



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

PB Minutes 5/7/14

PLANNING BOARD MINUTES May 7, 2014

Call to Order: 6:36 p.m.

ROLL CALL: Tim Moore, *Chair*
Charlie Lanza, *Vice Chair*
Genifer Silva
Shem Kellogg
Steve Ranlett, *Selectman Ex-Officio* arrived 6:55 p.m.

Also present were Leigh Komornick, *Planner*

Agenda Item 2: Appointment of Geoffrey Adams as an Alternate (term expired March 30, 2014)

T. Moore noted that G. Adams' warrant as an alternate member of the Planning Board had expired at the end of March. In order for him to continue on as a member he needs to be reappointed and sign a new warrant with the Town Clerk.

G. Silva moved, second by S. Kellogg to reappoint Geoffrey Adams as an alternate member of the Planning Board. There was no discussion on the motion. The vote was 4-0-0 U/A.

T. Moore reiterated that G. Adams will need to go to the Town Clerk's Office to sign a new warrant.

Agenda Item 3: Minutes of the April 2, 2014 Planning Board Meeting

C. Lanza moved, second by G. Silva, to approve the minutes of the April 2, 2014 meeting. There was no discussion on the motion. The vote was 4-0-0 U/A

Agenda Item 4: Discussion with Bill Norton regarding an additional proposed use at 144 Main Street

It was noted that a continuance was requested to May 21, 2014.

Agenda Item 5: Discussion with Janice Maramaldi regarding a proposed small business use at several possible locations

Janice Maramaldi was present for the application. She noted that following information regarding her proposed business use:

- Has been a cook for most of her life

- Would like to offer “grab and go” food items
- Also plans to offer catering
- Has been looking at 2 locations Bradley’s Corner (28 Main St) and the Maplewood Florist locations (49 Main St), which has recent become available for lease. Ms. Maramaldi is leaning towards the 49 Main Street location
- She specializes in Italian baked goods
- The 49 Main Street location offers existing dedicated parking, ample signage and there is dumpster service
- The use at 49 Main Street is currently retail, whereas the 28 Main Street location is currently residential

T. Moore offered that it was a retail for retail use of the property. He suggested that Ms. Maramaldi work with L. Komornick and Mike Dorman to ensure the parking and septic will meet requirements for a food service use. He asked what the hours of operation would be and if there would be any kind of delivery vans parked on the site.

L. Komornick noted that this would be a take-out, as opposed to seated, business and the parking requirements are far less.

J. Maramaldi added that the site plan currently shows eight (8) regular spaces and one (1) handicap accessible space.

L. Komornick offered that while the septic may be adequate for the actual operational use, it still needed to be determined whether or not this septic met State requirements for this proposed use. She added that if it did not a new septic plan would have to be submitted to NHDES (New Hampshire Department of Environmental Services).

L. Komornick added that Ms. Maramaldi should work with the Department of Building Safety (DBS) on allowable signage.

Ms. Maramaldi will be working with the Planning Office and the DBS to verify parking and septic calculations. If all that can be verified then she may apply for a Certificate of Occupancy at the 49 Main Street location.

Agenda Item 6: Discussion with Dan Brenna regarding outdoor seating at the Panera Bread (4 Plaistow Rd)

Dan Brennan, Panera Bread, was present for the discussion. He presented a drawing to the Board that showed the locations for eighteen (18) proposed outdoor seats.

C. Lanza questioned why this wasn’t included in the original site plan discussions and review.

D. Brennan replied that he was told that it would be better to come back after the site plan was approved.

G. Silva noted that the landscaping was not finished.

D. Brennan stated that he would talk to the property owner about finishing the landscaping. He noted that there would not be any interruption to any travel lanes. He added that he was just hoping to get the green light to move forward and make a formal application.

There was discussion regarding the number and configuration of some of the tables. Concern was expressed over the location of two umbrella tables so close to an egress door. Concern was also expressed about the number of tables being requested and how the parking calculations would be

affected.

L. Komornick noted that the parking calculations were based upon the number of seated and this plaza was already short of the required number by close to 100 spaces. She added concern over the fact that this building was right in the middle of the parking lot and an access point to a signaled exit. L. Komornick offered there were already issues with tractor-trailers delivering during the daytime, jamming the parking lot, which the Planning Board had been told would not be happening.

L. Komornick reminded that a significant waiver for parking requirements had already been granted and changes to the site plan would require abutter notification and input from the City of Haverhill.

C. Lanza offered that he liked the idea of outdoor seating, but he did see that there were safety concerns. He reiterated that the egress seemed too congested

S. Ranlett arrived at 6:55 p.m.

D. Brennan noted that he had wanted to propose thirty (30) additional seats but was told by the Building Inspector that amount was too many.

L. Komornick reminded that the water use (from Haverhill water) is tied into the seating as well.

T. Moore offered that they were probably given a specific gallons per day number, but he wasn't sure what it would have been based on. He added that while it was nice to sit outside in good weather this proposal did look a little congested.

There was a discussion regarding the deadline by which all outstanding site work was to be completed in order to be in compliance.

S. Ranlett questioned D. Brennan as to who told him to wait until after the site plan was approved before requesting the outside seating.

D. Brennan replied it was Ken Knowles (site plan engineer) who told him there would be a better chance after approval. He added that Panera had no input when the site plan was developed and reviewed by the Planning Board.

C. Lanza asked if they would consider swapping some of their inside seating for the outside seating.

D. Brennan replied that Panera actually would have liked more inside seating as well.

There was discussion about possible changes in number and arrangement of the outdoor seating.

S. Ranlett expressed concern that the idea of outdoor seating made the area tight and he was also concerned that it was not brought forward in the initial application.

D. Brennan offered that the landlord did all the plan review process and they (Panera) were told not to show outdoor seating.

There was additional discussion about potential number and placement of outdoor seating tables.

L. Komornick suggested, considering that they had not yet completed their landscaping, and not yet gone through a summer at this location, that it might be prudent to do so before deciding to add additional seating. She noted that a letter had just gone out to Panera regarding the daytime tractor-trailer deliveries. L. Komornick noted that her vehicle had been hit in the parking lot because another driver could not see around the tractor-trailer trying to negotiate the parking lot.

G. Adams asked how more tables would affect that scenario.

L. Komornick replied that more tables would mean more parking and putting people nearer to the curb. She reminded that this restaurant was “plunked” in the middle of a parking lot.

S. Ranlett offered that it wasn’t “plunked” but that due diligence was done on the part of the Planning Board in reviewing the application.

C. Lanza asked if lighting could be installed in the fencing along the proposed seating area.

D. Brennan replied that it couldn’t because it would mean putting the wiring under the sidewalk.

L. Komornick reminded that any additional uses required a formal amendment process, including abutter notification.

There was additional discussion regarding placement and number of outdoor seats. It was suggested that should a formal plan is submitted that bollards be added along that side of the parking area as additional protections.

T. Moore noted that it was obvious that a consensus of the number and arrangement of seating would not be arrived at during this meeting. He suggested to Mr. Brennan that he take the input from this meeting back to Panera and added that no application for additional seating would be considered until the site plan was fully implemented and complete.

Agenda Item 7: Discussion about letter from Mark Fougere regarding Recreation Impact Fees

T. Moore read a letter from Mark Fougere (Fougere Planning and Development) addressed to L. Komornick and Sean Fitzgerald, Town Manager regarding Recreation Impact Fees. The letter noted that the projects that are the basis for assessing impact fees must be included in the CIP (Capital Improved Plan).

S. Ranlett asked that this item be put off until the July meeting. He noted that he felt that M. Fougere should meet with T. Moore and the Town Manager and others interested before the letter is discussed.

T. Moore noted there was nothing that would be addressed at this meeting and that they would carry through with the suggestions in the letter and bring everything back to the Planning Board. The Planning Board, Town Manager and Recreation Commission will be involved in the process. T. Moore added that this was a timely letter in that the CIP review process was about to get started with letters to all departments for updates.

Agenda Item 8: CONTINUATION OF WORKSHOP: Final draft of Survey for MasterPlan Update

There was a revised copy of the proposed Master Plan Survey in the member’s packets.

T. Moore noted that comments from previous discussions had been incorporated into the form.

There was discussion on how best to distribute.

L. Komornick noted that she had been speaking with Rockingham Planning Commission (RPC) about assisting with the distribution and correlation of data after the survey is done. RPC provided the name of a company that recently assisted the Town of Atkinson with a mailing survey for a

reasonable price.

G. Adams questioned the clarity of the listed "housing opportunities" in Part 2 of the survey. After some discussion it was decided to let the list stand as is.

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

T. Moore noted a couple of communications provided to the Board

- Letter from Department of Building Safety (DBS) to Francis Berube regarding the use of 118 Main St

S. Ranlett noted that he was retrofitting the house for his daughter to live in with the possibility of a future home occupation application to the Zoning Board of Adjustment.

- Letter from DBS to Ron Brown regarding his Stop Work Order
- Copy of ZBA Notice of Decision granting the YMCA's application for a daycare in the CI District
- Notice of the town-wide yard sale on May 10

T. Moore also noted that 9:00 to 12:00 on Saturday would be the Hazardous Waste Collection Day at PARC here in Plaistow.

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

T. Moore noted that the Annual RPC Meeting will be June 6, 2014

T. Moore noted there will be a public information night regarding the rail on May 22, 7:00 at the Plaistow Town Hall.

Agenda Item 11: Other Business

- **Updates and FYI's from the Planning and Building Departments**

Previously noted.

The Board received updated copies of the Zoning Ordinances with changes adopted at March Town Meeting.

There were no additional matters before the Board and the meeting was adjourned at 7:47 p.m.

Respectfully Submitted as recorded by Dee Voss.

Approved by the Planning Board on _____

Timothy Moore, Chairman

