



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

PB Minutes 12/16/15

PLANNING BOARD MINUTES December 16, 2015

Call to Order: 6:33 p.m.

ROLL CALL: Tim Moore, *Chair*,
Charlie Lanza, *Vice Chair*
Gennifer Silva, *Arrived 6:55 p.m.*
Shem Kellogg, *Excused*
Steve Ranlett, *Selectman Ex-Officio, Excused*
Geoffrey Adams, *Alternate*
Laurie Milette, *Alternate*

Also present were: Greg Jones, *Town Planner*, and P. Michael Dorman, *Chief Building Official*

G. Adams was appointed as a voting member for S. Kellogg and L. Milette was appointed as a voting member until the arrival of G. Silva.

Agenda Item 2: Minutes of December 02, 2015 Meeting

G. Adams moved, second by C. Lanza, to approve the minutes of the December 02, 2015 meeting. There was no discussion on the motion. The vote was 2-0-2 (Lanza and Milette abstaining).

Agenda Item 3: Proposed Update to Zoning Ordinance §220-62. Temporary Signs – Discussion

It was noted that the Board had already reviewed and posted for public hearing some proposed amendments to Zoning Ordinance. M. Dorman offered one more change for consideration.

Proposed Plaistow Zoning Amendment Z-16-04

Are you in favor of amending the Zoning Ordinance "Article IX, Signs, §220-61 Prohibited signs. (1) Off-site signs: by adding a new section (b) which will read:

"(b) Exemption: Plaistow Non and Not-for Profit Organizations may obtain a permit for temporary signage to advertize for a membership drive and/or special event with the following conditions:

(1) Definition: For purposes of this section of the ordinance only, Plaistow Non and Not-for Profit Organization shall be defined as:

- Churches with a physical location in Plaistow
- Timberlane Regional School District
- Civic/Social Organizations/Clubs (i.e. Lions Club, Fish & Game Club, Knights of Columbus, Boy/Girl Scouts and the like) with a recognized chapter in Plaistow

- (2) The event must be sponsored by a Plaistow Non or Not-for Profit Organization as defined above
- (3) The event which the sign permit is being sought for, must be held in Plaistow
- (4) Signs may be put up no earlier than two (2) weeks prior to an event and must be removed within one (1) weeks after the event.
- (5) A permit from the Department of Building Safety is required
- (6) No more than twenty (20) signs may be erected under this permit
- (7) No more than one (1) permit per event
- (7) There is no fee for this permit
- (8) This permit is for temporary signage only. All permit signage must comply with all other sections of Article IX

[INTENT: To allow only Plaistow-based Non and Not-for Profit Organizations to have off-site, temporary signage, to advertize their Plaistow events, without a fee. Currently, only on-site (on the owner's property) signs are permitted under the ordinance.]

Discussion:

M. Dorman offered that as of right now the current ordinance does not allow for any offsite signs that advertise events held by non-profit groups. He noted that this ordinance would allow for scout groups, schools and civic organizations to place signs around Town without a permit, but would also give him some powers to keep it under control. Having an application form required would also provide contact information for problem resolution.

G. Adams asked if there was a difference between non and not-for profit organizations. It was offered that there were two different categories for purposes of tax-exempt status.

There were a few clarity changes made to the proposed language:

- The numbering is incorrect, (7) is repeated
- Re-Numbered (9) the word "permit" should be "permanent"
- The phrase "one (1) weeks" in (4) should be "one (1) week"
- In (3) relocate the word "for" to between the words "event" and "which"
- In the Intent Statement change the phrase " At current" to "Currently"

With the correction the proposed ordinance amendment will read:

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- (2) The event must be sponsored by a Plaistow Non or Not-for Profit Organization as defined above
- (3) The event for which the sign permit is being sought, must be held in Plaistow

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- (5) A permit from the Department of Building Safety is required
- (6) No more than twenty (20) signs may be erected under this permit
- (7) No more than one (1) permit per event
- (8) There is no fee for this permit
- (9) This permit is for temporary signage only. All permanent signage must comply with all other sections of Article IX

[INTENT: To allow only Plaistow-based Non and Not-for Profit Organizations to have off-site, temporary signage, to advertize their Plaistow events, without a fee. Currently, only on-site (on the owner's property) signs are permitted under the ordinance.]

G. Adams moved, second by L Milette, post proposed the proposed zoning ordinance Z-16-04 for Public Hearing. There was no discussion on the motion. The vote was 4-0-0 U/A.

There was discussion about when the Public Hearing must be posted and held.

G. Jones noted that the last day to post the Public Hearing is December 31, 2015 and the last day to hold the first Public Hearing is January 11, 2016. This Public Hearing will be posted to be held at the January 6, 2016 meeting.

M. Dorman suggested that Planning Board Attorney, Charles Cleary be provided a copy of the proposed changes for review prior to the Public Hearing.

T. Moore added that the entire sign ordinance should be reviewed by Attorney Cleary in light of recent court decisions regarding signage.

G. Jones offered that he had been requested by the Town Manager to get the Board's opinion regarding proposing a regulation that all residential parking must be on an impervious (paved) surface.

C. Lanza replied that he didn't want to go anywhere near it.

M. Dorman added that it would be an enforcement nightmare.

There was discussion of pervious versus impervious surfaces with regards to runoff, recharge and treatment of accidental spills. It was noted that Great Elm Plaza (37 Plaistow Rd) has a parking area that was done with pervious pavement a long time ago and was still in great shape.

Agenda Item 4: Proposed Change of Use for 86 Main St – Discussion

M. Dorman offered that the request was not a true change of use as it was already approved for a combined residential/retail use. Sheppard Hand Therapy is considering buying the property and would like to know if they could use the garage out back for the business use, instead of inside the residence.

T. Moore asked if there would be any physical changes to the site.

M. Dorman replied that there was discussion about tearing down the garage and re-building same footprint or smaller. He added that there would have to be septic connected to the garage, but the parking was sufficient.

It was noted that mixed use is allowed in the Village Center District where this property is located. It was also noted that replacing the garage would be an improvement.

G. Jones asked for consensus of the Board that for this change of property owner and business it would be appropriate for the Department of Building Safety (DBS) to handle the change.

M. Dorman added that if there are any changes that increase the use or structures on the site he will have them come back to the Planning Board.

There was consensus with the Board to let the DBS handle the change of occupancy at 86 Main Street unless there is a significant change that would require Planning Board review and approval.

G. Silva arrived at 6:55 p.m.

Agenda Item 5: Reading of Communications Directed to or From the Board
Sale of Town Owned Land – Map 73, Lot 3 and Map 69, Lot 51

G. Jones gave a PowerPoint presentation that outlined the sale of two parcels being considered by the Board of Selectmen.

The presentation showed the layout, features, assessing data, aerial pictures and current conditions of the parcels under consideration. It was noted that there are offers for purchase before the Board of Selectmen, as whole lots as well as parcel lots. It was noted that the proposals for purchase of partial lots are not being considered by the Selectmen. The presentation noted an easement for a walking trail that would be part of the sale negotiations. Other sales terms that were proposed, such as site work to create the walking trails, was discussed. It was noted that the land-locked property is currently an active wildlife habitat and needs to be cleaned up. It was also noted that there are some erosion issues that need to be looked at.

G. Jones offered that the Town Manager was seeking recommendations from town, departments, boards and committees regarding the sale of the parcels.

M. Dorman noted that the Plaistow First Committee had recommended that the parcels be sold.

G. Adams questioned how the abutting properties were currently being use. He also asked what could be done on these parcels if they were sold to the abutting property owner.

It was noted that the abutting properties are currently owned by Ronald LaPlume and are currently being used commercially. There was no speculation on how Mr. LaPlume might use the property if he was allowed to purchase it. It was noted that he would have to get Planning Board approval for any expanded use of his existing site or a new use on the subject parcels.

There was discussion regarding the proposed walking trail, which would be accessed through an existing woods road near Brandy Brow Auto Salvage (89 Newton Road). There is a town-owned parcel there where a parking lot could be located. The town would be looking for a ten (10) foot easement across the subject parcels to create the walking trail, which would run for approximately one (1) mile to what's known as "Four Corners" (where Plaistow, Newton NH, Merrimac MA and Haverhill MA boundary lines all meet). There are issues to be considered such as security and maintenance of the walking trail. The details would be worked out when and if the land is sold. A surveyor would be hired to map the details of the final trail.

C. Lanza moved, second by G. Adams, that T. Moore draft a letter of Planning Board support for the sale of the subject parcels (tax Map 73, Lot 3 and Tax Map 69, Lot 51). There was no discussion on the motion. The vote was 4-0-0 U/A.

Updates and FYIs from the Planning and Building Departments

- Methuen Construction is moving forward with NHDOT for a new driveway permit to connect to Route 121A. The permit is necessary for the change of use, but all features of access remain the same.
- Source Water Protection Program – the updated is close to being finished to meet the deadline
- The Town Manager and Board of Selectmen are considering purchasing the street lights from Unitil and changing the fixtures to LED.
- 92 Newton Road has decided to move forward with a rooftop unit, instead of a ground mounted solar array. Therefore no Planning Board review is needed
- FastAct approved Transportation Funding, G. Jones meeting with William Rose of NHDOT
- The State's 10-year Plan ask been approved

There were no additional matters before the Board and the meeting was adjourned at 7:35 PM.

Respectfully Submitted,

Dee Voss
Recording Secretary