

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



**PLANNING BOARD MEETING MINUTES**  
**February 15, 2023**

**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.* - Excused  
Bill Coye, *Selectman's Rep.* – Present at Town Hall  
Sara Tatarczuk, RPC – Present at Town Hall

Also Present: Barry Gier, Jones & Beach Engineers  
Daniel Kane, Plaistow Resident

**2. MINUTES:**

The minutes of the February 1, 2023 meeting were distributed prior to the meeting. It was noted that “Hall” needed to be added to R. Anthony’s attendance.

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

***The motion to approve as corrected passed 5-0-0***

**3. PUBLIC HEARING**

Ch. Alberti noted that he is an abutter to the application property and he would recuse himself and sit in the audience, and if he were to make any comments they would be made only as an abutter and not as a member

of the Planning Board. Vice Chairman Moore presided for the hearing and appointed R. Anthony a voting member for the hearing.

**PB 23-02:** The completeness of an application from 125 Development NH Corp that proposes a “Phase 2” construction of the Southern NH Industrial Park including four (4) buildings totaling 192,750 SF, with associated access roads, parking, and utilities. The proposed project does not revise the two (2) lots in the Town of Plaistow, NH that are part of the subject parcel. The parcels in Newton, NH are located on Puzzle Lane. The two Plaistow parcels are known as 0 Greenfield Abutting, Tax Map 63, Lot 82 and 0 Ridgewood Road Rear, Tax Map 71, Lot 19, both in the LDR Zoning District. The applicant is the property owner of the Plaistow parcels. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

***B. Coye moved, second by T. Moore, to accept the application for Phase 2 construction of the Southern NH Industrial Park including four buildings totaling 192,750SF, with associated access roads, parking, and utilities in Newton, NH (known as Tax Map 27, Lot 3) that includes property in the Town of Plaistow as complete. The Plaistow properties include Greenfield Abutting, Tax Map 63, Lot 82 and Ridgewood Road Rear, Tax Map 71, Lot 19.***

***The motion to accept passed 3(T. Moore, B. Coye, R. Anthony)-1(K. Robinson)-1(L. Milette)***

T. Moore opened the public hearing. Owner’s representative Barry Gier, Jones & Beach Engineers, Stratham, NH spoke to the application. He noted that seven of the 150+ acre property is in Plaistow and the rest in Newton. He noted that no development is proposed in Plaistow at this time, and that any proposed construction in Plaistow would require they come back before the Plaistow Planning Board. L. Milette noted the Board had been told no trees were cut on the Plaistow property and yet they were. She also noted that the applicant’s construction foreman spoke at a Newton Board of Selectmen’s meeting saying that he had an agreement with Plaistow to bring Plaistow’s municipal water into Newton. B. Gier said there had been a proposal to bring water into the parcel from the Plaistow side, but it had died.

T. Moore asked for other comments or questions. Abutter Tom Alberti, 2 Ridgewood Rd, Plaistow said that he was speaking on behalf of his community’s homeowners association, GHEHA. He said their areas of concern were that the water source for the community is part of the aquifer district which is under the proposed buildings. He noted there was a request to waive some of the drainage studies and recommended the Board require appropriate hydrogeological drainage studies to ensure the drinking water source is not impacted. He also mentioned a road that appears to go nowhere which may be intended for future development when there is no understanding of what that development might be. He also expressed concern about some of the plan setbacks being calculated on the property line in Plaistow and suggested it should be on the Plaistow/Newton line.

S. Tatarczuk noted the waiver recommendations made by the Planning staff. She noted staff has suggested an existing note on the plan be revised to note that if or when there is any future development on either the Plaistow or Newton properties the applicant would need to come back to the Plaistow Planning Board for review. The note 1 of the cover sheet is revised to state: “Any future development or subdivision of any part of the land shown in Plaistow or future development or subdivision of land shown in Newton shall require compliance with RSA 674:53 Land Affected by Municipal Boundaries.” and shall be included on the final approval and recording of the site plan by the Town of Newton, NH Planning Board. She also noted that Newton’s setback requirements for this area are larger than Plaistow’s and there is a 50 foot vegetative buffer required in Newton’s setback.

L. Milette asked about a hydrological study and reported that the Newton Planning Board minutes show a concern that the community well system would be going into Gunstock Road and noted there are no homes there. S. Tatarczuk felt it was reasonable for the Planning Board to request such a study of the applicant. She noted that Newton and the State will also be looking at these issues. B. Gier said there is no drainage would be constructed in Plaistow, and that they are concluding a hydrogeological study and the septic/water flow from the project is 2760 gallons per day, equivalent to five houses and they are certain there will be no issues with the study. He said the drainage plan has gone to review by Newton and the State as well. B. Coye suggested that the Board wait on the results of the hydrogeological study before making any decision.

T. Alberti asked if there is any direction to follow when two municipalities are involved, and whether Newton's setbacks would initiate at the Town line or the property line. It was noted that Newton requires 200 feet with a 50 foot buffer which is larger than what Plaistow requires. B. Gier said they are not proposing any new structures within 200 feet of Plaistow at this time. T. Alberti said that the setback line in the plans that are shown is not accurate and that even though nothing is proposed in that area it is still part of the plan and needs to be addressed now. R. Anthony suggested the concern be brought by B. Gier to the applicant who may agree to a restriction for the area.

T. Moore revisited the staff's proposed note to be added to the plan which requires the applicant to come back to the Plaistow Planning Board. He continued the meeting to March 15, 2023. S. Tatarczuk reiterated to the applicant that the Board would like to see the hydrogeological study to have it reviewed by the Town engineer which would require a small escrow account, and that the Board would like to see the drainage and erosion plan.

T. Moore closed the hearing at 7:17 PM.

#### **PUBLIC COMMENT:**

Ch. Alberti noted the gentleman in the audience and invited him to address the Board. Daniel Kane, 64 Main Street, Plaistow and owner of Sweet Hill Farm, 82 Newton Road introduced himself.

Ch. Alberti spoke to the practice of the Planning Board to hold two meetings every month: the first typically being a workshop meeting where non-application issues that the Board has jurisdiction over are generally discussed, and the second meeting is an application hearing. He noted that occasionally a meeting will be cancelled especially if there are no applications; typically mid-July and in the Christmas/New Year time frame. He also spoke about the Zoning Board of Adjustment, Code enforcement, and staff.

He spoke to the Zoning Amendment process and how the amendments are typically brought forward. He noted that the two public hearings on the Zoning Amendments have been held and the amendments read into the public record, at which point there can be no specific discussion of them can be made until after the Town votes on them, that to revisit them now would effectively be reopening the hearings without public notice, which cannot be done.

D. Kane asked the Board what they do when they may not have thought an amendment all the way through. T. Moore said if it's on the ballot and is voted in and on further reflection it appears to need adjustment that can happen the following year. Some ordinances get amended frequently as laws and circumstances change.

There was a lengthy discussion about how these amendments come forward and how to improve the process. It was agreed that it would be helpful to know the narrative or pedigree of how these come to the Board; when and where these come from, their context and time line.

It was noted that State law can supersede the Town's and require Zoning ordinance changes.

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

HOP Grant: S. Tatarczuk reported that the full Housing Opportunity Planning Grant funding had been awarded and the Board needs to make a motion to recommend accepting the Grant to the Board of Selectmen. Once the Grant has been accepted the work will start with the Build Out analysis as well as some preliminary housing chapter Master Plan work. Ch. Alberti credited S. Tatarczuk and the RPC staff for the work they did.

Ch. Alberti noted that RSA 31:95-b, all gifts, grants, and/or donations, received that were unanticipated (not considered as part of that year's budget) have to be accepted by the Board of Selectmen, at a public hearing, before the funds can be expended.

***T. Moore moved, second by K. Robinson, to recommend to the Board of Selectmen that they hold a public hearing at their earliest convenience and accept the \$50,000 Housing Opportunity Planning Grant awarded to the Planning Board. The grant award is provided by InvestNH Municipal Planning and Zoning Grant Program, funded by the NH Department of Business and Economic Affairs as part of the \$100million InvestNH Initiative with ARPA State Fiscal Recovery Funds.***

***The motion to recommend passed 4-0-1 (B. Coye)***

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

S. Tatarczuk reported that she had accepted a new job and will be leaving the RPC. She said the Planning Board will still be receiving RPC staff support, likely from Jennifer Rowden, one of the senior planners, will be attending the Board's meeting for the foreseeable future. The Board members thanked her for her excellent work. There was discussion of the number of hours contracted for the circuit rider and if they had been exceeded. S. Tatarczuk said the Zoning amendments took more time than anticipated.

It was noted that PACE has been invited to the March 1<sup>st</sup> workshop meeting. Ch. Alberti will contact the Greater Salem Chamber of Commerce and invite them to the April 5<sup>th</sup> meeting unless there are no applications for the March 15<sup>th</sup> meeting.

There was discussion about how site plan applicants end up at the ZBA for variances even before coming to the Planning Board. S. Tatarczuk noted that an applicant can go to the ZBA or Planning Board, there is no mechanism requiring one over the other. Staff might point out a large issue with a proposed plan which might make going to the ZBA first the right move, but it is generally better to have an applicant come to the Board for a preliminary design review.

There was discussion of how to communicate with the ZBA about the reasoning behind zoning amendments proposed by the Board. Discussion was held about holding a joint meeting with the ZBA, or having the chairs communicate to keep up-to-date on issues. T. Moore reported on the only joint meeting he could remember being held. He suggested when the Planning Board is discussing zoning amendments it might be beneficial to invite the ZBA to attend.

Ch. Alberti reported there are three applicants for the two positions opening on the Planning Board.

## **6. COMMUNICATIONS, UPDATES, FYI'S AND OTHER BUSINESS**

Ch. Alberti noted the next meeting will be March 1<sup>st</sup>. Summer vacations were briefly discussed. S. Tatarczuk said the HOP Grant work will start later in the Spring and will run for two full years. Jennifer Rowden will be well briefed on the Economic Development Survey and ready to begin work. Having PACE and the Greater Salem Chamber at the same meeting was discussed. S. Tatarczuk suggested that the Board's homework for the March 1<sup>st</sup> meeting is to go through the Master Plan that was finished in 2020 for economic development language for the implementation plan and future land use. Ch. Alberti noted the survey results must be made actionable. S. Tatarczuk suggested the Board take a close look at permitted uses in the commercial district, and how the uses are defined, what is and isn't allowed and how that shapes what comes into the Town. T. Moore suggested that many of the definitions are imprecise. S. Tatarczuk suggested there may be an RSA about how these can be specified.

## **ADJOURNMENT**

There was no additional business before the Board and the meeting was adjourned at 8:42 PM.

Respectfully Submitted,

Charlene A. Glorieux  
Minute Taker