



Town of Plaistow, New Hampshire
145 Main Street, Plaistow NH 03865
Phone: (603) 382-8469

PB Minutes 3/5/14

PLANNING BOARD MINUTES March 5, 2014

Call to Order: 6:35 p.m.

ROLL CALL: Steve Ranlett, *Chair - Excused*
Tim Moore, *Vice Chair*
Genifer Silva
Shem Kellogg
Robert Gray, *Selectman Ex-Officio*
Geoffrey Adams, *Alternate*

Also present were Leigh Komornick, *Planner* and P. Michael Dorman, *Chief Building Official*.

G. Adams was appointed as a voting member in place of S. Ranlett.

Minutes of the February 19, 2014 Planning Board Meeting

R. Gray moved, second by G. Silva, to approve the minutes of the February 19, 2014 meeting. There was no discussion on the motion and the vote was 4-0-1 (Kellogg abstaining).

Agenda Item 4: Review of letter of request by Hillcrest Estates, LLC, for waivers from Town of Plaistow School and Recreation Impact Fees

Stephen Doherty and Nels Palm, principals of Hillcrest Estates, LLC, were present for the request.

T. Moore read a letter from Mr. Doherty dated February 14, 2014, requesting waivers from the School and Recreation Impact Fees.

S. Doherty offered that he was withdrawing the requests in that letter and submitting a new letter. The new letter notes that Hillcrest Estates, LLC offers to pay all Recreation and Public Safety Impact Fees, but requests a 75% reduction of the School Impact Fee to \$729.00 per dwelling unit. The reason for the reduction request is that the Snow's Brook project is a 55+ development and not likely to have impact on the Town's school district.

S. Doherty provided a copy of a study that showed these types of projects have little to no impact on school systems. The report also showed an analysis of the 2013 Plaistow Tax Rate.

S. Doherty noted that the Impact Fee Ordinance did provide for credits to be given for these types of projects, but it wasn't specific about how much the credits could be.

R. Gray asked who prepared the economic report.

N. Palm replied that it was Gerald Coogan, who had been involved with the project in its earlier stages.

R. Gray suggested that the information submitted with the waiver request to Mark Fougere, who is currently reviewing the Town's Recreation Impact Fee and working on MasterPlan updates. He noted that the Elderly Housing Ordinance only restricted the age of one occupant and there were no guarantees that there would be no children.

G. Adams asked how many bedrooms in each unit. It was noted that there are 34 two-bedroom units.

N. Palm offered that the abutting development (Fairways) had 102 units and there were no school aged kids. He added that these associations tend to police their own by-laws, which state no school aged children, except for visiting.

T. Moore added that it was pretty similar throughout Rockingham County.

S. Doherty noted that they had building permits for two (2) model units and was waiting on permits for the clubhouse and the pump house.

T. Moore stated that the matter will be deferred for two (2) weeks to allow Mark Fougere to review the submitted documentation and comment.

Agenda Item 5: A Public Hearing on a Site Plan and Lot Line Adjustment for the Town of Plaistow's Police Firing Range located off of Wilder Drive on a parcel known as Tax Map 32, Lot 32, located in the Industrial II District and totaling 37.2 acres. The owner of record is the Town of Plaistow. The intent of the Site Plan is to show all structures, land uses and proposed improvements for the Training Facility/Firing Range.

The Lot Line Adjustment involves a change in the property line between this parcel and a parcel known as Tax Map 33, Lot 1, located in the Residential Conservation II District and totaling 62 acres. The owner of record is KNP Land Associates, LLC. The area to be transferred from Tax Map 33, Lot 1 to Tax Map 32, Lot 32 totals +/- 16,606 square feet or +/- .38 acres.

Stephen Savage, Plaistow Police Chief and Charles Zilch, SEC Associates, appeared for the Public Hearing.

S. Savage gave a Power Point presentation which highlighted the process he had been working through over 27 years to bring this project along. He noted that following:

- No tax payer monies were used for this project, everything was financed through donations or asset forfeiture monies
- There were Memorandums of Understanding (MOA) with area departments including, Federal Agencies and Haverhill and area police departments
- There is a classroom area inside as well as outside
- There is a pistol range and a rifle range
- Landscaping is being worked on as well as a retaining wall
- There is an encroachment by the Town on the abutter's property, necessitating the Lot Line adjustment
- Proximity to other Town uses such as the Highway Garage and the brush pile

- Electricity is provided by generator
- There are no bathroom facilities on site but there is a outhouse near the brush pile

There was discussion regarding exploring a future second access through the property at 214 Plaistow Road. The current access is limited due to the fact that it is currently over the landfill cap. It was also noted that the access road to the Training Facility frequently washed out making the second access important. It was also discussed that the second access may provide a way to get electricity to the site as well as provide continual access. It was noted that there have been discussions with the current property owner of the abutting property about including this access when his site is redeveloped. It was also noted that the current access is used in the summer time to access the leaf dump pile.

R. Gray noted that the abutter had an area of disturbance and encroachment on the Town's property and near wetland areas. He requested that the abutter be asked to take restorative measures such as loaming and seeding of the disturbed area.

There was discussion regarding the lead that is currently out there and how to mitigate it in the future.

S. Savage explained that the lead capture system cost about \$450,000 and Washington didn't allow the cost to be taken from the Asset Forfeiture Funds. He added that they would also be looking into grant funding.

There was discussion regarding lead testing for the site. It was noted that there are already monitoring wells related to the landfill cap.

L. Komornick noted that Normandeau, who currently monitors the landfill cap, will be adding lead testing to the panel and will test the berm. She added that it was necessary to evaluate the situation and then they would know best how to remediate it.

It was noted that all the abutters were notified but there were none in attendance at this meeting.

R. Gray added that there weren't any direct residential abutters to this property.

S. Savage explained that there were strict agreements in place with the outside departments and agencies that used this facility as far as access and the need for a Range Master from Plaistow to be onsite. Use by other departments and agencies could be a potential revenue source for the Town.

T. Moore asked if there were any plans to put a bathroom on the site.

S. Savage noted that there was an outhouse located near the brush pile, but there were no on-site bathroom facilities. He added that people using the range are not out there for long periods of time that would necessitate a bathroom, but if it became an issue they could look into renting a porta-potty. S. Savage noted that they would have to get power to the site before they could put in a bathroom.

T. Moore suggested looking into a composting toilet.

R. Gray moved, second by G. Silva to accept the plan for the Lot Line adjustment for the Town of Plaistow's Firing Range/Training Facility off of Wilder Drive as complete.

R. Gray suggested that the hours of operation be limited and sometimes the gunfire can be heard late at night. He offered that it could also be coming from the nearby Kingston firing range.

S. Savage noted that they sometimes need to do night firing training, but that was more common in the summer time.

L. Komornick suggested that the hours of operation be noted on the site plan as “variable”

R. Gray offered that he didn’t want there to be firing at all hours of the night.

C. Zilch suggested that he could add a note to the plan that the hours were variable with occasional night training.

S. Savage suggested there could be a “no later than” time added to the note.

There was not additional discussion on the motion to accept the Lot Line adjustment plan as complete. The vote was 5-0-0 U/A.

R. Gray moved, second by G. Adams to approve the Lot Line adjustment plan for the Town of Plaistow Firing Range/Training Facility off of Wilder Drive. There was no discussion on the motion. The vote was 5-0-0 U/A.

R. Gray moved, second by G. Silva, to accept the site plan for the Plaistow Firing Range/Training Facility, located off Wilder Drive, as complete. There was no discussion on the motion. The vote was 5-0-0 U/A.

R. Gray moved, second by G. Silva to approve the Site Plan for the Plaistow Firing Range/Training Facility, located off Wilder Drive, with the following conditions:

- Note to the Plan regarding variable hours of operation
- M. Dorman having a conversation with the abutter (Tax Map 33, Lot 1) regarding the encroachment.

T. Moore suggested that speaking with the abutter was something that M. Dorman should do, but he didn’t think it should be a condition of approval of the site plan.

S. Savage added that the abutter has always been amenable to any requests from the Town and he didn’t think it was going to be a problem.

The condition regarding speaking to the abutter was removed. It was noted that there was a waiver request that needed to be addressed before approval of the site plan.

Waiver Request:

R. Gray moved, second by G. Adams, to approve the request to waive §230-14.1. Data Requirements - All Districts.

It was noted that since this is essentially an as-built plan for the Firing Range/Training Facility, which noted future improvements, this would be a blanket waiver of these requirements. There was no discussion on the motion. The vote was 5-0-0 U/A.

There was no additional discussion on the motion to approve the Site Plan. The vote was 5-0-0 U/A.

The Vice-chair called for a break at 7:47 pm. The meeting was called back to order at 7:55 pm.

Agenda Item 6: Request for Cross Fit Business at 1 Hilldale Ave (Industrial Zone I)

Nancy Culliney and Charles Byrne were present for the discussion. They offered the following information to the Board:

- They would like to start a “cross fit” gym at 1 Hilldale Ave
- There is currently no facility of this type in Plaistow
- Cross fit training allows:
 - Accessible to all skill levels
 - Focus on improving everyday functional movements
 - High intensity, varied activities
 - Encouraging community atmosphere
- The industrial space worked best for this type of training and the high ceilings were necessary for ropes, etc
- They would be using 4200 sq ft in the building
- The equipment used are items like weights; pull-up racks; tires
- If successful they could potentially increase the space in the future and possibly open to training for high schools athletes.

R. Gray asked if there was adequate parking.

C. Byrne noted that there was decent parking. He noted that only thing is the parking lot currently was some granite slabs being stored by the marble business (Montes Marble). He noted that the property owner was considering an addition on the existing 18,000 foundation.

M. Dorman offered that they would need to get a structural engineer to certify the foundation before they could be issued any permits to build on it.

M. Dorman asked about the class size.

N. Culliney noted that the classes would be 6-12 people and would be mostly off-hours from the existing businesses on the site.

M. Dorman suggested there should be adequate parking on the site.

There was discussion regarding this use not being permitted in the Industrial District and a variance would be required. It was compared to the Karate Studio on Westville Road, who also required a variance.

R. Gray moved, second by G. Silva, to deny the cross fit gym at 1 Hilldale Ave because it is not a permitted use in the Industrial District. The matter to be referred to the Zoning Board of Adjustment (ZBA) for a variance.

G. Adams suggested that a letter of support from the Planning Board be forwarded to the ZBA.

There was no additional discussion on the motion. The vote was 5-0-0 U/A.

T. Moore asked that the Notice of Decision indicate that it was the consensus of the Planning Board to support the granting of this variance. He noted that the applicant would need to come back after getting their variance to amend the Site Plan.

Agenda Item 7: Request for Air Soft Business at 144 Main Street (Process Engineering)

T. Moore noted that this was a similar circumstance and the previous discussion.

R. Gray offered that he was in favor of denying the use as not permitted in the Industrial District so they could apply for a variance, but he was not in favor of a letter of support.

L. Komornick added that she had spoken with S. Ranlett prior to the meeting and he was not in favor either. His concerns were that this was a working industrial site with heavy equipment and trucks using the site. An air soft facility would draw kids and families which would be incompatible and conflict with the current operations on this site.

R. Gray moved, second by G. Silva, to deny air soft business at 144 Main Street because it is not a permitted use in the Industrial District. The matter is referred to the Zoning Board of Adjustment (ZBA) for a variance.

G. Silva offered that she was also not in favor of sending a letter of support.

R. Gray noted that there should be caution as he didn't want to step on anyone's prerogative to pursue a variance, but that sometimes silence speaks louder than words.

T. Moore said it would be important to see plans on how they would make the site safe.

M. Dorman offered that he didn't really see the hardship that could be presented for the variance.

The matter will be denied and no letter will be forwarded to the ZBA.

M. Dorman left the meeting at 8:12 p.m.

Agenda Item 10: Reports/Update by Tim Moore on RPC (Rockingham Planning Commission) and MPO (Metropolitan Planning Organization) Activities on the Rail Project

T. Moore noted that there was no February RPC meeting and that the next meeting (2nd Wednesday in March) would be to discuss the Rail Project.

Agenda Item 9: Reading of Communications Directed to or from the Board

There was nothing to read at this meeting.

Agenda Item 11: Other Business

- **Updates and FYIs from the Planning Board and Building Department**

There were no updates for this meeting.

Agenda Item 8: WORKSHOP: Final Draft of Survey for MasterPlan Update

L. Komornick distributed information to the members regarding a survey that was done by the Plaistow First Committee. Department heads were interviewed for this survey and results were compiled by the Needs Assessments Sub-Committee of the Plaistow First Committee. She also gave them copies of surveys from other towns. L. Komornick noted that she had received more information from Mark Fougere (Fougere Planning) who is contracted to work on updating the MasterPlan and the Town's Impact Fee Ordinance.

There was discussion regarding how to conduct a new survey and options available. There are resources through the UNH (University of New Hampshire) Survey Center and RPC has a license for Survey Monkey.

There was discussion regarding the process that would be needed to tabulate the results of the survey. L. Komornick noted that she had discussed experiences with her contemporaries in other towns and results were mixed.

There was additional discussion regarding how to construct the survey and possible distribution methods including mailing, resident pick-up and online surveys. It was noted that there would probably be different results if surveys are sent to residents as opposed to commercial/business property owners.

L. Komornick offered that the survey was important and needed to be done, but she reminded that Mark Fougere was supposed to be assisting with updating the Impact Fees and it was important for his focus to be on that as a priority.

T. Moore noted that he would like to have the survey finalized, including how it will be distributed, by the May 7 meeting. He suggested focusing on a single issue for the Town, more than generalities.

Other Business – Farewell to Mr. Gray

R. Gray recounted some of the experiences he'd had while being involved with the Town. He noted that he was not leaving Plaistow and offered his assistance whenever needed.

The Board all thanks R. Gray for his many years of service to the Planning Board and the Town and wished him well in his future endeavors.

There were no additional matters before the Board and the meeting was adjourned at 8:50p.m.

Respectfully Submitted as recorded by Dee Voss.

Approved by the Planning Board on _____

Timothy Moore, Vice Chairman