

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 October 4, 2023***)

September 20, 2023

Call to Order: Ch. Alberti called the meeting to order at 6:30 PM.

1. ROLL CALL:

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

Also Present: Brad Isaacson, Tellica Imaging LLC, remotely via Zoom
Ryan Lavelle, James M. Lavelle Associates
Ronnie Hatem, Hatem Graphics
Diane Hatfield, Resident

2. MINUTES:

The minutes of the September 6, 2023 Board meeting had been distributed prior to the meeting. C. Glorieux noted a typo in the spelling of Goals on page 3.

In the absence of Ch. Alberti, V. Ch. Robinson appointed R. Anthony a voting member for the meeting.

B. Coye moved, second by C Fowler, to accept the minutes of the September 6, 2023 as corrected

The motion passed 4-0-1 (K. Robinson)

3. PUBLIC HEARING

V. Ch. Robinson read the following into the record:

PB 23-08: The completeness of an application from Tellica Imaging, LLC, for a site plan amendment that proposes the addition of a medical office use to the existing retail use. The property is located at 58 Plaistow Rd, Tax Map 26, Lot 1 in the C1 Zoning District. The property owner of record is IREIT Plaistow Pentucket, LLC. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

V. Ch. Robinson invited the applicant to address the Board. Brad Isaacson, President and COO, of Tellica Imaging, LC spoke to the application. He said their aim is to address the high expense of imaging in hospitals which creates significant barriers for patients. He said the company was started as a nonprofit in Utah and have successfully opened six locations in retail space where they offer very affordable CTs and MRIs, noting they plan to move into Idaho and New Hampshire in the near future. He said they run two CTs and MRIs per hour with four to five employees and have significantly less traffic while offering services at a significantly lower price to the community.

B. Coye moved, second by C. Fowler, to accept the application from Tellica Imaging to add a medical office use, designate HCA parking, and add a fenced area for a cooling unit at 58 Plaistow Rd, Tax Map 26, Lot 1 and as noted in the legal notice #PB 23-08, as complete.

The motion failed 2 (B. Coye, C. Fowler)-3(K. Robinson, L. Milette, R. Anthony)-0

The reasons for not accepting as complete were that there is no site plan, and there is no need for this service as there is already Derry Imaging in town. K. Robinson said that if any kind of imaging is needed there is one in Derry Imaging, one in Raymond which are in single buildings and offer substantially discounted prices. R. Anthony said the applicant should go through the normal site plan review which is why he voted no. B. Isaacson said they have operated as medical retail at all the locations they have opened and have never been asked to do a full site plan. He said the operations are like any other retail operations and hoped this would be classified as traditional retail space. He spoke to the transformer issue and said they would provide one themselves until one became available from Unitil. He noted that the prices offered at Derry Imaging are more expensive than what Intellica would charge. R. Anthony asked if they would be amenable to doing the whole site plan review process; B. Isaacson said they would need to understand the cost, but he is not opposed to it.

There was discussion of whether anything similar had been approved before without the site plan review. L. Milette said not while she was on the Board. T. Moore noted that the building is unoccupied and this would be another tenant in the shopping center. He noted they would have to get permission from the property owner to do that. B. Isaacson said they would just occupy the space without changing the structure or zoning. L. Milette said that it is a change of use and she would like to hear from the Fire, Police and Health departments. B. Isaacson said they have had permission from the other tenants that they present no conflict of interest. It was noted that Intellica is fitting out retail spaces in Manchester and Nashua and these did not

require a full site plan review and it was not considered a change of use. There was discussion of whether this is a medical or retail operation. There was discussion about potential tenants for the entire empty space and what rights the landlord has to split up his spaces. It was again stated that this is a change of use that would require a site plan review process.

L. Milette moved, second by K. Robinson, to not accept the application from Tellica Imaging to add a medical office use, designate HCA parking, and add a fenced area for a cooling unit at 58 Plaistow Rd, Tax Map 26, Lot 1 and as noted in the legal notice #PB 23-08, as complete.

The motion passed 3(K. Robinson, L. Milette, R. Anthony)-2(B. Coye, C. Fowler)-0

C. Fowler recused himself from the next hearing. V. Chair Robinson appointed T. Moore a voting member for this hearing.

PB 23-09: The completeness of an application from Anderson Galloway, for a lot line adjustment that proposes an equal exchange of 1.06 Ac of land between 0 Mt. Misery, Tax Map 21, Lot 5, and 325 Main St, Tax Map 9, Lot 18, both in the RC2 Zoning District. The applicant is the owner of record of the 0 Mt. Misery parcel, and Stewart V. McCormack, III and Diane McCormack are the property owners of record of the 325 Main St parcel. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

Applicant's Representative Ryan Lavelle, Lavelle Associates, Hampstead, NH, spoke to the application. He noted the lot line adjustment is an equal exchange of area of 1.06 acres between the two parcels of land.

R. Anthony moved, second by K. Robinson, to accept the application for a Lot Line Adjustment that proposed an equal exchange of 1.06Ac from 0 Mt. Misery, Tax Map 21, Lot 5 and 325 Main St, Tax Map 9, Lot 18 as noted in the legal notice for PB #23-09, as complete

The motion passed 5-0-0

V. Ch. Robinson opened the public hearing and invited comments from the public. There were none.

T. Moore moved, second by R. Anthony, to close the public hearing.

The motion passed 5-0-0

There was no further discussion of the application.

T. Moore moved, second by R. Anthony, to approve the Lot Line Adjustment that exchanges 1.06Ac of land between 0 Mt. Misery, Tax Map 21, Lot 5 and 325 Main St, Tax Map 9, Lot 18 and as noted in legal notice PB #23-09, with the following condition:

- ***All final plans shall be submitted to the Planning Department for recording within 90 days of the date of this approval***

- ***\$120.00 recording fees (\$40/sheet, 3 sheets) shall be submitted with recording documents***
- ***Correct symbols in legend and on plan that designate the easement to make them consistent with each other***

The motion passed 5-0-0

T. Moore noted for the record that there are no applicable Impact Fees for this approval. There will be an LCHIP fee of \$25.00 payable to the Rockingham County Registry of Deeds required at the time of recording of the plan.

PB 23-10: The completeness of an application from Ronnie Hatem, for one-time special event permit to include two event dates. The events, custom car shows, are proposed to be held in the parking area of the property located at 4 Wilder Drive, Tax Map 32, Lot 33, with overflow parking proposed at 2 Wilder Drive, Tax Map 32, Lot 35, both in the I2 Zoning District. The owner of record of the 4 Wilder Dr parking lot is Fieldstone Condo Association; the property owner of record for 2 Wilder Drive is Tru 2 Form Realty, LLC. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

V. Chair Robinson was noted that C. Fowler was again a voting member for the application.

B. Coye moved, second by R. Anthony, to accept the application for two special events, specifically car shows, proposed by Ronnie Hatem, 4 Wilder Drive, to be held on September 24 and October 8, and as noted in the legal notice for #PB 23-10 as complete.

The motion passed 5-0-0

V. Ch. Robinson opened the public hearing.

Ronnie Hatem, Hatem Graphics, 4 Wilder Road, Plaistow, spoke to the application. He noted they had a car show a month ago with about 400 cars, much more than anticipated, but it went well. There was no permit for this event. He mentioned that a bike did crash on the way out and a car caught on fire 1.5 hours after the show but the police know about the people involved. He noted the first show in this permit application was for Sept. 24th and he has hired a Plaistow police detail for the upcoming event. He said an officer and a cruiser would be at the entrance of Old County Rd and Wilder Dr.

B. Coye referenced the letter from the Fire and Police chiefs, both who are requesting safety measures be put in place and approved by both departments. R. Hatem said he has not submitted plans to either. The Board members suggested he needs to give the Fire and Police departments what they are requesting in order to hold the events. Toby Hatem said they thought the police detail would cover all these needs. B. Coye said the Police and Fire departments should be listened to, that one police officer cannot handle 800 people. R. Hatem said he would call them in the morning to see what he had to do.

Diane Hatfield, 41 Old County Road, Plaistow said she has been a resident at this address for over 27 years. She said there has been an ongoing problem with noise and racing down the street. She said they had no notice of the August 6th event, and that the attendees do not stay in one area. She said the event was supposed to end at 11am but it went on for hours. R. Hatem said it ended at 11am. She said that this type of activity goes on at all hours. R. Hatem agreed it goes on almost every day.

B. Coye moved, second by L. Milette, to grant the special event permit application for two special events, specifically car shows, proposed by Ronnie Hatem, 4 Wilder Drive, to be held on September 24 with the start5 time and cleanup time from 7am to noon and the event will run from 8-11am and October 8 the setup and end time will go from 11am to 5pm and but the actual event will go from 12-4pm, and as noted in the legal notice for #PB 23-10, with the following condition(s):

- ***Review and approval by both the Plaistow Police and Fire Chiefs of a safety plan***
- ***This approval is for the noted dates only. Any additional events will require the amendment of the site plan***

The motion passed 5-0-0

The applicant was cautioned that hosting special events that are not part of a Planning Board approved site plan is a violation if that site plan. Continued violations of any Planning Board approved site plan could result in the following:

- Notice of violation
- Higher enforcement action in the courts, including fines and injunctions
- Potential revocation if the site plan, which would also result in the revocation of all certificates of occupancy for all businesses

The public hearing was closed at 7:41 PM.

4. HOP ENGAGEMENT SESSIONS DISCUSSION

V. Healey noted that the Library was not available until November 1st so there will be a regular workshop discussion on October 4th.

6. OLD/NEW BUSINESS

There was discussion about what other municipalities do with aquifer districts and water being pulled by various wells. It was noted you cannot tell where the water is being pulled from. V. Healey read the ordinances for the aquifer protection districts that apply to the Town. There are 23 permitted uses in the districts.

L. Milette asked if the Conservation Commission would be handling prime wetlands. T. Moore said the hearing date is Nov. 9, 2023. Any zoning amendments would be done either by the Planning Board or the Board of Selectmen.

Zoning amendments will be discussed at the October 4th meeting and the Board should be prepared to prioritize them. Storm water regulations were discussed. T. Moore said that the Town must adopt some of the State's regulations into its ordinances. Agra tourism was discussed. V. Healey asked if she should do a full presentations on the Housing Survey results; the Board asked for a report in advance.

It was agreed that the October 4th meeting would include a commercial district conversation, Agra tourism, and everyone's top two zoning amendment priorities

ADJOURNMENT

There was no additional business before the Board and the meeting was adjourned at 8:03 PM.

Respectfully Submitted,

Charlene A. Glorieux
Minute Taker