



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

PB Minutes 05/20/15

PLANNING BOARD MINUTES May 20, 2015

Call to Order: 6:32 p.m.

ROLL CALL: Tim Moore, *Chair*
Charles Lanza, *Vice Chair*
Gennifer Silva, *Excused*
Shem Kellogg, *Excused*
Steve Ranlett, *Selectman Ex-Officio*
Geoffrey Adams, *Alternate (arrived 6:37 p.m.)*

Agenda Item 2: Minutes of May 6, 2015 Planning Board Meeting

There was a brief discussion regarding an item from the last meeting. Selectmen Joyce Ingerson sent an email to the office to clarify a point she had asked to be relayed to the Board at their last meeting. The email was read for the record:

*"I~was just reading the minutes of the meeting...I am asking that you please change a comment in those minutes.~ What I actually asked and stated (relaying to Steve)~was the following:~ If the rail station/service was included in the Master Plan it should be revisited because of the "no build" signed by the BOS.~ It needs to be updated to reflect the changes at town vote
Please send a copy when the changes have been made
Thank you
Joyce"*

It was noted that since this is not what was said at the meeting it was not appropriate to amend the minutes. The email being read at this meeting made clear Ms. Ingerson's intent.

T. Moore noted that the Transportation Chapter of the Master Plan will hopefully be reviewed at the June workshop meeting.

S. Ranlett added that there was a no build out vote for a specific location, but not for the whole town.

S. Ranlett moved, second by C. Lanza, to approve the minutes of the May 6, 2015 meeting. There was no discussion on the motion. The vote was 2-0-1 (Ranlett abstaining).

Agenda Item 3: Public Hearings

PB15-07: An application for an Amendment to the Site Plan. The amendment proposes to add an additional 2,016 sq ft of office and sales space to the approved 2,920 sq ft building as part of a fire rebuild. The property is located at 87 Plaistow Rd, Tax Map 27, Lot 28 in the Commercial I District. It is the current location of Diesel World. FAOCOM Realty LLC is the property owner of record.

G. Adams arrived at 6:37 p.m.

Charlie Zilch, SEC Associates, and Brian Orlando, property owner 87 Plaistow Rd, were present for the application.

C. Zilch noted the following for the Board:

- The parcel is 1.93 acres, with 328 feet of frontage at 87 Plaistow Rd, Tax Map 27, Lot 28 in the Commercial I Zoning District
- There were two buildings on the parcel, a 2900 sq ft office/showroom and 4800 sq ft repair facility
- The office/showroom was recently destroyed by fire
- The buildings have a shared onsite well and septic
- There are two curb cuts on Route 125
- The current approved Site Plan was approved for Don Reis (Auto Exchange) and established the existing use, display area and pavement
- The proposal is to add 2016 sq ft of additional office space and show room to the back of the building as part of the post-fire rebuild
- The proposed addition would be two-level divided into 1344 of showroom and 672 of office space
- The proposed addition would replace an already paved area so there is no increase in drainage
- The additional inside display would replace displaced parking spaces outside
- There will be no increase in employees, traffic or site loading
- No variances or additional State permits are required

There was discussion of the elevations of the proposed new building. Pictures of a structure in Salem, NH, which will be similar to the proposed building, were shown to the Board.

The Staff reported noted that all checklist items had been met. However there was a recommendation from the Building Inspector regarding the front landscaping buffer. It was his recommendation that the Planning Board not waive the requirement.

C. Zilch noted that Mr. Orlando bought the site in its current state. The existing buffer does not comply with today's regulations; however it does comply with the Approved Site Plan. He noted that Mr. Orlando deals mostly in larger trucks and to impose the full buffer on him would negatively impact the number of trucks he would be able to park along the front. Mr. Zilch also noted that it was yet to be determined what the full impact of the redevelopment of Route 125 will be in front of this property. Therefore he would like to request that the buffer remain as is.

The Board agreed to consider the waiver request for the front buffer.

S. Ranlett noted that if the State had a problem with where things are they will move them back.

B. Orlando offered that at least temporarily he will be losing 1.5 feet for a construction easement while the project is ongoing.

S. Ranlett moved, second by C. Lanza, to accept the Amended Site Plan for an additional 2016 sq ft of structure at 87 Plaistow Rd as complete. There was no discussion on the motion. The vote was 4-0-0 U/A

Waivers:

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.F – Establishment of Escrow Account. There is nothing regarding this plan that will require either legal or engineering review. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.II – Separate Lighting Plan. All lighting is existing and any new lighting will be full cut off fixtures. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.YY – Building Elevation Plan. The final design for the new building has not yet been finalized. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.HH – Separate Landscaping Plan. All landscaping is existing, there will be a few more trees put on the right side of the building. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-23.B – General Landscaping. This was previously discussed. The property owner agrees to comply with what is required under the previously approved Site Plan. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.CC – Locations of off-site wells and septs. There are no changes being proposed that would impact any abutting wells or septs. There was no discussion on the motion. The vote was 4-0-0 U/A

T. Moore asked if there were any additional questions from the Board.

There was a brief discussion about the Building Inspector's request for a barrier along the southern side of the property to protect the drainage culvert. It was noted that the State may be doing work on that culvert. There is also a three foot drop off which does not allow for any parking that could impact the culvert. It was noted that a barrier would impede snow removal efforts as well.

T. Moore asked if there was anyone from the public who wished to be heard regarding the application. There was no one.

C. Lanza moved, second by G. Adams, to approve the Amended Site Plan for an additional 2016 sq ft of structure at 87 Plaistow Rd as complete. There was no discussion on the motion. The vote was 4-0-0 U/A

PB15-08: An application for an Amendment to the Site Plan. The amendment proposes to add a retail use (equipment rental) to the existing contractor's yard and related office use. The property is located at 22 Old Rd, Tax Map 29, Lot 40 in the Industrial I District. Torromeo Industries is the property owner of record.

Charlie Zilch, SEC Associates and Chris Barisano, ProQuip, were present for the application.

It was noted that there were letters of authorization from Henry Torromeo and Roger Lajoie (ProQuip) to allow SEC Associates to represent them.

C. Zilch explained the proposed Site Plan Amendment to the Board noting the following:

- In April the Planning Board gave the applicant access to the site for limited operations which

did not include the retail use (rental of equipment)

- ProQuip is a professional equipment rental company with offices in Chichester and Gorham
- They rent mostly heavy equipment used by the construction industry
- The retail use is not a permitted use in the Industrial I District where this property is located
- The applicant has a variance application pending before the Zoning Board of Adjustment (ZBA)
- The application was to be heard in April, but there was only a three-member panel at that meeting and they opted to continue
- The parcel is 11.3 acres with 149 feet of frontage on Old Road, in the Industrial I District
- There is a small professional office building and a 4,000 sq ft repair and maintenance building
- The current use has been as a contractor's yard
- The proposed use will not be as intensive as the current use, there will be less traffic and no stockpiling or transporting of materials on and off the site
- The site is currently being cleaned up but the ProQuip
- There will be four (4) employees on the site, two (2) at all times and two (2) drivers for the equipment
- They will use Old Road to Route 125 exclusively for access, at least until the proposed State service road is in place
- There will be minimal changes to this established site
- The pavement will be marked for parking and travel
- There will be appropriate signage
- Additional landscaping will be installed
- They did not do a full topographical plan of the site and much of it is not easily accessible and is located in the Flood Plain as well as in the Shoreland Protection District
- The rear property line is Little River

C. Zilch noted there is still an easement in place with reference to the property owned by Danos (113 Plaistow Rd). He added that the Staff review requested that he show the proposed State service road on the plan and he has done so. C. Zilch added that once State redevelopment project is done they will no longer have access to Route 125 southbound via Old Road; but will have to use the new service road. He added there will be no other changes to the navigation on the site.

S. Ranlett moved, second by C. Lanza, to accept the Amended Site Plan to add a retail use (heavy equipment rental) to 22 Old Road as complete. There was no discussion on the motion. The vote was 4-0-0 U/A

Waivers:

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.F – Establishment of Escrow Account. There is nothing regarding this plan that will require either legal or engineering review. There was no discussion on the motion. The vote was 4-0-0 U/A

C. Lanza moved, second by G. Adams, to grant a waiver from §230-12.H(2)(f) Paved off street parking. This equipment would only tear up pavement and is better suited to gravel parking. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.CC – Locations of off-site wells and septs. There are no changes being proposed that would impact any abutting wells or septs. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.Z – Topography –

it was noted the much of this property is not easily accessible and it not going to be used as part of the business operations. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.II – Separate Lighting Plan. All lighting is existing and any new lighting will be full cut off fixtures. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.YY – Building Elevation Plan. There is nothing changing about the buildings. Photos of the existing buildings were provided. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.HH – Separate Landscaping Plan. There are additional plantings/landscaping shown on the Amended Plan. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-23.B – General Landscaping. There was no discussion on the motion. The vote was 4-0-0 U/A

T. Moore asked if there were any additional questions from the Board.

T. Moore asked if there was anyone from the public who wished to be heard regarding the application. There was no one.

C. Lanza moved, second by G. Adams, to approve the Amended Site Plan for a retail use (heavy equipment rental) at 22 Old Road with the following condition:

- ***Successful application to the ZBA for a variance to permit the retail use***

. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett suggested that the Board send a letter of support to the ZBA for this application. Consensus of the Board was to send the letter.

PB15-09: An application for Review and Approval of a Condominium Conversion Plan. The property is located at 7 Upper Rd, Tax Map 17, Lot 50, in the Low Density Residential District. The owners of record are Henry Corey and Edward Delorey

Kevin Hatch, LLS, Cornerstone Survey, was present for the application. He noted the following for the Board:

- The property is located at 7 Upper Road on a $\frac{3}{4}$ acre parcel with 160 feet of existing road frontage
- The duplex is being converted to a condex ownership structure
- The structure is serviced by onsite well and septic
- The dwelling was originally built in 1971 and is currently being remodels and refurbished
- There are two (2) separate driveways
- The electrical is furnished by an overhead service
- The condominium documents have been submitted but the review is not complete

K. Hatch noted that the condo docs are identical to those recently reviewed for 6 Lower Road during that condo conversion. He added the only other outstanding documents are State

Subdivision Approval. They requested resubmission for the well radii.

There was a discussion regarding the well radii. C. Lanza noted that it needed to be 100 feet for a three-bedroom dwelling.

K. Hatch noted that these were two-bedroom units.

C. Lanza offered that the floor plan showed them as three-bedroom units.

K. Hatch noted that he would correct the floor plans.

T. Moore asked if there was any land dedicated exclusively to one unit.

K. Hatch replied that only items that would have exclusive use such as decks and driveways. He noted that it wasn't possible to do a perfect split of the land because of the configuration.

C. Lanza moved, second by G. Adams, to accept the Condominium Conversion Plan for 7 Upper Road as complete. There was no discussion on the motion. The vote was 4-0-0 U/A

Waivers:

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.BB – Showing and Labeling of Offsite Structures. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.CC – Locations of off-site wells and septs. There are no changes being proposed that would impact any abutting wells or septs. There was no discussion on the motion. The vote was 4-0-0 U/A

It was noted that this is an item that often comes up as a waiver request. The board would like this to be placed on the list for future discussion and review to see if changes need to be made.

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.II – Separate Lighting Plan. This is a residential condo plan, not a commercial site plan. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.HH – Separate Landscaping Plan. The property is residential and is landscaped accordingly. There was no discussion on the motion. The vote was 4-0-0 U/A

S. Ranlett moved, second by C. Lanza, to grant a waiver from §230-14.1.YY – Building Elevation Plan. There is nothing changing about the buildings. There was no discussion on the motion. The vote was 4-0-0 U/A

This item to be added to the review list as well.

S. Ranlett moved, second by G. Adams, to grant a waiver from §230-14.1.DD Showing and labeling of off-site utilities. There was no discussion of the motion. The vote was 4-0-0 U/A.

T. Moore asked if there was anyone from the public who wished to be heard regarding this application. There was no one.

C. Lanza moved, second by G. Adams, to approve the Condo Conversion plan for the property located at 7 Upper Road with the following conditions:

- **Receipt of State Subdivision Approval**
- **Favorable Review of Condo Documents by Planning Board Counsel**

There was no additional discussion on the motion. The vote was 4-0-0 U/A.

Agenda Item 4: Update on RPC and MPO

T. Moore noted that the RPC Annual Meeting will be June 10, 2015 at the Zorvino Winery in Sandown, NH. There is a cash bar at 6:00 p.m. and the dinner starts at 7:00 p.m. D. Voss will contact RPC regarding registration and forward the information to the members.

Agenda Item 5: Correspondence

The following notices were included in the Board's folders:

- Copy of letter from Attorney Marie Sapienza Re: Plaistow Fish & Game Club

T. Moore noted that the letter states that they have cut back their hours as much as they are going to. He added as far as the Planning Board is concerned this matter is now closed.

S. Ranlett read a paragraph from the letter for the record:

"Mr. Fitzgerald, again recently, had asked to meet with me to discuss noise issues experienced by the neighbors of the Plaistow Fish and Game Club and the possibility of a meeting with the Club and its neighbors. He also requested a copy of the Club's by-laws. The Club appreciates that Mr. Fitzgerald is responding to his constituency in making these request. However, the Club's position at this time is that, even though the noise created by the discharge of firearms is protected by state law, it has already voluntarily curtailed its hours of operation. There will be no further changes made to the hours of operation. There will be no changes to the Club's By-Laws with regard to hours of operation."

T. Moore asked if there anymore questions.

There was a brief discussion about the difficulties with the microphones and the need to keep reminding people to get closer to them. S. Ranlett said he would talked to the Town Manager and ask him to discuss solutions with the Cable Coordinator.

- Email from Selectperson, Joyce Ingerson regarding correction in the message she wanted relayed at the last meeting (Discussed earlier in meeting)

T. Moore noted that they Board would be going into non-public session and that they would not be returning to a public meeting.

S. Ranlett moved, second by C. Lanza, to go into non-public session under NHRSA91-A:3(II)(b) – Personnel

Role Call Vote:

T. Moore – yes

C. Lanza – yes
G. Adams – yes
S. Ranlett - yes

There was no additional business before the Board and the public meeting was adjourned at 7:45 p.m.

Respectfully Submitted as recorded by Dee Voss.

Approved by the Planning Board on _____

Tim Moore, Chair