



Town of Plaistow, New Hampshire
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Phone: (603) 382-8469

PB Minutes 01/20/16

PLANNING BOARD MINUTES January 20, 2016

Call to Order: 6:30 p.m.

ROLL CALL: Tim Moore, *Chair*, arrived 6:46 p.m.
Charlie Lanza, *Vice Chair*
Gennifer Silva,
Shem Kellogg, *Excused*
Steve Ranlett, *Selectman Ex-Officio*
Geoffrey Adams, *Alternate*
Laurie Milette, *Alternate*

Also present: Greg Jones, *Town Planner* and P. Michael Dorman, *Chief Building Official*

C. Lanza chaired the meeting until the arrival of T. Moore.

G. Adams and L. Milette were appointed as voting members.

Agenda Item 2: Minutes of January 6, 2016 Meeting

S. Ranlett moved, second by G. Silva, to approve the minutes of the January 06, 2016 meeting. There was no discussion on the motion. The vote was 4-0-1 (Silva abstaining).

Agenda Item 3: Public Hearing – Review of Submitted Site Plan Application

A) Review of PB16-02: An application for Site Plan Amendment submitted by David and Patrick O'Keefe of D&P Swimming Pool, Inc. to consider the proposed construction of a 1,080 sq ft storage facility at 9 Garden Road, Tax Map 25, Lot 25 in the Commercial I District.

Present for the application: Charlie Zilch, SEC & Associates; David O'Keefe and Patrick O'Keefe, D&P Swimming Pools, business owner.

C. Zilch presented the following in support of the application:

- The property at 9 Garden Road, Tax Map 25, Lot 25, in the Commercial I district is owned by DAP Realty Trust
- The parcel is 6.54 acres with 148 feet of frontage on Garden Road and 424 feet of frontage on Chandler Ave
- The property was a residential use until approximately one (1) year ago when a site plan was approved by the Planning Board for a commercial use of the property.
- The property is the location of D&P Pools, which is a pool service and maintenance business. The retail business is still located at 26 Main St.

- The business has been thriving and there is a need for additional storage at this location.
- This location is for service only, no retail. The business contracts with state, municipal and school agencies to maintain and service their pools.
- The proposed new storage building will be 1,080 sq ft in size, metal on slab construction, located behind the current office building
- There will be no inhabitants of the building and it will not be insulated
- There is proposed to be a twenty-two (22) foot permeable pavement access drive for the building
- There are no issues with lot line or wetlands setbacks
- There are some small areas which will need to be graded and all disturbed areas will be loamed and seeded
- The need for erosion controls is minimal
- There is no change to the site loading
- There is no proposed increase to the number of employees or site traffic
- The overall lot coverage will change from 5.2% to 6.3%
- There are no State or Local approvals required
- There are five (5) waivers requested

G. Jones noted in his staff report that all necessary materials have been submitted.

S. Ranlett moved, second by G. Silva, to accept the application for Site Plan Amendment at 9 Garden Road, Tax Map 25, Lot 25 in the Commercial I District as complete. There was no discussion on the motion. The vote was 5-0-0 U/A.

S. Ranlett asked if all the features of the previous approved site plan, such as the fence to provide screening to the abutters, have been implemented.

It was confirmed that they had been.

M. Dorman noted that the abutters were very happy with what had been done.

G. Jones added that when the original site plan amendment was submitted there was discussion about some drainage swales. He noted that the drainage didn't meet the need for a full engineering review and the existing vegetation will handle the sheet flow from the new structure.

Waivers:

§230-14.1.II – Separate Lighting Plan

S. Ranlett moved, second by G. Adams, to waive §230-14.1.II – Separate Lighting Plan. There was no discussion on the motion. The vote was 5-0-0 U/A.

§230-14.1. – Establishment of an Escrow Account

S. Ranlett moved, second by G. Silva, to waive §230-14.1. – Establishment of an Escrow Account. There was no discussion on the motion. The vote was 5-0-0 U/A.

§230-11.B – Storm Drainage System/Retention meeting 25-year Storm Event

S. Ranlett moved, second by G. Silva, to waive §230-11.B – Storm Drainage System/Retention meeting 25-year Storm Event. There was no discussion on the motion. The vote was 5-0-0 U/A.

§230-14.1.HH – Separate Landscaping Plan

S. Ranlett moved, second by G. Adams, to waive §230-14.1.HH – Separate Landscaping Plan. There was no discussion on the motion. The vote was 5-0-0 U/A.

§230-23.B – Full Site Buffering/Landscaping

S. Ranlett moved, second by G. Silva, to waive §230-23.B – Full Site Buffering/Landscaping. There was no discussion on the motion. The vote was 5-0-0 U/A.

S. Ranlett moved, second by G. Silva, to approve the Site Plan Amendment at 9 Garden Road, Tax Map 25, Lot 25 in the Commercial I District. There were no conditions noted for this approval. There was no discussion on the motion. The vote was 5-0-0 U/A.

It was noted that there would Impact Fees due at time of Building Permit application. Those amounts were noted as follows:

Waterline Impact Fees: \$2,160.00

Public Safety Impact Fees: \$1,090.80

T. Moore arrived at 6:46 p.m.; L. Milette is no longer a voting member; C. Lanza turned the meeting chair over to T. Moore.

B) Review of PB16-01: A Site Plan Application submitted by Taurus Plaistow Investors Limited Partnership to consider a Proposed Shopping Center Re-Development at 3-9 Plaistow Road, Tax Map 24, Lot 38 in the Commercial I District.

Present for the application were: Michael Malynowski of Allen & Major Associates, Inc.; Edward Vydra and Adam Clarke of Taurus Plaistow Investors Limited Partnership (Taurus) and Mark Donohoe of Select Real Estate Consulting, Inc.

E. Vydra introduced those present and gave a history of the progress they have been making in redeveloping the subject plaza. He noted that this proposal is for a 25,700 sq ft expansion of the plaza which will be accomplished by demolishing some of the building and rebuilding new buildings, to include a 7,200 sq ft retail space for an NTB (National Tire and Battery) store. The balances of the tenants are yet to be secured.

M. Malynowski noted the following in support of the application:

- The applicant had previously been before the Board to established the Walgreen's site as a condo unit
- The applicant had also previously been approved for the redevelopment of the former Shaw's building to located the Savers and Aldi stores as well as relocated the Dollar Tree store
- There had been some rehabilitation of the parking lot and drainage improvements
- There has been an application for an Alteration of Terrain (AoT) permit
- The utilities are existing as is the detention pond at the rear of the parcel
- The 7,200 sq ft NTB building will be constructed where this is previously approved building and/or pavement, no greenspace has been taken

M. Malynowski addressed some of the comments from the CLD Engineering review:

- The parcel locus map has been relocated

- Handicap Accessible parking has been located on the Route 125 side of the site. The number of spaces provided on the plan exceeds the required amount
- Striping for the drive aisle will be repainted
- There is a designated 1250 sq ft loading zone designated for NTB. The loading areas for Wireless Zone and Papa Gino's have been expanded, despite there not really being a need for a large loading area for these businesses
- The grading for the cross slope is 2% for handicap accessibility
- There is a separate utilities sheet in the plan set
- There is a dedicated well, which is the domestic water supply for the site
- Water is provided to the site located at 13 Plaistow Road
- There is a cross access easement between the subject site and 13 Plaistow Road
- The Fire Department has requested an additional hydrant, which has been provided
- The internal fire service requirements are yet to be determined
- Gas lines have been located for future connection by the gas company
- Specific electrical requirements are yet to be determined, some utility poles will need to be relocated to address access
- There will be additional landscape plantings to meet minimum requirements.

G. Jones asked what the applicant planned for snow storage/removal, noting CLD's concerns over loss of landscaping to snow storage.

M. Malynowski responded that there was minimal storage in the interior islands but for the most part the snow will be pushed to the exterior. Anything there isn't room for there is a plan for it to be trucked offsite.

There was brief discussion regarding the truck circulation plan. It was suggested that some of the turns may be too tight and should be reviewed.

There was discussion regarding additional screening between this parcel and 13 Plaistow Road to add in landscaping. There was also discussion about the size of access easement between the two parcels. Concern was expressed that it was too wide open and would infringe on parking at 13 Plaistow Road and create a free-for-all with crossing traffic. Suggestions were made regarding closing the opening with additional landscaping, access delineation, boulder walls, guardrails and the like. The abutting property owner has expressed concern about truck traffic in their site as well. It was suggested that the approved plan for 13 Plaistow Road be reviewed to see how their parking is laid out to identify any conflicts.

There was a discussion regarding the current snow storage, which has been in unused areas of the parking lot and behind where the building where the septic system is. It was noted that when the new buildings were constructed there could no longer be snow storage in the parking areas. It was reiterated that there is a plan to truck away excess snow from the site.

There was also discussion regarding onsite catch basins and upgrading the septic plan.

M. Malynowski noted what had been carried forward from the prior plan and what existing features were being retained with the amended plan. He noted amended AoT permit application, the treatment of discharge, existing Source Water Protection Plan (SWPP) and maintenance program.

G. Jones noted items from his staff report:

- An updated existing conditions plan needs to be submitted
- Circulation plan issues with tractor-trailer truck turning movements

- Ways to alleviate the access concerns of the abutting property

M. Malynowski noted the software that they use to estimate truck turning measurements. He added that it is extremely conservative so he is confident that the truck turning radii are adequate.

G. Jones noted that a portion of this site is located in the Aquifer Protection District (APD), but that no hazardous materials will be stored on site. He added that there was a note on the Plan that speaks to no chemicals being stored by NTB.

There was input from the Fire Chief noted:

- New hydrant location needs to be noted
- No bark mulch, but crushed stone in the landscaped areas
- Connection to the fire suppression system needs to be noted
- Clear depiction of fire lanes is needed

It was also noted that all references to silt fence should be replaced with silt soxx, which is the Town's preferred method of siltation control.

CLD had noted in their comments that there may be need for waivers/variances.

§220-32.C.5 Front Property Line Setback

It was noted that the existing building is currently located in the setback. The proposed new portion would make use of part of the existing footprint and part of the building will be pushed back to meet the proper set back requirements. It was noted that as long as any new structure was compliant, what was built in the existing footprint would be grandfathered.

G. Jones verified that he had confirmed the setback question with Planning Board Attorney Charles Cleary.

CLD had also called out for compliance with §220-117.3(3) Permanent Stormwater Management Technical Design Criteria.

G. Jones asked the applicants put their responses to CLD's comments in writing and address them directly to CLD.

It was also noted that there would be Impact Fees assessed as part of this project. Those fees will be due at the time of building permit application.

Impact Fees:

Waterline Impact Fee	\$42,400.00
Public Safety Impact Fee	\$21,200.00

S. Ranlett reiterated that snow storage/removal needed to be reviewed. He noted that it was an important public safety issue as large piles of snow block the ability of Police to see if there are problems on the site. He added that melting and re-freezing snow can also cause vehicle and pedestrian traffic issues.

M. Donohoe offered that they were set up to truck the snow offsite if they needed to.

T. Moore noted that this public hearing is continued to February 17, 2016.

Agenda Item 4: Communications and Updates

G. Jones noted that he had received the traffic study for the Taurus project and it had been forwarded to CLD for their review.

G. Jones noted there would be a Stormwater Conference in Concord the next day from 1:00 – 3:30 p.m.

Proposed Zoning Ordinance Changes

G. Jones noted that Attorney Cleary had some concerns about one of the proposed zoning amendments (Z-16-04 – Non and Not for Profit Temporary Signage). His concerns were based in the recent US Supreme Court decision Reed vs. Gilbert Arizona and whether or not the proposed ordinance change would be constitutional. It was noted that D. Voss would be attending a discussion on that court decision and ask questions about Attorney Cleary's concerns.

M. Dorman added that Attorney Cleary offered that he has the discretion to enforce or not enforce the ordinance until it can be corrected if needed.

There was a brief discussion of the intent of the proposed zoning amendment which would allow non and not-for profit organizations to obtain permits for temporary offsite signs.

There were no additional matters before the Board and the meeting was adjourned at 7:45 PM.

Respectfully Submitted,

Dee Voss
Recording Secretary