

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



PLANNING BOARD MEETING MINUTES (*DRAFT MINUTES – Subject to change once approved and amended by the board at its next meeting on June 7, 2023*)

May 17, 2023

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

Ch. Alberti noted that something had come up for Jenn Rowland may or may not be able to attend the meeting.

1. ROLL CALL:

Tom Alberti, *Ch.* – Present at Town Hall
Chuck Fowler – Present at Town Hall
Laurie Milette - Present at Town Hall
Karen Robinson – Excused
Richard Anthony, Alternate – Present at Town Hall
Jay DeRoche, *Selectman's Alt.* – Present at Town Hall
Bill Coye, *Selectman's Rep.* – Present at Town Hall
Victoria Healey, RPC – Present at Town Hall

Also Present: Charlie Zilch, S.E.C. & Associates
Richard Thomas, RFJ Motors
Albert Couliard

2. MINUTES:

The minutes of the May 3, 2023 meeting had been distributed prior to the meeting.

B. Coye moved, second by C. Fowler, to accept the minutes of the May 3, 2023 meeting as issued.

The motion passed 4-0-0

Ch. Alberti appointed Richard Anthony a voting member for the meeting in the absence of Karen Robinson.

3. PUBLIC HEARINGS:

Ch. Alberti noted that there had been a request to withdraw the PB 23-03 27 Garden Road application.

B. Coye moved, second by R. Anthony to accept the withdrawal request for the amended site plan application for 27 Garden Road without prejudice

The motion passed 5-0-0

PB 23-04: The completeness of an application from Richard Thomas/RFJ Motors that proposes a change of use from a Fleet Maintenance Garage to Motor Vehicle Sales. The property is located at 78 Plaistow Road, Tax Map 27, Lot 16, in the C1 Zoning District. The property owner of record is Pest End, Inc. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

B. Coye moved, second by R. Anthony to accept application PB #23-04 for an amended site plan at 78 Plaistow Road, Tax Map 27, Lot 16, that proposes a change of use from as Fleet Maintenance Garage to Motor Vehicle Sales as complete.

The motion passed 5-0-0

Charlie Zilch, S.E.C. & Associates, Plaistow, NH spoke to the application. He noted that the property owner, Richard Thomas, RJF Motors, Hampstead, NH would be joining the hearing shortly. He noted the property is on the corner of Plaistow and East Roads and is within the C1 District, and there is a wetland located on the northeast corner of the lot. He noted that a use variance was granted by the Zoning Board.

R. Thomas joined the hearing. C. Zilch noted that RFJ Motors specializes in the sale of specialized trucks, mainly customized diesel, off road, commercial and utility trucks, and with most of the business is marketed through private sales and some commercial. He hopes to have about 30 vehicles on site for sale, and to supplement sales with ATV sales. There will be a technician on site and they hope to offer State inspections by appointment only. There will be no fleet oil changes, auto body or paint services or large scale tear down. He plans to employ three people at the site.

C. Zilch noted there is paved and graveled surface around the building that extends to the right of way line and beyond; R. Thomas would like to utilize these areas to display vehicles. He noted that to do this a waiver is needed. He would also like to maintain the use for the currently approved area for fleet service parking. He would also widen the travel lane within the site. He discussed using recycled asphalt in the areas where vehicles will be parked, not the whole graveled area.

C. Zilch said they plan to modify the building inside and out for safety and esthetics, but not change the footprint or height, and add some plantings to the Plaistow Road building front. There will be striping done and full cutoff lighting. They propose to add a screened dumpster. They have resubmitted the plan to DOT for the existing driveway approval.

R. Thomas discussed his background with specialty diesel trucks which will make up the majority of vehicles on site. He said there will be some regular trucks and a few cars and are exploring doing custom, high end ATVs. There will be some mechanical work done on site but most will be done at another site in

Kingston. He said they may do some suspension work, possibly some wraps and such types of work. They will discourage public inspections by posting and charging a high fee.

Ch. Alberti asked if customization/manufacturing is outside the Motor Vehicle Dealer definition. There was discussion of whether the work being done is repair or manufacturing, and whether altering vehicles and selling them is any different from a regular repair facility. There was discussion of the restriction of ATV sales within the zoning definition of vehicular dealerships; it was also noted they are a like use and are being sold by another dealership just down the street. A designated area for ATVs at the location was discussed. R. Thomas said the ATVs would be brought inside at the close of business every day. He said there would be under a dozen ATVs on site.

R. Thomas said that there will not be any vehicle repair, oil changes, etc. done on site; that the vehicles on display will be the finished product. There was discussion about landscaping and that not much can be done with the lot. It was noted that there had been problems with the water on this site and that they are still being monitored, and the site has Town water because of it.

C. Zilch said that most of the parking spaces are full-size to accommodate trucks. Hours of operation were discussed, and weekend noise levels considered; R. Thomas said no mechanic would be working on Sunday. Building air quality was discussed; R. Thomas said environmental test reports had been looked at and it appears there were no issues. While noting that no oil changes will be done on site, R. Thomas did say that some vehicle modifications might require fluids being drained, that they follow stringent handling and disposal methods. Ch. Alberti noted that the variance remains with the land if it is sold and that any conditions the Board wants to require for future use should be put on this plan now. There was discussion about how sites can devolve into eyesores over time and change of ownership.

Waivers: Article III, §230-23 – Landscape Buffer Requirements. The applicant is requesting to waive the front buffer requirements to be able to have display parking along Route 125.

R. Anthony moved, second by C. Fowler to grant the waiver requested from Article III, §230-23, landscape requirements, for the reasons noted in the request

The motion passed 5-0-0

Article I, §230-12H(2)(f) – Off street parking requirements. The regulation requires that all off street parking be on bituminous concrete. The applicant is requesting this be waived as this was previously allowed under a former site plan. There was discussion about the wetlands, snow storage, and the use of asphalt.

R. Anthony moved, second by C. Fowler to grant the waiver requested from Article I, §230-12H(2)(f) and allow parking on gravel for display vehicles, for the reasons noted in the request

The motion passed 5-0-0

C. Zilch suggested adding a plan note that any vehicle parked within the display spaces has to be State inspect-able within 30 days of placement which would prevent junk cars from showing up on the site from another owner/applicant. No outside repairs allowed. R. Thomas said he would prefer not to have a specific restriction on where the ATVs can be parked. He noted the number of vehicles is set on the State Motor Vehicle Dealer license and ATVs would be in addition to that. The Board felt that as long as the

ATVs are within the numbered parking spots they are good to go. R. Thomas said a maximum of 10 ATVs would fit inside the building. He also said he will not do any 'stacking' or other odd vehicle displays.

Conditional Approval:

T. Alberti moved, second by R. Anthony to approve the amended site plan for a motor vehicle dealership with ATS sales, and a repair garage at 78 Plaistow Road, Tax Map 27, Lot 16, with the following conditions:

- *Receipt of NHDOR driveway permits for East Road and Route 125, and the notes updated for permit numbers*
- *Designated Parking or ATVs and motor Vehicles be shown on the site plan*
- *Waiver notes be updated on plan to show date granted*
- *All recording materials be submitted to the Planning Department within 90 days of the date of approval*
- *Re-opening of the public hearing is required to extend the 90 day deadline to provide the recording materials. Requests to re-open the public hearing must be filed in a timely manner, including all re-notification fees, prior to the expiration of the 90 day deadline.*
- *Vehicles parked in display spaces need to be State inspect-able within 30 days.*
- *Repair work to be confined in the garage space.*
- *ATV parking to be permitted inside the building or in designated parking spaces*

The motion passed 5-0-0

Ch. Alberti noted there are no additional structures being proposed as part of this amendment, therefore, no Impact Fees are applicable.

PB 23-05: A Conceptual Discussion with Albert C. Couillard, regarding a potential subdivision and PRD development of a portion of the property at 93 Forrest St, Tax Map 66, Lot 17, in the LDR Zoning District. The property owner of record is the Haverhill Country Club. This is a conceptual discussion only.

Ch. Alberti noted this is not a public hearing and no abutters were notified.

Albert Couillard, 82 Seven Sister Road, Haverhill, MA introduced himself and spoke to his concept. L. Milette noted that since no abutters have been notified, no new plans can be shown. There was discussion of how to proceed.

A. Couillard spoke to the lots he owns on Abby Rd and those under agreement with the Haverhill Country Club. He said he plans to come in through lot 8 on Abby Rd and exit onto Autumn Circle. L. Milette said there is a condition on lot 8 on Abby Rd. and there can be nothing crossing over the wetlands. V. Healey referred to a map and said the wetlands are not on the national wetlands map.

A. Couillard said there are 41 acres designated as open space. The lots have about 150 feet of frontage and are approximately 1.5 acres each. He is looking to build 2,500SF, three bedrooms, two baths, 2 car garage homes. T. Moore suggested he check on the open space since only a certain percentage of it can be wetland.

Using Forrest Street for access to the development was suggested. A cul de sac off Forrest St. might be a solution that would work. T. Moore suggested that if the Planning Board staff agreed, A. Couillard might try a design review which would save the expense of doing a complete application; this could focus on one aspect of the proposed project such as street layout for housing. A design review is a public hearing and requires abutter notification.

4. OLD BUSINESS

Nonpublic Session Minutes: The minutes of the May 3, 2023 nonpublic session were distributed for review. It was noted that if any changes needed to be made the Board would have to go into nonpublic session to do that. Only one copy of these minutes will exist, they will be in paper format only, and will be kept by Beth Hossack, Admin to the Select Board, and not available to anyone at all.

B. Coye moved, second by C. Fowler to approve the minutes May 3, 2023 nonpublic session as written and to keep them sealed.

The motion passed 5-0-0

5. NEW BUSINESS

Bond Release Request for 49 Plaistow Road – ConvenientMD: The Board agreed that the traffic patterns have solved the issues at these lights, but noted the NHDOT has not yet put a ‘No U turn’ sign at the RiteAid just north of the intersection.

B. Coye moved, second by R. Anthony that the bond being held for the amended site plan at 79 Plaistow Road, ConvenientMD, as well as any accrued interest, be released and returned to Covest Properties, LLC, and the account closed.

The motion passed 5-0-0

6. COMMUNICATIONS, UPDATES, FYIS, AND OTHER BUSINESS

Ch. Alberti said he had spoken with Jenn Rowden and wanting to close the loop on the Economic Development planning and have clear goals for updating the Master Plan and moving forward with Zoning Amendments arising from the work. He suggested the next meeting deal with these goals.

V. Healey said the Board needs to deal with the wetlands survey and regional housing, as well as the HOP Grant. Ch. Alberti said that V. Healey and T. Moore would be the best resources for the MS4 and asked them to move forward to bring Plaistow into compliance.

There was discussion about not holding a meeting the week of July 4th.

B. Coye noted that concerts will be resuming on Wednesday nights on the Town Green. There may be issues with noise and parking.

The next meeting will be held on June 7, 2023.

A letter from a Plaistow citizen was mentioned. It was agreed the Code Enforcement Officer should investigate the issue.

ADJOURNMENT

There was no additional business before the Board and the meeting was adjourned at 9:06 PM.

Respectfully Submitted,

Charlene A. Glorieux
Minute Taker