



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

PB Minutes 8/7/13

August 07, 2013

Item One:

Chair S. Ranlett called the meeting to order at 6:30 P.M.

Item Two:

ROLL CALL: Present was *Chairman*; Steve Ranlett, *Vice Chairman*; Tim Moore, *Selectman Ex-Officio*; Robert Gray, Shem Kellogg, and Gennifer Silva.

Also present was *Alternate*; Geoff Adams, *Chief Building Official*; Mike Dorman and *Recording Secretary*; Laurie Pagnottaro.

Item Three:

Minutes of July 17, 2013

R. Gray motioned to approve the minutes of July 17, 2013, second by T. Moore.

There was no discussion on the motion and the vote was 4-0-1; S. Ranlett abstained.

Item Four:

Discussion with Sam Milone regarding sale of cars at 31/33 Westville Road

Present for the discussion was Sam Milone. He handed a letter he prepared to the Board that explained the following:

- He is requesting a retail dealer's license at 31/33 Westville Rd
 - He has been a Plaistow resident for 13 years
 - He has been in the automotive industry for 34 years
 - He has been licensed for 30 years
 - He has never had any issues in NH or MA
 - NH has made the decision to rescind the bonded sales license in 2015 which will mean he will no longer have the license to continue his work and support his family.
 - He proposes to keep his business in Plaistow
 - 31/33 Westville Rd. supports his business needs
 - No cars will be placed in the business front; inside display only; 7 or 8 cars at one time

Most sales done on internet through e-bay and Craig's list
Other than the business sign there will be no form of advertisement
He only want a license and an office

S. Ranlett explained that if vehicles will be maintained at property then a note will need to be on the plan regarding the proper disposal of oil.

R. Gray questioned if the business would be in close proximity to other car dealerships.

M. Dorman replied that there were none nearby.

The Board further discussed the difference between a car dealership and internet sales.

S. Ranlett stated that the following conditions should be part of the approval:

- A note is added to plan regarding the proper disposal of oil and fluids
- A note added to the plan that there will be no outside display
- A note added to the plan that it is an office for internet sales

R. Gray motioned to grant conditional approval based on the following conditions:

- A note is added to plan regarding the proper disposal of oil and fluids
- A note added to the plan that there will be no outside display
- A note added to the plan that it is an office for internet sales

The motion was second by T. Moore.

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

Item Five:

Discussion about request by Alison Buinicky for a Nano Brewing Facility at 31/33 Westville Road

M. Dorman explained the following:

- The applicant is proposing to have a Nano Brewery
- There will be very little walk in traffic
- Probably online or off-site sales/ no retail on site
- It is a permitted industrial use

S. Ranlett asked if there will be tasting of the product; will a liquor license be needed.

M. Dorman replied they can look further into it. He is not sure about the hours of operation.

Present was Kristina Kelly. She was not sure about the hours of operation or the taste testing. She explained that the applicant is not present because she is with the realtor tonight to view the unit.

The Board discussed and decided that they would like to discuss the proposed business with A. Buinicky to get answers to their questions. They are concerned that the brewery would turn into a

bar. The discussion was continued to August 21, 2013.

Item Six:

FYI: Postponed until August 21, 2013---The update on John Blinn's site plan changes and final CO

S. Ranlett explained that this item was postponed until the next meeting and so would not be finalized tonight. The applicant was granted a 60 day extension from the Board and is still working on finalizing a well issue with NHDES. They will hear details about the plans tonight as Ron Pica is present.

Present for the discussion was Ron Pica. He handed out the site plan to the Board with both the changes (sheet one) and what is existing on the site (sheet two). He explained that the applicant John Blinn, would like to change the landscaped island to pavement and add stripping to create more pavement for parking. They will still meet the interior landscaping requirements with this change so no waiver will be requested. He explained that the only waiver that is requested for this site plan is for some of the landscaped areas that are under the 250 square foot requirement. In the first plan they had more interior landscaped area than was required. In this new plan they have what is required but they are not all at the 250 square foot requirement. He added that some of the plantings have changed for the interior landscaping. The prior plan was four trees with ten shrubs. Now they will put in 13 shrubs and eliminate the trees. He explained that they originally had additional space for drainage and currently they way it is designed allows for more capacity than originally approved; it is currently at 1.07 per second. He added that they meet the pond requirements for the 50 year storm water. He noted the other changes as follows:

- On the building the applicant has removed the back door and added three 10' doors on the side of the building.
- Parking is no longer on the back side due to the changes in the doors.
- Car lift has been installed for estimating purposes only

R. Gray expressed concern over the changes made to the site from the original approval and questioned at what point during the construction process are the changes stopped and whose job is it to catch the changes and ask the applicant to come back in before the Board for additional approval.

R. Pica noted that he was out of Town during construction. He added that M. Dorman as well as the Town Engineer had both picked up on some of the changes. He explained that they designed a site they felt would work for the applicant but as construction and time goes on the applicant sees ways that will work better and that is what has happened on this site with the doors. The other changes all stem from this one change. They do still meet the parking requirements. He reiterated that the car lift is only for giving customer estimates and added that no work will be done on it. He also explained that the reason for wanting the extra paving and painting near the parking area is for extra parking space for motor homes or cars towed into the site that will be worked on; so they do not take up parking spaces. They will still have an extra 8' over the requirement. The landscaping shows when you drive by and looks good. The walkways have been changed and look good. R. Pica explained that the applicant has not installed the fence and does not want to install the fence; it will not be beneficial. He added that there is enough vegetation there to not need the fence. He stated that he has left photos with L. Komornnick.

M. Dorman got the photos and gave them to the Board to review.

S. Ranlett stated that a note should be added to the plan that says no oil changes or mechanical work shall be done on the outdoor lift; estimates only. He added that the condos cannot be seen

from the back of the property right now without the fence.

S. Kellogg agreed.

S. Ranlett added that there is no concern with children playing near the site; there is a deep swale and a high berm to cross over before getting into the site.

R. Pica explained that the existing well is contaminated and that the state has been taking care of it. It is now less contaminated and the state wants to turn the well back over to the applicant. He showed the Board on the site plan where they propose to put the well. He explained that because the site only has 6 units the state considers it a residential site, even though the Town considers it commercial, and the well radius needs to fully be on the site. Ground water has recommended they use septic; if they drill a new well it could become contaminated. He does not have anything in writing from the state yet; but they will get it in writing eventually. He stated that the location of the turn-around has been changed due to parking changes and showed the Board on the plan. He added that this is all the changes.

R. Gray asked if the dumpster was on a concrete pad.

R. Pica replied it is not enclosed yet and they need to put bollards around it per the plan.

J. Adams stated that although he agrees with R. Gray he understands that things can change while going through the construction process.

R. Gray added that he does not have a problem with the changes discussed tonight. He feels the Board should look into putting a procedure in place to trigger changes in the site plan and to alert the Board. It would protect the applicant as well. The Board can discuss it at a later date.

S. Ranlett noted that he spoke with the applicant and he was going to look into rubber curb stops that can be removed in the wintertime. The applicant seemed very agreeable to putting them in and he can still paint and stripe it.

There were no further questions from the Board.

T. Moore stated that assuming the well and septic is ok it would make sense to do an amended site plan. It also will need to be recorded at the registry.

The Hearing is still postponed until the August 21, 2013 meeting.

182 Main Street Property

Present was Jerry Dow.

M. Dorman noted that this item was taken off the agenda as L. Komornick did not think the applicant was going to make it in for the meeting.

J. Dow explained that he and his wife would like to make an offer on the 182 Main Street property. They want to reside there and run their custom frame shop out of the garage. He noted the following:

- Have been in this business for 12 years
- They are currently running it out of Larry's Claim Bar
- There are no employees

- They average 2 to 3 customers per day
- They propose to run the business out of the garage
- It is a residential zone
- The business will require about 1,000 sq. ft.
- There are two deliveries per week; on Tuesday and Friday

The Board discussed if the applicant would need a variance from the ZBA as it is a home occupation. It was decided that the applicant will need to get a variance and special exception. The Board agreed that they do not have any concerns with the proposed use.

The applicant will meet with M. Dorman tomorrow and he will write a letter and send the applicant to the ZBA.

Item Seven:

Reading of Communications Directed to or From the Board

Bruton & Berube, PLLC

S. Ranlett read the letter regarding Cumberland Farms INC, Rte 125 & Danville Rd. dated August 6, 2013 to the Board that discussed a curb on Danville Road they would like to modify. The letter also discussed a curb cut in the median on Rte. 125 that NHDOT would need to be involved in.

M. Dorman noted that L. Komornick and he both visited the site. They asked to make the Danville Road a two way entrance/ exit with striping. He added that they were not aware of the Rte. 125 curb cut.

The Board agreed that they did not have any problems with making the Danville Road exit a two way. They will let NHDOT deal with the Rte. 125 curb cuts.

Wadleigh, Starr, & Peters, PLLC.

S. Ranlett noted two FYI packets for the Board members to review. He signed the firms contract.

Item Eight:

Report / Update by Tim Moore on RPC Activities

T. Moore announced that the NHDOT and HDR Rail Consultant will hold a brief presentation and public input session for the Rail Project on August 22, 2013 at 7:00pm, Plaistow Town Hall.

S. Ranlett encouraged all the Board members to attend. He will be attending.

R. Gray added that it is an important meeting and the Atkinson and Plaistow will both attend. He will be present.

T. Moore stated that they will try to have it broadcast as well.

T. Moore announced that RPC sent an update regarding their Master Plan updates. They are looking for input from member communities. They will host the following informational sessions:

Transportation, Economic Development & Housing:

- September 9th at Epping Town Hall, 6:00pm
- September 23rd at Plaistow Public Library, 6:00pm
- September 25th at Portsmouth Public Library, 6:00pm

Land Use, Natural Resources, Energy and Climate Change, and Cultural & Historic Resources:

- October 7th at Seabrook Library, 5:30pm
- October 10th at Brentwood Community Center, 6:00pm
- October 23rd at Hampstead Town Hall, 6:00pm

Item Nine:

Other Business/Updates: Misc. Notices, letters, and other Correspondence from Dept. of Building Safety, Planning Department and ZBA; Status of Projects

Discussion about Land Use Summit

S. Ranlett explained that he and R. Gray will meet to discuss this item. They will come up with a date for the summit at a later time.

Update on the NHDOT Service Road

T. Moore explained that NHDOT was at Town Hall on August 6 and discussed the Service Rd. at 85 Plaistow Rd. They proposed a new design for the road that connects it to Old Road. The proposal shows the language the Town requested such as sidewalks on both sides. The problem they ran into was an off-site well and septic it runs into that belong to Mr. Marino. He added that the Town has suggested using it as an emergency access road instead of extending it to Rte. 125. They will continue to work on it and bring in a final plan at a later date.

Item Ten:

Adjournment

There was no further business before the Planning Board and the meeting was adjourned at 7:47 P.M.

Respectfully submitted as recorded by Laurie Pagnottaro.

Approved by the Planning Board on _____

Steve Ranlett, Chairman

