed and they can expand the capacity of the retention pond. He also suggested the fire pump would not be needed due to anticipated water pressure; D. Britton suggested caution about the constant water pressure level. There was considerable discussion about water and the various options the applicant is prepared to use.

There was discussion of parking and the spaces required by zoning, which the applicant said is far more than they will need. Ch. Alberti asked if 400 spaces are it needed does the Town want to have that much pavement. W. Bergeron said he thought the RPC would recommend a reduction of 75 parking spaces in favor of landscaped area. It was suggested this space could be marked on the plan as future parking if required. There was discussion of off pavement snow storage. S. Keach suggested borrowing language regarding this from the Town of Bedford. He said he prefers the snow storage on turf. He said the DES storm water requirements are vigorous and correct, and he would prefer to eliminate or defer any paved area the applicant believes is superfluous. Ch. Alberti suggested the Board recommend a plan that shows reduced parking spaces but also keep the space in reserve for future need.

W. Bergeron said they will be filing for three conditional use permits for the wetlands because they are within 100 feet of the wetlands. They have designed everything to be 75 feet away for the impervious areas. He mentioned meeting with the Conservation

Commission. He also said that they will be using the NH flower mix which is drought tolerant along much of the back and sides of the site. The Conservation Commission will have a report in a few weeks.

Jeffrey Dirk, Vanasse & Associates, transportation consultants for the project presented a summary of the traffic impact study noting that the full study had been made a part of the application. He noted that the traffic volumes were collected in June and August 2021, and were adjusted using pre-COVID traffic volumes collected within the study area and provided by NHDOT. He said the analysis concluded that the warehouse project will not result in a significant increase on motorist delays or vehicle queuing over existing or anticipated future conditions if it wasn't built, with the majority of the movements shown to operate at acceptable limits, perhaps two or three cars.

He further noted that truck trips are a relatively small portion of the trips that will be generated by the warehouse, and that the majority of these will occur outside typical commuter peak hours. He explained that the warehouse has a finite processing capacity and cannot receive unlimited truck arrivals at the same time. He noted the curve in Rte. 125 at the entrance and said that the lines of sight at the access intersection exceed the recommended minimum distances for safe operation based on the appropriate approach speed. He said they are building a deceleration lane coming from Kingston and an acceleration lane into Plaistow. He noted they are designing for the actual speed people are driving, which is faster than the posted speed limit.

There was discussion of the types of warehouses, and that the particular high bay warehouse being built would not be a delivery type. J. Dirk said that using the largest number of trips possible with the potential type of warehouse, the number of passenger car trips (employees and visitors) on a daily basis would be 1,880, two-way traffic in and out. Morning peak hours are generally between 7:30-8:30 AM and evening between 4:30-5:30 PM. The evening peak is affected by a shift change. The number of in and out truck trips are 58 over the course of the day, but only six truck trips during peak hours. He said that generally there are two shifts for these types of facilities. There was discussion about the number of shifts for a 24 hour facility and what happens during the off-time hours when the peak work is not going on. The number of loading docks and the traffic to be expected based on that was also discussed.

J. Dirk said they expect the majority of trucks (67%) will arrive from Rte. 495 and up Rte. 125 and the rest (33%) coming south along Rte. 101 to Rte. 125, and they will be instructed to only use Rte. 125 and to avoid using Rte. 121/Main St. Retiming of the traffic signal at the Main Street intersection with Rte. 125 was recommended. The DOT plans for improvements to Rte. 125 and the applicant's plans to interface with these were also discussed. J. Dirk said if the DOT's improvement project is not in place and they are seeking a certificate of occupancy, they will build a left turning lane from the south and a right turning lane from the north. He noted these changes would fit in with the DOT improvements when they do happen.

There was discussion about adding some type of traffic signal or blinking yellow caution light. J. Dirk said there is not enough site traffic to allow for a traffic light, but caution signs and signals can be requested of DOT.

The Board agreed to conduct a site walk on June 15 at 5:00 PM. Ch. Alberti continued the Public Hearing on PB 22-03, PB 22-04, PB 22-05 and PB 22-06 to June 15, 2022, at 6:30 PM. No further notice will be given to abutters.

**PB 22-11:** The completeness of an application from METCON Realty. LLC, c/o Joe Barbone, for an amended site plan. The plan proposes to update some tenant uses, add two (2) HCA parking spaces, add two (2) 18' wide dock bay doors for "Bay B", adjust parking to accommodate the proposed doors, and add designated outside storage use. The property is located at 144 Main St, Tax Map 41, Lot 12 in the Industrial 1 Zoning District. If the application is found to be complete, the Planning Board may move directly to Public Hearing on the application

Joe Barbone, METCOM Realty, LLC, 144 Main St., Plaistow, NH, Charlie Zilch, SEC & Associates. Plaistow, NH were present. After discussion

***T. Moore moved, second by L. Milette, to accept the application from METCOM Realty, LLC , for an amended site plan for the property located at 144 Main Street, and as noted in the legal notice for application PN #22-11, as complete.***

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

Ch. Alberti opened the Public Hearing. After discussion, Ch. Alberti continued the Public Hearing to June 15, 2022, as the first hearing on the agenda. There will be no further notice will be given to abutters.

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

Ch. Alberti said he had reached out to Greg Colby about the meeting with the RPC and made a recommendation for the Board's use of the RPC for input on large plans and also for support various initiatives such as the survey.

L. Milette noted she had seen trees waiting to be planted at the Cube Smart storage facility. She also mentioned that Nasser Jewelers said the Town is holding them up. D. Voss said they have everything they need from the Town to move forward.

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

D. Voss said she had updated and distributed the Zoning Book, and that there are two minor requests for variances before the ZBA which will come back to the Planning Board if approved. Ch. Alberti noted the Park and Ride lot on Westville Rd. had been sold. D. Voss said it may have been bought by the family that owns the Coach Company. The DOT is still

working on the traffic calming hearing. R. Anthony asked if the new Code Enforcement officer could attend a workshop meeting.

Bond – 44 Sweet Hill Rd. (Horizon Way): L. Milette said she hadn't seen a transfer of ownership of this property and if a copy of the deed can be part of the requirement for these transactions. D. Voss said that the deed is required with the first site plan, but the plan follows any sale of the property and any change to the plan would need to come back to the Planning Board. She noted that the bond protects the Town in the event the project is left unfinished.

B. Coye recused himself as an abutter to the property; D. Britton would vote.

Ch. Alberti read the Bond memo into the record:

*On May 5, 2021 the Planning Board conditionally approved a seven-lot Planned Residential Subdivision for the above noted project.*

*All conditions of approval were met, and the plan has been recorded at Rockingham County Registry of Deeds (D-43040).*

*The contractor for the site work for the project has submitted a Bond Estimate Worksheet (attached), which has been reviewed by Keach-Nordstrom Associates (KNA), Planning Board Review Engineers. KNA has revised the calculations included in the Bond Estimate Worksheet (see attached memo from Steve Keach).*

*Per Planning Board Regulation §235-12( I O)(b) Construction Bonds ...  
The security for subdivision plans shall cover a minimum of 50% of the total site improvement cost estimate. [Amended 06-06-2018]*

*The total amount shown and review on the revised Bond Estimate Worksheet is \$507,171.50. 50% of that number would be \$ 253,585.75, which is the amount that the bond should be set at per regulation.*

*Staff is recommending that the Board vote to set the bond amount for the Horizon Way 7-lot PRO Subdivision Project at 44 Sweet Hill Rd as noted.*

***T. Moore moved, second by L. Milette, that the construction bond for the 7-lot PRD subdivision project known as Horizon Way at 44 Sweet Hill Rd be set at \$253,585.75***

***The motion to set the bond passed 5-0-0***

## **7. ADJOURNMENT**

There was no additional business before the Board and the meeting was adjourned at 9:28 PM.

Respectfully Submitted,

Charlene A. Glorieux  
Minute Taker