

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



PLANNING BOARD MEETING MINUTES
November 16, 2022

Call to Order: The meeting was called to order at 6:30 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
Sara Tatarczuk, RPC – Present at Town Hall

Also Present: Charles Zilch, S.E.C. & Associates
David O'Keefe, DAP Realty
Dan Johnson, Plaistow Consultants
Kevin Joyce , applicant

2. MINUTES:

The Minutes of the October 19, 2022 Planning Board meeting were distributed in advance.

B. Coye moved, second by K. Robinson, to approve the minutes as written.

The motion to approve the minutes passed 4-0-1 (T. Alberti).

3. PUBLIC HEARINGS:

Ch. Alberti opened the Public Hearings at 6:35 PM.

Continued from October 19, 2022

PB 22-19: The completeness of an application from D&P Swimming Pool for an amended site plan. The amended site plan is proposes an additional 3,600 SF storage building and +/-540 SF of pavement with related drainage. The

property is located at 9 Garden Rd, Tax Map 25, Lot 25 in the C1 zoning district. The property owner of record is D&P Swimming Pool. If the application is found to be complete the Planning Board may move directly to public hearing on the application.

Charlie Zilch, S.E.C. & Associates spoke to the application. He introduced Dave O'Keefe of D&P Swimming Pools. It was noted there is a large wetland on the property and several commercial buildings. D&P does a lot of commercial pool maintenance, has a small pickup truck and a box truck at the site. There is no retail business done on the site; D. O'Keefe noted that it is hard to get the products he needs, that he must maintain an adequate store of products to meet his needs. He was questioned about retail visitors and replied they are not the major part of his business. He said the Fire Department is ok with what he stores on site, and there are no chemicals being store there.

The waiver requests were discussed.

T. Moore moved, second by B. Coye to re-affirm the waivers from Article III §230-23.A and Article I, §230-14.1.CC as previously granted. Nothing in the proposed amended site plan impacts or changes the need for these previously granted waivers.

The motion to re-affirm passed 5-0-0.

T. Moore moved, second by K. Robinson to grant the request to waive Article I, §230-14.1.Z and allow the topographical datum to be based on NVGD29 instead of NVD88, for the reasons stated in the waiver request and as supported by Keach-Nordstrom

The motion to grant the waiver passed 5-0-0.

Conditional approval of the amended site plan was discussed.

K. Robinson moved, second by B. Coye to approve the amended site plan for 9 Garden Road, Tax Map 25, Lot 25, that proposes a new 3600SF Storage Building, +/-540SF of pavement and related drainage with the following conditions:

- ***Any waivers granted by the Board will be noted by Article, Section and Date Granted on the recording plan***
- ***All final plans shall be stamped by the appropriate professionals***
- ***Submission of a Letter of Support from the Conservation Commission to the Planning Department***
- ***All final recoding materials shall be provided to the Planning Department within 60 days of the date of this approval***

The motion to accept as complete passed 5-0-0.

Impact Fees: The proposed 3,600SF storage building, if approved would be subject to the assessment of a \$1,512.00 for Public Safety Impact Fees will be applicable. The impact will be assessed at the time of any Planning Board approval and payable prior to the issuance of any occupancy permit or closing of a building

permit. Any changes to the size of the proposed building will require Planning Board approval and may result in a change to the assessment of Impact Fees.

Bond: The applicant will need to complete and submit a Bond Estimate Worksheet, which will be reviewed by KNA. The bond amount will be set in accordance with the Planning Board Site Plan/Subdivision Review Regulations.

Continued from October 19, 2022

PB 22-20: The completeness of an application from Blinn's Family Realty, LLC for an amended site plan. The amended site plan is proposes to replace the stormwater basin with a subsurface stormwater chamber and for +/- 4,920 SF of pavement for parking and storage. The property is located at 38 Westville Rd, Tax Map 27, Lot 49 in the C1 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.

Charlie Zilch, S.E.C. & Associates spoke to the application, noting the applicant's need for vehicle storage and parking. No landscaping was proposed. There was discussion about the possibility to add plantings for screening; it was greed some additional buffering might be possible but it was noted that the sightlines for the exit onto Westville Road need to be kept open.

There was discussion of the waiver requests.

T. Moore moved, second by B. Coye to grant the request to waive Article I, §230-14.1.Z and allow topographical datum to be based on NVCG29 instead of NAVD88, for the reasons stated in the waiver request and as supported by Keach-Nordstrom

The motion to grant the waiver passed 5-0-0.

T. Moore moved, second by K. Robinson to reaffirm the waivers from waive Article I, §230-12.H.1 and Article I, §230-14.H.CC as previously granted. Nothing in the proposed amended site plan impacts or changes the need for these previously granted waivers.

The motion to re-affirm passed 5-0-0.

Conditional approval of the amended site plan was discussed.

T. Moore moved, second by K. Robinson to approve the amended site plan for 38 Westville Road, Tax Map 27, Lot 49, that proposes to replace the existing stormwater basin and subsurface stormwater chamber and add +/- 4,920SF of proposed parking and storage with the following conditions:

- ***Any waivers granted by the Board will be noted by Article, Section and Date Granted on the recording plan***
- ***All final plans shall be stamped by the appropriate professionals***
- ***Submission of a Letter of Support from the Conservation Commission to the Planning Department***

- *All final recoding materials shall be provided to the Planning Department within 60 days of the date of this approval*

Impact Fees: There are no additional structures being proposed as part of this amendment, therefore, no Impact Fees are applicable.

Bond: The applicant will need to complete and submit a Bond Estimate Worksheet, which will be reviewed by KNA. The bond amount will be set in accordance with the Planning Board Site Plan/Subdivision Review Regulations.

PB 22-21: The completeness of an application from Kevin S. Joyce, for an amended site plan. The amended site plan proposes a new use of a Barber Shop and Barber Academy for the property located at 216 Main St, Tax Map 30, Lot 23 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

B. Coye moved, second by K. Robinson, to accept the application for an amended site plan that proposed a Personal Services use, namely a Barber Shop and future Barber Academy at 216 Main St, Tax Map 30, Lot 23 as complete.

The motion to accept as complete passed 5-0-0.

Applicant representative Dan Johnson, Plaistow Consultants, spoke to the application, noting that the applicant Kevin Joyce was present in the room. He spoke about the existing shrubs and trees on the site, as well as the current lighting and parking. There was considerable discussion about potential increases septic and water usage with the proposed business. Ch. Alberti suggested the need for water and septic would be much higher than the original use. S. Tatarczuk said the applicant needs NHDES approval of the existing septic and will need either DES approval of the existing septic or a contingency septic plan. There was discussion about the level of use for water. K. Joyce said they are waiting for the State to test the water levels. He said the water demand for now is for two half-baths. He noted there is a well on site and they could be connected to the municipal water. He said the water usage for a barber shop is much less than that for beauticians. He noted a barber school needs at least six chairs and he can only do four right now it will be a retail barber until he can add more chairs. They were looking to put a two bedroom apartment upstairs but may not be able to. There was more discussion about the septic location.

T. Moore moved, second by L. Milette to grant the request to waive Article I, §230-14.1.BB and not require the existing and proposed structures on the abutting properties be shown on the plan, for the reasons stated in the waiver request

The motion to grant the waiver passed 5-0-0.

T. Moore moved, second by B. Coye to grant the request to waive Article I, §230-14.1.CC and not require the abutting septic and wells properties be shown on the plan, for the reasons stated in the

waiver request on the condition that the septic system for the Wellington Town House properties is not located in the well radius or the septic system cannot be located.

The applicant agreed to the condition above.

The motion to grant the waiver passed 5-0-0.

Conditional Approval:

T. Moore moved, second by B. Coye, to approve the amended site plan, for the personal services use of a Barber Shop and future Barber Academy at 216 Main St, with the following conditions:

- All waivers granted shall be noted on the Final Recording Plans by Article, Section and Date granted***
- The Final Recording Plans will have all appropriate professional stamps***
- Receipt of Approved NHDOT Driveway permit, or confirmation from same that one is not required. Permit approval number and date to be noted on Final Recording Plans***
- Receipt of Approved NHDES Contingency Subsurface (Septic) Design or confirmation from same that the existing system is adequate and/or a new approval is not required. Permit approval number and date to be noted on Final Recording Plan.***
- All Recording Materials be submitted to the Planning Department within 60 days. Planning Staff is allowed to grant one (1) 60-day extension but only if the delay in submission is related to State permitting***

The motion to conditionally approve the amended site plan passed 5-0-0.

There are no additional structures being proposed as part of this amended site plan application, therefore, there are no applicable Impact Fees.

This is an amended site plan, and there is a recorded plan reference, therefore Rockingham County Registry of Deeds should not require an LCHIP payment. However, if for some reason they do, the applicant will be responsible for providing a check for those fees.

Ch. Alberti closed the Public Hearing.

4. OLD BUSINESS

Economic Development Master Plan Survey – Update: S. Tatarczuk reported there were 138 responses to the survey so far. There was discussion of the platforms used to promote it. It was agreed to keep the survey open through the end of the year with hopes of exceeding 200 responses. Another push will be conducted after Thanksgiving. Responses so far have been predominantly electronic.

2023 Zoning Ordinance Amendment Review: S. Tatarczuk noted that the at the December 7th workshop meeting the remaining amendments will reviewed and final text language agreed and voted upon so the amendments can be posted for a Jan. 7, 2023 public hearing.

S. Tatarczuk noted the latest language for the 2023 Zoning Amendments was included in the meeting materials, and asked the Board to review that prior to the next meeting. She introduced a list of outstanding issues for these amendments.

Ch. Alberti asked if the Board wanted to add a structure size limitation in the Industrial Zones. S. Tatarczuk noted there had been discussion on this and there is a size restriction of 10,000SF for warehouses in areas where light industrial is allowed in commercial district. There was discussion about the impact of traffic on the community. Restricting to a maximum of 100,000 – 125,000 SF building was discussed. There was discussion about potential large buildings being constructed just across the border that would bring all the traffic without any tax benefits. T. Moore suggested that size restrictions need to be stated as either the size of the footprint or include potentially more than one story. He also suggested considering whether to not allow facilities that generate more than x number of trips per day. Lot coverage was also discussed as a way of controlling size. The Board discussed an amendment limiting structures to 125,000 SF in size and lot coverage no more than 65%. Limiting the number of vehicle trips could be put in the site plan regulations. Staff will work up an amendment for consideration at the next workshop meeting.

Housing for Older Persons was discussed. S. Tatarczuk noted that any municipality in NH that has a density bonus or incentive for age restricted housing as of June 2023 the incentive automatically apply to workforce housing and a builder can create this housing under those incentives. She reviewed that status of Plaistow's ordinances regarding this issue. She asked if the Board wanted to make changes, leave them as is, eliminate them or amend them. S. Tatarczuk suggested having counsel look at these issues. She said housing results will be available in January. The Board decided to leave these as they are and to look at them again in 2023.

Congregate Care Facility: S. Tatarczuk said the staff is looking to incorporate the congregate care facility into the parking requirements for site plan regulations and adding it as a use to the parking table and including it with "Hospitals/Nursing Hines/Convalescent Homes/Extended Care Facilities" and requiring 1 space per 2 beds and 1 space per employee. T. Moore suggested it should be 1 space per shift per employee. She also asked if the Board was ok to use the septic capacity as the limiting factor for the number of beds allowed. The Board agreed this was prudent.

T. Moore noted there was a revised flood plan ordinance from DES and this will be added to the Town's language and be on the ballot. Also there are some minor changes for stormwater management to be incorporated.

5. NEW BUSINESS

The December 21, 2022 meeting was discussed. S. Tatarczuk said that if there is an application to be hear it could be opened and then continued. There may not be a quorum and the hearing would be postponed. It was determined there is no chance of a quorum that night. Applications must be in by November 29, 2022; if there are none the meeting can be cancelled.

ADJOURNMENT

There was no additional business before the Board and the meeting was adjourned at 9:27 PM.

Respectfully Submitted,

Charlene A. Glorieux
Minute Taker