



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

PB Minutes 10/16/13

October 16, 2013

Item One:

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

Item Two:

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

Also present was *Alternate*; Geoff Adams (arrived at 7:30 pm), *Town Planner*; Leigh Komornick, *Chief Building Official*; Mike Dorman and *Recording Secretary*; Kerry Lee Noel.

S. Ranlett appointed G. Adams a voting member for the meeting.

Item Three:

Minutes of September 18, 2013.

Motion by R. Gray to approve the minutes of October 2, 2013

2nd by S. Kellogg

Vote: 3-0-0

Motion carries.

Item Four:

A Public Hearing on an Application for Site Plan Review for the mixed use of an existing single-family residential home and a custom framing shop located at 182 Main Street, Tax Map 29, Lot 31. The property is located in the MDR District and is 1.80 acres with 515 feet of frontage. The owner of record is Linda Senter Trustee, 182 Main Street Revocable Trust.

Tim LaVelle and Gerald Dow, representing Linda Senter discussed the location of the Framing shop along with parking information in regard to the proposed frame shop and residence. Proposed hours of operation were given as well as the information that a previous business did operate out of the same space before.

S. Ranlett reviewed the hours of operation as being; Monday, Wednesday and Friday 10 am – 5 pm. Tuesday and Saturday, 10 am – 3 pm. Sunday would be closed.

Other issues, input by others and questions raised by abutters and Staff's associated response/recommendations: ~

Abutter Question to Be Answered by the Applicant/Board Member: ~

- Barbara Polizzotti, 1 Jesse George Road; Concerned about increased traffic problems, lighting and signage issues, fence is discolored finds it to be an eyesore, trucks are parking along the property causing it to be congested. Has had a petition with neighbor's signatures that was presented to the zoning board.

Question 1 Reply: ~~

R. Gray responded by advising that a petition submitted to the Zoning Board would not have been part of the Planning Board's process.

The Planning Board can only apply the site plan rules. Lighting should not be an issue since the business will not be operating at night. ~There is no other information regarding parked trucks and discolored (orange) fence.

Question 1 Reply:

T. Lavelle stated that the fence will be cleaned and that the trucks are maintained on the property. The lighting is existing on the garage and the sign will not be lit.

Motion by Robert Gray to approve the Application for Site Plan Review

2nd by S. Kellogg

Vote 3-0-0

Motion carries.

Review and discussion of Waivers.

Motion by S. Kellogg to waive the lighting under 230- 21 & 22.

2nd by R. Gray, satisfied with the existing lighting.

Vote: 3-0-0

Motion carries.

Motion by R. Gray to waive the landscaping under 220-23

2nd by S. Kellogg

Vote: 3-0-0

Motion carries.

Motion by R. Gray to approve the Site Plan noting waivers: lands conditional, waivers: landscape and lighting.

2nd by S. Kellogg

Vote: 3-0-0

Motion carries.

Item Five:

A Public Hearing on an Application for a Site Plan Amendment to show the change of use from a Real Estate Office to a Medical Office Facility, including the addition of 1,400 square feet and modifications to parking. The property is located in the CII District at 31 Main Street, Tax Map 37, Lot 53. The property totals 1.98 acres and has 265.36 feet of frontage. The owner of record is Alhanbra, LLC.

Charles Zilch of SCC & Associates with Stephen Peach of Dennis Meyer Architects, stated this property was originally a Medical Office. In 2007 there is a site plan for conversion to a Real Estate Office. The Amendment to the Site plan includes a 2 story addition to a small part of the building, an elevator, circular driveway and handicap accessible parking. The existing pavement and garage will be removed. The drainage will remain, grading will be different in the circular driveway. Other changes are replacement of the outside lighting with lamp style dark sky lighting. Landscape is established and will be cleaned up.

R. Gray state to S. Peach to have the Fire Chief Review the plan.

S. Ranlett questioned the number of parking spaces and the hours of operator.

C. Zilch answered that there are 17 parking spaces in the main parking area.

S. Peach answered that the hours are 8 or 9 am until 5 pm Monday through Friday and 9 am to 12 pm on Saturday.

Other issues, input by others and questions raised by abutters and Staff's associated response/recommendations: ~

Abutter Question to Be Answered by the Applicant/Board Member: ~

- Christine Thornbury 29 Main Street, questioned the location of the circular driveway. Type of lighting at night.

Question 1 Reply: ~~

C. Zilch indicated on the map the location. Lighting fixtures are dark sky compliant.

Abutter Question to Be Answered by the Applicant/Board Member: ~

- Lawrence and Michelle Hurd, 5 North Avenue. Abutters stated they are located directly at the property line and that they are requesting the installation of a fence. They have two dogs who will be able to see all of the activity in the parking area. This is a privacy and noise issue. Also questioned traffic impact and medical waste plans.

Question 2 Reply: C. Zilch responded, the procedures done will be non surgical in nature, the traffic will not be an issue for the abutter.

Discussion occurs regarding privacy fence request and natural barrier of trees. Agreement of arborvitaes is decided to address the privacy and line of sight issue for the dogs.

Abutter Question to Be Answered by the Applicant/Board Member: ~

- Leah Moulton, 24 Main Street questioned the traffic concern asking how many patients are expected on a daily basis?

Question 3 Reply: C. Zilch responded, same capacity as the previous medical office, there will not be a huge influx of traffic.

Motion by Robert Gray to approve the Application for Site Plan Amendment to show the change of use from a Real Estate Office to a Medical Office Facility.

2nd by S. Kellogg

Vote 3-0-0

Motion carries.

Motion by R. Gray to waive the landscaping under 230-14.1 HH and to work with the Hurds.

2nd by S. Kellogg

Vote: 3-0-0

Motion carries.

Motion by S. Kellogg to waive the lighting under 230-14.1 II.

2nd by R. Gray, satisfied with the existing lighting.

Vote: 3-0-0

Motion carries.

Motion by R. Gray to waive an issue of trucks off street loading under 230-14.1 FF.

2nd by S. Kellogg

Vote: 3-0-0

Motion carries.

Motion by R. Gray to waive the storm drainage requirement under 230-11-B (2)

2nd by S. Kellogg

Vote: 3-0-0

Motion carries.

Motion by R. Gray to have the Fire Chief review the site plan for compliance.

2nd by S. Kellogg

Vote: 3-0-0

Motion carries.

Item Six:

Continuation of a Public Hearing on a Final Site Plan/Site Plan Amendment for the renovation of approximately 61,394 square feet of an existing shopping center. Demolition of approximately 78,090 square feet of an existing shopping center and construction of approximately 12,000 square feet of new retail space. Rehabilitation of associated parking

and utilities is also to be completed. This existing shopping center is located at 3-9 Plaistow Road, and the property is known as Tax map 24, Lot 38 located in the Commercial 1 Zone and totals 20.39 acres with 983.53 +/- feet of frontage along Plaistow Road (NH Route 125) and 246.26 feet of frontage along Haseltine Street (NH Route 121A0). The owner of record is Taurus Plaistow Investors Limited Partnership, LLC.

Ed Vydra of Taurus Investor Holdings, along with Rebecca Brown of TEC Engineering of 65 Glen Street, Lawrence, MA.

R. Gray asked if plan was accepted on this date - the approval is 65 days from 9/18 or November 22nd. Technically we cannot continue until November 20th.

R. Brown stated that DOT and CLD completed a scoping session of traffic intersections. She referred to a chart that indicated driveway access analysis. References to seasonal and peak month traffic conditions focusing on an approximately opening of 2015. The data included traffic forecasts for Walgreens and Panera Bread. The leasable development will be occupied generating new traffic to the site. Also included is accident analysis. There will be a 3 second per vehicle delay. A recommendation of traffic signal timing adjustment would improve that situation.

R. Gray asked that a copy of the study be provided to DOT for the signal adjustments.

R. Brown stated she would provide that copy.

L. Komornick stated that she is not recommending conditional tonight based on DOT or CLD not reviewing the information as of yet. Square footage reduction may allow for comparison of vacant to occupied space.

E. Vydra stated that he recalled that the Walgreens process, DOT confirmation of R. Browns recommendations. Tennants are eager to occupy the Old Shaws Building.

R. Gray noted that the lane striping is barely visible and needs to be repainted.

E. Vydra states that will be done by the end of the month.

CLD comments; Mike Malynowski of Allen and Major Associates, Clarification was given to explain differences between reclaimed and repaired areas of the parking lot. Also explained the changes and grading to the new parking area, including the layout and materials of the plan.

R. Gray stated that he wanted information regarding catch basins that are located in the back of the building and wanted it noted in the minutes and on the plan.

Discussion occurred regarding grading.

L. Komornick noted that the striping needs to be repainted in the area of Cartridge World.

M. Dorman confirmed that a signage package will go through the building department once the leases are complete and will be presented as one package rather than individually.

S. Ranlett stated that the fire lane will be reviewed by the Fire Chief. Truck movements will be reviewed by the CLD, who have asked for a navigation plan showing truck movements and truck traffic.

L. Komornick said that the Board can have that put on the site plan.

Discussion occurs regarding turns and area radius.

M. Dorman displayed the new parking lot design.

S. Ranlett said that Fire Suppression Water Lines that are existing will be reviewed by Chief McArdle.

M. Dorman stated that we have the location of the lines and will replace with like lines.

S. Ranlett spoke stating that the Chief will oversee the whole process and that they are waiting for more information before conditional approval. This will be continued until November 6th.

L. Komornick stated she will send the Waivers out to the Board members in a PDF format.

Brief Recess 8:25 pm. – 8:30 pm.

Item Seven:

A Public Hearing on an Application for an Amendment to a 25-lot Planned Residential Subdivision Development that was amended and approved by the Planning Board on April 20, 2005 and recorded at the RCRD as plan number D-33053. The property is located in the MDR District at 187 & 1/2 Main Street, Tax Map 29, Lot 28-2 and Tax Map 42, Lots 1-27. The total land area totals 49.92 +/- acres and the owner of record is Torromeo Trucking Company, Inc. This amendment seeks to relocate a portion of the existing access road "Village Way" to a new location of 0.2 miles south of Route 125 on the east side of NH Route 121A. feet east, in accordance with NH DOT District 6 Driveway Permit Number 06-375-589 issued on 9/6/2013. The owner of record is Torromeo Trucking Company, Inc.

Present are Henry (Red) Torromeo, owner and Chester Sullivan, developer.

Dan Johnson, representing Torromeo Trucking Company stated, the access road lacks a clear line of site of a 400 foot distance which could be remedied by a change in location. The DOT approval has been received. Culvert will be in the driveway, and there will be no breaks in the sidewalks.

S. Ranlett spoke stating that a conditional approval is sought.

L. Komornick stated that she had consulted with Attorney Charles Cleary.

S. Ranlett reviewed page 4 of the Planning Board Staff Report.

H. Torromeo stated that the water supply issue is taken care of. Hampstead water is buying the system.

S. Ranlett requested documentation.

H. Torromeo stated that Charles Levine will take care of providing documentation to the Board.

R. Gray asked if the application fees have been paid.

L. Komornick stated no. She will take responsibility for that.

S. Ranlett stated that 13 items require action and that nothing will be done until all of the information and items have been completed and given to the Planning Board.

R. Gray asked why the application fees were not paid, and why are we here? The invoice has not been presented. The approval of the sub-division from the state and copy of the DOT permit has not been presented.

S. Ranlett asked; If this can this be cleared up by November 6th? He also reviewed the 3 conditions that must be addressed prior to conditional approval.

D. Johnson stated that they are only looking to have the paving done prior to uncooperative weather conditions.

R. Gray stated that the issue can't move forward and that the request can be heard at the next meeting if all of the conditions have been met.

L. Komornick said that historically, H. Torromeo gave the Town land and that the easement was never recorded.

S. Ranlett spoke stating that they were here seeking conditional approval to move the road and pave due to impending weather complications.

M. Dorman said that the first step is the road.

Discussion occurred regarding regulations.

S. Ranlett asks for a motion for a conditional approval to allow the road alterations and road construction.

G. Adams asked if they had complied with the requested information?

M. Dorman responded, Yes.

S. Ranlett stated that the motion is requested but also to include that the application fees be paid.

R. Gray stated that he is not willing to conditionally approve based on the list of items requested and not being fulfilled.

G. Adams stated that the attorney C. Cleary did indicate he did receive several of the requested documents this morning.

S. Ranlett asks for a motion to approve the road alteration and construction.

Other issues, input by others and questions raised by abutters and Staff's associated response/recommendations: ~

Abutter Question to Be Answered by the Applicant/Board Member: ~

- Steve Lewis representing Jason LaTourneau, 185 Main Street.

Stated that the line of site issue of 400 feet, is a major improvement. There is currently a mature stand of Red Oaks in place.

Question 1 Reply: ~~D. Johnson stated that the 3 feet of property consists of a strip of mature Red Oaks that will be replanted with conifers. New England White Pines. 5 to 6 feet in height

and approximately 20 feet apart staked. A culvert located under the driveway with material consisting of large aggregate.

R. Gray stated he did not want to grant conditional approval.

S. Ranlett makes a Motion to conditionally approve to move the road, address abutters conditions, address conditions on lists of deficiencies. Continue working with Mr. Lewis and have the culvert meets all DOT specifications. This would include the relocation of the driveway, the cul-de-sac and the lighting. No other permits will be issued and all fees must be paid by the end of the business day 10/17/2013.

Move the driveway conditionally, with the trees and the fees paid by tomorrow 4 pm, and consult with Mr. Lewis.

2nd by S. Kellogg

Vote: 4-0-0

Motion carries.

R. Gray states that nothing else may progress. No occupancy or building permits will be issued until all documentation is completed.

Adjournment

There was no further business before the Planning Board and the meeting was adjourned at 9:50 P.M.

Respectfully submitted as recorded by Kerry Lee Noel.

Approved by the Planning Board on _____

Steve Ranlett, Chairman