



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

PB Minutes 09/17/14

PLANNING BOARD MINUTES September 17, 2014

Call to Order: 6:33 p.m.

ROLL CALL: Tim Moore, *Chair*
Charles Lanza, *Vice Chair*
Genifer Silva
Shem Kellogg, *Excused*
Steve Ranlett, *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 S. Kellogg's place.

Minutes of August 6, 2014 Planning Board Meeting

G. Silva moved, second by C. Lanza, to approve the minutes of the August 6, 2014 meeting. There was no discussion on the motion. The vote was 5-0-0 U/A.

Agenda Item 3: A Public Hearing on an application for a Condominium Conversion (Condex) Plan for an existing duplex located at 1 Karl's Circle, Tax Map 42, Lot 23-1, totaling 1.93 acres with +/-432 feet of frontage and located in the Medium Density Residential (MDR) District. The owner of record is Patuccawa Realty, LLC

Pat Bennett representing Arthur Wicks was present for the application.

P. Bennett noted that this was the third duplex on Karl's Circle and it was being condexed as the other two had already been.

S. Ranlett suggested that the other two, already built and occupied, structures should be shown on the plan. He asked if the condo documents had been reviewed by Planning Board Counsel. It was confirmed that they had been.

P. Bennett offered that because there were fewer than 15 units, Attorney General approval was not required.

T. Moore asked if there were any questions or comments. There were none.

S. Ranlett moved, second by C. Lanza to accept the condominium conversion plan for 1 Karl's Circle as complete. 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 condominium conversion plan for 1 Karl's Cir with the following condition:

- ***The other two (2) condex structures must be added to the site plan***

There was not discussion on the motion. The vote was 5-0-5 U/A.

Agenda item 4: A Public Hearing on an application for a Lot Line Adjustment affecting two parcels, 85 and 91 Plaistow Rd, Tax Map 27, Lot 30 and Tax Map 27, Lot 27, respectively. The properties are both located in the Commercial I District. The owner of record is Berkshire- Dominion Holdings, LLC

Charlie Zilch, SEC and Associates, was present for the application.

C. Zilch noted the following:

- The request involves two (2) parcels located on the east side of Route 125
- 85 Plaistow Road is a 6.3 acre parcel with ~164 feet of frontage on Route 125
- The parcel is currently a residential use with its own onsite well, septic and driveway
- 91 Plaistow Road is a .5 acre parcel with ~ 125 feet of frontage on Route 125
- The parcel at 85 Plaistow Road wraps around the parcel at 87 Plaistow Road to adjoin the parcel at 91 Plaistow Road
- The parcel is currently commercially used and has its own onsite well, septic and driveway
- The plan proposes to move the lot line to move 1.29 acres from 85 Plaistow Road to 91 Plaistow Road.
- The adjustment will leave 85 Plaistow Road with greater than 5 acres
- The State of New Hampshire is planning to locate an access road to the rear of both these properties
- There is not a final plan for the State access road as yet, but it is assumed there will be direct access to this road for 91 Plaistow Road

There was a brief discussion about the State planned service road. It was noted that the final design and placement of the road was yet to be determined.

- There are no State permits required for this lot line adjustment
- The majority of 85 Plaistow Road is wetlands, but there are a good amount of uplands on the 91 Plaistow Road parcel that should give direct access to the service road.

S. Ranlett moved, second by C. Lanza to accept the lot line adjustment plan between 91 and 85 Plaistow Road as complete. 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 lot line adjustment plan between 91 and 85 Plaistow Road. There was no discussion on the motion. The vote was 5-0-0 U/A.

Agenda Item 6: Discussion with Steve Lewis regarding status of Chandler Place Elderly Housing Project and the written request from NH Housing to comment on proposed project due to its utilization of federal housing tax credit

Steve Lewis, Chandler Place, LLC, was present for the discussion.

C. Lanza stepped down from the table at 6:50 p.m.

Steve Lewis offered the following:

- He has completed the purchase of the property on Chandler Ave
- He went to the Board of Selectmen (BOS) to discuss the possibility of having the property included in the ERZ (Economic Revitalization Zone)
- The BOS declined to make the changes to the ERZ
- NHHFA (New Hampshire Housing Finance Authority) re-wrote the scoring requirements to allow this project to be funded, despite it not being included in the ERZ
- The project is being phased so as to be eligible for more federal financing over two years
- There are three (3) senior housing projects being funded in New Hampshire this year
- All architectural and drainage plans have been redone to meet NHHFA requirements, which are more stringent than Plaistow's requirements.
- The bond estimate worksheet has been submitted
- He has received a building permit for the foundation of the first building
- He is request a one-year extension on the time to vest the project

S. Ranlett offered that he had been to the Salem project that is similar to how the Plaistow project will be built and he supports this project.

S. Lewis noted that this project will have a service coordinator. He added that there will be housekeeping services available to the residents, a service he would not have been able to make available if NHHFA had not re-written their requirements.

S. Lewis offered that he would like to break ground on the first foundation this year.

S. Ranlett moved, second by G. Silva to extend the time for active and substantial development for the project at 18 Chandler Ave until October 01, 2015.

There was discussion of the phasing of the project and NHHFA funding. There was also discussion of the third party monitoring and the auditing process that is observed for this project. It was also noted that there would only be 29 units, instead of 40, because NHHFA requires a community center.

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

C. Lanza returned to the table at 7:04 p.m.

Agenda Item 5: Re-request by applicant for referral to the ZBA for a use variance for one of the condo units at 95A Plaistow Rd

L. Komornick noted that this request was to have a notice of decision re-issued with a new date. The applicant failed to meet the twenty-day deadline to make application to the Zoning Board of Adjustment for a use variance and therefore a new referral letter would be necessary for them to make the application.

S. Ranlett suggested that the Planning Board send a letter to the ZBA to request that a condition be included, should they grant the use variance. That condition would be that the amended condo conversion plan be finalized and approved prior to the issuance of a Certificate of Occupancy.

S. Ranlett moved, seconded by G. Adams, to deny the request by Scott Building Twenty, LLC for a self storage business that would be located within the existing building and refer

them to the Zoning Board of Adjustment (ZBA) for a use variance from Zoning Ordinance Article V, §220-32B (Table of permitted uses). There was also a request that a letter from the Planning Board be sent to the ZBA requesting a condition be put on the variance that the applicant not be allowed to obtain a certificate of occupancy without the amended condominium plans and documents being finalized and approved by the Planning Board. There was no discussion on the motion. The vote was 5- 0-0.

Agenda Item 7: Review of Draft Updated Transportation Chapter of the Master Plan including recommendations

T. Moore explained that they had received a draft copy of the Master Plan Transportation Chapter update. He noted there were comments from Mark Fougere, the contractor working on the update.

The Board reviewed the chapter and the comments from M. Fougere. It was noted where additional updates, particularly of the data and some of the tables needed to be made. The comments of the Board will be forwarded to M. Fougere and another draft is expected once the comments are incorporated.

Agenda Item 8: Discussion regarding ZBA Re-hearing Request by the Plaistow BOS for Cumberland Farms Sign Variance granted by the ZBA

It was noted that the BOS have filed a request for re-hearing in the recently granted matter of a digital sign for Cumberland Farms.

S. Ranlett offered that he wasn't sure that the Planning Board would have enough time to review and discuss making a request, so he brought the matter to the BOS. He suggested that the Planning Board submit their own request for re-hearing.

There was a brief discussion of the ZBA re-hearing review process. It was noted that there can be no input other than the letter submitted by the BOS. It was noted that if the request is granted it will be important for there to be representation by the Planning Board if they are opposed to this sign. The Planning Board will need to discuss their position on the matter prior to the Public Re-Hearing, assumed to be scheduled for October 30, 2014.

Agenda Item 9: Report/Update by Tim Moore on RPC and MPO Activities and on the Rail Project.

T/ Moore updated the Board on the most recent rail meeting, which included review of potential sites for the layover station. He noted that next Public Hearing is scheduled for October 9, 2014.

Agenda Item 10: Other Business: Updates and FYI's from the Planning and Building Departments

M. Dorman noted the following updates for the Board:

- New owner of the building at 73 Newton Rd. The new owner has plans to update the building
- There is a pediatric dentist looking at buying the building at 166 Plaistow Rd
- Aldi at 9 Plaistow Road is planning a grand opening for October 2, 2014
- Plans have been received for the new Savers, also at 9 Plaistow Road
- TruForm, 2 Wilder Dr, is doing some major renovations since purchasing the building. They will be the first to take advantage of the ERZ

There was a discussion of a new development, Legends Sports, which is before the Newton Planning Board where the Town is an abutter. There was discussion of what is already known about the plan. L. Komornick noted that she has made contact with the Newton Planning Office to make sure that Plaistow is kept in the loop.

M. Dorman noted that he had been contact by Mark Donohoe, representing Taurus Management (Plaistow Center) regarding a request to not have to construct the islands, but paint them out in green. The last phase of their redevelopment will show the propose redesign of the parking lot and it would save them money to not build islands that are going to then be ripped out. The will designate them according to the current plan. There was consensus to grant the request.

L. Komornick noted the revised version of the letter proposed to be used to refer applicants to the ZBA. There was discussion as to when this form would be used and what procedures applicants would have to follow to go before the Planning Board. There was discussion as to who has authority to send applicants to the ZBA and whether or not the Planning Board could overrule a decision of the Zoning Officer. It was noted that if an applicant wanted to come to the Planning Board to get feedback on a plan they would have to file application for preliminary design review and pay all the applicable fees.

L. Komornick noted that the YMCA (175 Plaistow Road) was referred to the ZBA for a use variance, but never came back to the Planning Board to amend the site plan. She noted that they were in the process of submitted septic and parking calculations for confirmation.

It was noted that the review of proposed Zoning Amendments would start at the next meeting. There were no additional matters before the Board and the meeting was adjourned at 8:59 p.m.

Respectfully Submitted as recorded by Dee Voss.

Approved by the Planning Board on _____

Timothy E. Moore, Chair