

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 April 21)*

April 7, 2021

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

Chair T. Alberti read the following COVID-19 statement:

The Plaistow Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, is authorized to meet electronically, and these reasons shall be reflected in the minutes. When there are public hearings scheduled, notice of this electronic meeting is sent to all abutters and published in the Eagle Tribune Newspaper.

The Plaistow Planning Board is utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during the meeting through the Zoom program, and the public has access to contemporaneously listen and, if necessary, participate in this meeting. The link to access this meeting was provided on the Town's website.

There is a "raise your hand" feature of the program that will allow attendees to participate in the discussion. There is also a Q&A box for the public to type questions during the meeting. The Public can also send emails with questions or concerns prior to the meeting to dvoss@plaistow.com. All emails received by 3:00PM on the day of the meeting will be read at that meeting. Please note: all questions and concerns typed into the Q & A box or sent via email will be read aloud to become part of the public record. The meeting will also be live on Plaistow Access Cable - Channel 17 and will be livestreaming on the Town's website.

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
Greg Taillon, *Selectman's Rep.* Present at Town Hall
Maxann Dobson, Alternate – Present at Town Hall (non-voting)
Bill Coye, *Selectman's Alt.* - Present at Town Hall (non-voting)
John Cashell, *Planning Director* –Present at Town Hall (non-voting)

Also Present: Bill Hall, Civil Design Consultants
Kyle McManus, Total Construction Solutions, LLC

2. REVIEW/APPROVAL OF MARCH 17, 2021 MINUTES:

Draft minutes were included with the meeting materials. G. Taillon noted on agenda item 3 Tim Moore had seconded his own nomination; on item 4 K. Robinson had abstained on the vote to re-appoint Geoffrey Adams; and, on item 6 under 13 Rose Avenue “recommend anything to the BOS” should be “from the BOS.” Ch. Alberti noted that on agenda item 3, Julian Kiszka was recommended as representative to the Rockingham Count Commission and the vote was 5-0-0

T. Moore moved, second by K. Robinson to approve the minutes from March 17, 2021 as corrected

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

3. PUBLIC HEARING

At 6:40pm Ch. Alberti continued the Public Hearing on **PB 21-02** from February 17, 2021 and read the Public Hearing notice: The completeness of an application from Total Construction Solutions, LLC c/o Kyle McManus for a subdivision that proposes a seven unit (3 bedrooms each) detached residential condo development PRD, with a public right-of-way. The subject parcel is 18.41 acres with 237.97 feet of frontage on Sweet Hill Road. The property is located at 44 Sweet Hill Road, Tax Map 62, Lot 29, in the MDR and LDR zoning districts. The owner of record is 44 Sweet Hill, LLC. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

Ch. Alberti noted the application had been accepted as complete on February 17, 2021. Bill Hall reviewed some of the changes made since the previous hearing and presented a plan that incorporated the revisions from the hearing. He noted they are not looking for approval yet since they are still waiting on State permits for alerting terrain and subdivision approval. He said they removed the Cape Cod berms in the cul de sac between units 6 and 7 to provide for easier snow storage, and in the area behind and adjacent to unit 6 a swale has been incorporated along the base of the slope to direct drainage down to the wetlands so nothing goes onto the abutting properties, and invited comments from the Board.

Ch. Alberti asked if B. Hall was looking for four waivers at this time; B. Hall said if the Board feels like voting on them it would be fine, but since they must come back for another meeting they would be fine with waiting. T. Moore suggested holding off on the waivers since they will be coming back. K. Robinson questioned if a fire truck would have proper access with the waiver asked if the Board could hear update responses from the various departments (Fire, Police, Highway). Ch. Alberti said his cul de sac is 95 feet across and feels it is a tight turn when the fire truck comes through on the holidays, and agreed on the need for clarification.

Ch. Alberti asked if the drainage issues abutters brought up at the last hearing have been addressed. B. Hall said the swale on one side will direct down to the wetlands, and on the other side the access way down to the basin is being graded such that a natural swale will take care of drainage. L. Milette asked if the condo association would be responsible for maintaining the swale; B. Hall said he believed so since it would be in the limited common and open space areas. Ch. Alberti noted concerns from the Highway department on any curbs when directing snow while plowing. B. Hall said Highway Supervisor Dan Garlington had said the first 200-250 feet would go between Unit 7 and Sweet Hill Road and then some snow between units 5 and 6, and then 6 and 7. J. Cashell read a comment from Steve Keach: “Based upon my review of the drainage analysis and resulting design prepared by the applicant’s consultant, as long as the infrastructure improvements are ultimately constructed in strict conformance with the current project plan, I am confident abutting property owners will not experience excess drainage.”

Ch. Alberti noted that D. Garlington had also expressed concern about the right of way and utility locations. B. Hall said that concern was not addressed on this revision but they will get it in the next revision.

Ch. Alberti opened the meeting to public comment. Attending remotely, Joseph Tardif, 1 Sequoia Lane, Plaistow noted that at the last hearing there were two houses abutting his property and asked if they had been rearranged because it looked like only one house now. B. Hall said the preliminary layout showed two houses but it was changed by the February meeting. J. Tardif asked how far the proposed house is from his off his border and was told it is in excess of 100 approaching 150 feet. J. Tardif had no further comments.

Attending in person at Town Hall, abutter Lawrence Ordway, 3 Sequoia Lane, Plaistow noted the slope of the property and expressed concern about the amount of fill being brought onto it and said he wanted to be sure the Board considers the grade so the fill does not end up in his back yard. Ch. Alberti noted the initial project had a broader footprint and the Board had a concern with the amount of fill. He noted the project has come back with a smaller footprint, and while they must still meet the minimum grade on the road the amount of fill has been reduced and the type of fill addressed. B. Hall said the majority of what is proposed is a 3 to 1 slope and while it is a steep hill at 33% when properly stabilized there won't be erosion issues. G. Taillon asked what the minimum buffer is between properties (50 feet) and said it appears that the buffers are a lot larger than that.

Ch. Alberti asked if the Board wanted to look at the waivers and consider them, and noted he agrees with T. Moore that it should be pushed off to the next meeting. J. Cashell said that if the Board wanted to proceed with the waivers, which he thought likely to be accommodated, it would assist with the final drawings of the plan. He noted the developers have worked with the Planning Board to deliver a plan with the least amount of environmental impact on the property and abutters and that S. Keach believes in the engineering of the plan. Ch. Alberti noted that at this point the road is the question and there are some concerns from the Highway Department and he would like to confirm with the Police and Safety that they have noted the width of the road. M. Dobson said she would like to have in-writing or in-person confirmation that the ladder trucks can go down the road and turn around. She noted her road is a cul de sac and the trash trucks cannot turn around and have to back out.

Kyle McManus said they had sat with the Planning Board and the Fire and Highway departments to go over these things and changed the cul de sac according to their concerns. He said if they can get the waivers it will satisfy the final design quicker than waiting again. J. Cashell said there are a number of emails in the back of the waiver packet from Dan Garlington that express no concern with the cul de sac radius or pavement width but possibly the right of way width for snow storage. He said one way of dealing with this is to put an easement on the front of the two lots affected by this. Ch. Alberti suggested the concern was about plows hitting the utility boxes and asked where the utilities would be placed. B. Hall said a 15 foot wide roadway construction and maintenance easement to the Town in addition to the 35 foot right of way so that there would be 22 feet on either side of the pavement of easement granted to the Town and the utilities would go in there well outside the paved width of the road. K. Robinson referenced D. Garlington's email of March 23, 2021 questioned whether the utilities and snow storage could be properly accommodated in the cul de sac and B. Hall said that they would be revising plans to ensure utilities are safely placed.

M. Dobson noted that the response from the Fire Department was not dated. Ch. Alberti asked the Board to consider whether to vote on the waivers, noting that as stated earlier he was comfortable waiting until a future meeting if that was agreeable. T. Moore suggested waivers could be granted conditional upon a positive response from the Police, Fire and Highway Departments. Ch. Alberti said he would have liked more detail on the information that was shared in the meetings between the applicant and these departments. J. Cashell noted that with the new members and chair on the Board we have to deal with what is in writing otherwise there will be considerable waste of time for all. G. Taillon noted that dating of memos would help going forward but that he felt comfortable with the plan.

It was agreed that the Board needs more information and better documentation to move forward. Ch. Alberti said the Board does not want to be a hindrance to moving the plan forward, but that he was comfortable with pushing the waivers off to the next meeting and the Board may ask for specific information from the Highway Dept. and for clarification with Fire and Safety Departments and issues such

as if the road is a Town road who is responsible for damage to any of the drainage systems and personal property beyond the right of way. K. McManus noted that the road was created as a public road at the Highway Department's request and L. Milette said that was when these were going to be single family lots not condos with an association.

Ch. Alberti continued the meeting until May 5, 2021 and closed the discussion at 7:26pm.

4. DISCUSSION OF 2021 ZONING WARRANT ARTICLES

Ch. Alberti reviewed the Zoning warrant articles voting results and for any comments.

Zoning Amendment Z-21-1 –adding ‘in accordance with NHRSA Title XXX” to the definition of Personal Service Business was approved by a vote of 592 to 134.

Zoning Amendment Z-21-2 – on dumpster placement was approved by a vote of 643 to 140.

Zoning Amendment Z-21-3 – add “C1- Danville Road Overlay District” was approved by a vote of 537 to 160.

Zoning Amendment Z-21-4 – adding Function Hall definition was approved by a vote of 598 to 139. T. Moore noted this was because function halls were not listed as a permitted use and by offering a definition and being able to deny anything that does not meet the definition.

J. Cashell noted that all the amendments were voted for overwhelmingly which indicates the Board is on the right track.

Zoning Amendment Z-21-5 – to expand the permitted use districts to “ICR, CII, or VC Zones” was approved by a vote of 537 to 179.

Zoning Amendment Z-21-6 – to correct the fee schedule from the Planning Board to the Department of Building and Safety was approved by a vote of 570 to 141.

Zoning Amendment Z-21-7 – to change the title from “Wetlands” to “Natural Resource Protection” was approved by a vote of 570 to 141. This was due to a reorganization of material by the Conservation Commission.

Zoning Amendment Z-21-8 – creating a new overlay district “CI – Mixed Use Overlay District” was approved by a vote of 532 to 178.

Zoning Amendment Z-21-9 – to create a new C3 – Commercial 3 district was approved by a vote of 573 to 154.

Ch. Alberti noted that Z-21-9 and Z-21-9 are going to be the main direction for the Planning Board as it looks at the Master Plan. J. Cashell added Z-21-7 to this list and said the C3 district will be very important as the Town continues to develop. Ch. Alberti also thanked Tim for authoring the Voters Guide. T. Moore thanked Dee Voss for her hard work on the Voters Guide.

5. DISCUSSION OF PLANNING BOARD GOALS FOR 2021

Ch. Alberti opened a discussion of the Master Plan and what goals the Board should focus on and determine high priorities.

NR-4 T. Moore said this was about low impact development and we saw some of this in the public hearing this night and suggests this is a good year to work on it. Ch. Alberti asked if the Board should develop some guidelines and give these to any applicant; J. Cashell said applicants are told to come with conceptual plans and to let the Planning Board work with them for low impact designs. Ch. Alberti suggested putting together some ideas about what the Town and Planning Board are looking to see for developers. J. Cashell said Code Enforcement Officer Peter Blanchette has to look at plans and see if they are meeting the minimum lot size and frontage requirement. T. Moore said the next step should be to gather information so all understand what is needed. Ch. Alberti said he would add this as an action item to gather information about low impact development and perhaps at a later meeting present a plan.

WR-6 is ongoing. T. Moore said he will gather information on these and write a summary of the activity with the ongoing items.

WR-7+8 are a joint responsibility of the Planning Board and Conservation Commission. Ch. Alberti suggested it may be an off-shoot of low-impact development and information could be gathered while researching NR-4. T. Moore said some of this had been addressed under Natural Resource Protection.

W-12 Ch. Alberti said the use of salt on roads can be excessive and asked if the Board could promote certification when the public wants clear roads. T. Moore said that the Highway Dept. has been doing this for several years.

CF-16 C. Taillon suggested this is being done under the potable water implementation.

T-5 Ch. Alberti asked what adopting a Complete Streets Policy entails. T. Moore said the concept is to look at each street and determine who uses it and consider how to accommodate all the uses. He suggested it would be helpful particularly on Main Street and to develop a policy of what we want the streets to look and the modes of transportation to accommodate. Ch. Alberti asked if this would address sidewalks. G. Taillon said this would also contain bike lanes because some places don't have sidewalks. K. Robinson asked about how to address trucks still using Main Street to cut through; T. Moore said that until the Town maintains Main Street itself so it is a local road the Town can control we are subject to NH DOT regulations. L. Milette asked if the Town could take ownership of just Dustin to the Library and T. Moore said the problem would be taking a slice of a road so the laws would suddenly change and he thought the Town would have to take a whole road (e.g. Rte. 125 from the Haverhill to Kingston line) or none at all. Ch. Alberti said the action on this is to write the policy

J. Cashell suggested that infrastructure money could be coming from the federal government and the Town needs to be ready for money which will be detailed for complete streets. He noted doing the kinds of transformation talked about above costs large sums of money. G. Taillon suggested that the federal government will tell the Towns how they can spend. J. Cashell said the Town has to work to identify what projects they would like to do and have shovel-ready projects ready for funding. Ch. Alberti noted the many difficulties of the transition of Rte. 125 from Haverhill to Plaistow.

T-6 Ch. Alberti said that Green Streets and Complete Streets are similar J. Cashell and Ch. Alberti will research and report back on this.

T-9 Ch. Alberti asked if this can be done if there is no public transportation and is it a responsibility for the Planning Board. T. Moore noted that the Haverhill bus has been stopping at the State Line Plaza for years and now seems to stop at Market Basket and Staples. He said he didn't see anything in the paper about this, though he is glad the bus is there but if people aren't aware of it perhaps there should be notification. No one seemed to know the bus schedule. Writing to the Merrimack Valley Planning Commission to get the schedule and putting it on the Town website was suggested. G. Taillon said the Board should think about

where we'd like the bus to go and then go to the bus company and talk to them about what we would like. This could be a great way to get ready for any infrastructure money.

FLU-3 Ch. Alberti noted that this was what the Board was just discussing. He said he has lived in many places around the country and noted that some towns have very good plans. He asked how the Board can help to deal with the inconsistencies between the small town vs border town aspects of the Town and create a better Plaistow. J. Cashell noted that water is coming to the Town and there may potential to have a sewage connection with Haverhill. This could really transform the corridor and the Town and be an economic engine to reduce the taxpayer burden. Ch. Alberti would like to see some nice re-development also.

FLU-6 & FLU-7 Ch. Alberti said these are consistent with the previous discussion towards uniform esthetic standards and Town character.

Ch. Alberti said he see two areas for the Board to work on: 1) what can the Board do to help the Town establish itself if there is an influx of infrastructure revenue and, 2) how does that fit in with the overall strategy for the Town and how the Board can help direct that vision along with the Master Plan.

6. 2021 PLANNING BOARD CALENDAR/SCHEDULE

Ch. Alberti said that under the law the Board is required to meet once a month, and that typically it does about 10 months of two meetings per month. He asked for any dates that the schedule should be adjusted. T. Moore noted that Public Hearings are scheduled for the third Wednesday of the month and that the workshop meetings should be laid out. G. Taillon suggested looking at dates on which we do not want to meet. T. Moore cautioned to be careful about dates in December as the Zoning amendments are usually being worked on. He said typically the Board doesn't meet the first week on January or July. Ch. Alberti referred to the published application deadline dates and their corresponding meeting dates. It was suggested that the Board meeting dates can be adjusted as needed. Ch. Alberti will create a schedule of meeting dates to use as a guideline.

8. NEW BUSINESS

Ch. Alberti noted that recommendation was needed to pay the RPC Dues.

G. Taillon moved, second by K. Robinson to recommend to the Board of Selectmen that the 2021 Rockingham Planning Commission dues be paid in the amount of \$7,756.00.

Vote: The motion to recommend payment passed 5-0-0.

9. COMMUNICATIONS, UPDATES, FYI'S AND OTHER BUSINESS

Ch. Alberti asked for any discussion. J. Cashell noted that Dee Voss had provide all with the complete 2021 Zoning Ordinance with all the amended language in red, and that she has ordered the OSI Planning Board Handbook. Ch. Alberti asked if anyone has signed up for the Town's Roles and Responsibilities training for April 19 or April 26 and to contact Dee to sign up. J. Cashell noted the Spring Planning virtual session on May 15th and said it is the number one training program offered by the State.

J. Cashell said there is lots of activity behind the scenes but it takes a while to come to the Board. He noted that he expects the application for the development that has a sliver of property in Plaistow will come to the Board within a few weeks but there is no development associated with it.

Ch. Alberti asked that any member wishing to add an agenda item to a meeting let him know and he will add it.

10. ADJOURNMENT

There was no additional business before the Board and the meeting was adjourned at 8:35 PM.

Respectfully Submitted,

Charlene A. Glorieux
Minute Taker