



**Town of Plaistow, NH  
Office of the Planning Board  
145 Main Street, Plaistow, NH 03865**

**PLANNING BOARD MINUTES**

**July 18, 2018**

**Call to Order:** The meeting was called to order at 6:42pm

**ROLL CALL:** Tim Moore, *Chair*  
Lisa Lambert, *Vice Chair*  
Laurie Milette  
James Peck  
Steve Ranlett, *Selectman's Rep, excused*  
Geoffrey Adams, *Alternate, excused*  
Julian Kiszka, *Alternate Selectman's Rep*

Also present: Dee Voss, *Planning Coordinator* and P. Michael Dorman, *Chief Building Official*

**Agenda Item 2:**

**Review of updated and corrected Minutes of March 21, 2018 Planning Board Meeting to include discussion with Jay Davey regarding 71 Plaistow Rd for non-compliance and violations of site plan.**

**★ L. Lambert moved, second by L. Milette, to approve the updated and corrected minutes of the March 21, 2018 meeting. There was no discussion on the motion. The vote was 3-0-2 (J. Kiszka and J. Peck abstaining).**

**Review of Minutes of June 20, 2018 Planning Board Meeting**

**★ J. Peck moved, second by J. Kiszka, to approve the minutes of the June 20, 2018 meeting. There was no discussion on the motion. The vote was 5-0-0 U/A.**

**Agenda Item 3: Public Hearings**

**PB 18-10: An application from Hoyt Realty Trust, David M. Hoyt Trustee and Henry Torromeo for a Lot Line Adjustment that proposes to transfer 1.88AC from Tax Map 33, Lot 1, owned by KNP Land Associates, LLC to Tax Map 32, Lot 29, owned by the applicants. The application also proposes a 1,510foot extension of Carli's Way and a 14-lot residential subdivision of Tax Map 32, Lot 29 under the Town's PRD (Planned Residential Development) Zoning Ordinance. Both properties are located in the Residential Conservation 2 district.**

Charlie Zilch, SEC and Associates, was present for the application and was in attendance for the discussion. Also present for the application was Jim Hanley, Civil Design Consultants.

C. Zilch offered the following information regarding Carli's Way Subdivision and Lot adjustment for discussion for the Board regarding the proposed plan:

- It was determined that the application has not violated condition # 2 of the Forestry Notification
- Location is in the RCII District
- Existing conditions as undeveloped and wooded
- Location of wetland pockets

- Slight sloped terrain with hills throughout
- Goal of the application is for a 14 lot PRD subdivision
- Dwellings to be single family residential, up to 4 bedrooms, with on-site septic
- Water supply will consist of two (2) shared, community wells
- Proposed 50-foot-wide public right of way, extending 1,500 feet
- Each of the lots will have their own driveway

J. Hanley offered the following additional information and discussion regarding wetlands and drainage:

- Roadway profile 3-1/2%
- One (1) large pond which meets local and state requirements
- Four (4) feet from bottom of pond - wet pond design
- Water quality and water quality
- Infiltration area
- Open space exceeded
- Roadway swells into pond
- 25-foot wetland buffer
- Slope complies with regulations in regard to culverts
- Two (2) state permits were required: NH DOT Driveway Permit and NH DES Alteration of Terrain Copies of application have been provided to the Planning Office
- No Wetlands Permit was needed
- Two (2) waivers will be needed regarding road length and boundary survey of the property where they are acquiring a small portion to meet well radii

#### Discussion:

L. Lambert asked about the requirements of the Residential Conservation II District.

M. Dorman explained that the district follows MDR requirements, but allows for arrangements of smaller lots and shared open space to preserve natural buffers.

J. Peck asked what wasn't completed on the existing roadway.

C. Zilch responded by stating that it was built to Town specs except for the top coat and possible additional improvements to be paved to just short of the property line.

L. Lambert asked about the expected completion time for the permits and construction.

C. Zilch responded by stating that once bonded, the completion time is expected to be 2-3 years.

J. Kiszka offered the information that Carli's Way has not been officially adopted as the road name yet. It is understood that once 1,500 feet of roadway is added, the entire road will become a town road once it is accepted by the Board of Selectmen.

L. Lambert asked if all 14 lots were going to be "cookie cutter."

C. Zilch stated that they are looking for some flexibility so that the lots are not just a row of the same style houses. Some are expected to be capes with attached garages, while some are expected to be colonials. The goal is to make the site more aesthetically pleasing.

J. Peck asked about the Police Chief's concern about the police firing range in the area.

C. Zilch stated that he will speak with David Hoyt about the police firing range to come up with a resolution.

J. Kiszka asked about fire protection.

M. Dorman stated that the proposed homes will have residential fire sprinklers in each unit.

T. Moore asked if there was anyone in the audience who had questions or comments.

Brian Rivard, 253 Main Street.

B. Rivard expressed concerns about the wells. It was noted that there will be two (2) shared community wells.

There was discussion as to when abutters will have an opportunity to speak. It was noted that this matter was legally noticed to all abutters for this date and time.

**★ J. Kiszka moved, second by L. Lambert, to accept the plan application for a 14-lot subdivision off Carli's Way as complete. There was no discussion on the motion. The vote was 5-0-0 U/A.**

L. Lambert asked why waivers aren't included in the plan.

T. Moore explained that the Board needs to accept the plan first and then review waivers.

T. Moore stated that the public hearing is continued to August 15, 2018 Planning Board Meeting.

**PB 18-11: An application from the Town of Plaistow, Mark A. Pearson Town Manager, for Site Plan Review. The proposed plan is for an 8,000SF Public Works Garage and associated Salt Shed. The property is located at 144 Main St, Tax Map 41, Lot 11 in the Industrial 1 district. The applicant is the property owner of record.**

Charlie Zilch, SEC and Associates, was present for the application and was in attendance for the discussion. Also present for the application was Jim Hanley, Civil Design Consultants.

C. Zilch offered the following information regarding the Public Works Garage site plan for discussion for the Board regarding the proposed plan.

- Intent of plan is for a proposed 8,000 SF Public Works Garage and Salt Shed
- Site is currently undeveloped except for shared driveway with Methuen Construction
- Three (3) acres, flat slope, with a couple of wetlands
- No culvert under roadway, one will need to be established
- Will need area to store trucks
- 3-bay doors
- West side will consist of offices and locker rooms
- 24-foot access to accommodate large trucks
- There will be no large trucks backing out onto public roads
- There will be an area to allow for employee parking
- There will be an onsite well and septic system
- Gas and oil separator and oil tank
- NHDOT has been notified about additional accessway
- Waiver requested for site plan regulation Article I, Section 230-14.1 Y Boundary, Z Topography, and AAA Wetlands
- Waiver requested for site plan regulation Article I, Section 230-14.1HH Landscaping and Article III Section 230-23 Full Site Buffering and Landscaping
- State permits pending for NHDES holding tank registration and NHDOT driveway

J. Hanley offered the following additional information and discussion about the drainage for the Public Works Garage and Salt Shed.

- 2 permits required for septic and holding tanks
- Alteration of Terrain permit is not needed
- Meets all state and local regulations
- Where there is a ridgeline or high point drainage will part into pond, on the other side and on roadway a culvert will be designed
- No variances are needed
- One (1) waiver is needed for landscaping

Discussion:

J. Peck had a question about the site regarding conservation land

C. Zilch stated that the site is owned by the Town of Plaistow and that it is not conservation land.

L. Lambert asked for explanation of the holding tank and driveway

C. Zilch stated that an application was submitted to District 6. Entrance is designed for large volumes. However, the usage will be far below. Holding tanks will have hard wired alarms.

J. Kiszka asked about the additional driveway

C. Zilch stated that the additional entrance will be paved in the future

J. Peck asked about landscaping

C. Zilch stated that there is a natural buffer along the railroad tracks in lieu of landscaping and that there will be a waiver for landscaping.

J. Kiszka asked about the lighting in the Winter when the trees don't have coverage

C. Zilch stated that there are currently street lights and that the lighting will be minimal, only on bay doors and canopy on salt shed.

J. Peck asked about the possibility of solar panels.

C. Zilch stated that there might be a possibility to add solar onto the salt shed, but that it is not on the current site plan. There may be an opportunity to add it onto the construction plan later.

T. Moore asked if there were any members of the public who had any questions or concerns.

Joseph Barbone, Jr., President of Methuen Construction, 144-146 Main St, asked about the turn radius on the exit with tractor-trailers. He expressed concern that it will create a hazard if the truck exits into oncoming traffic head on during high traffic times. Is there going to be a stop sign?

M. Dorman offered that deliveries of salt, etc. can be scheduled around high traffic times, such as early in the morning.

L. Lambert asked who will maintain the road?

M. Dorman stated that the Town of Plaistow will maintain the road.

L. Milette asked if there were any environmental concerns?

C. Zilch stated that he spoke with and asked the Town Manager and was told that there are no environmental concerns with the site.

**★ L. Lambert moved, second by J. Peck, to accept the site plan for a Public Works Garage and related Salt Shed at 144 Main Street, as complete. There was no discussion on the motion. The vote was 5-0-0 U/A.**

**★ J. Kiszka moved, second by L. Lambert, to approve the waiver for site plan regulation Article I, Section 230-14.1 Y Boundary, Z Topography, and AAA Wetlands, for the reasons stated in the waiver request. There was no discussion on the motion. The vote was 5-0-0 U/A.**

**★ J. Kiszka moved, second by L. Lambert, to approve the waiver for site plan regulation Article I, Section 230-14.1HH Landscaping and Article III Section 230-23 Full Site Buffering and Landscaping, for the reasons stated in the waiver request. There was no discussion on the motion. The vote was 5-0-0 U/A.**

**★ J. Kiszka moved, second by L. Lambert, to approve the Site Plan for a Public Works Garage and related Salt Shed at 144 Main Street with the following conditions:**

- **Receipt of NHDES Holding Tank Registration**
- **Receipt of NHDOT Driveway Permit**

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

**PB 18-12: An application from Pat Todisco, for an Minor Site Plan Review. The proposed plan is to include exterior paved temporary storage of vehicles. The property is located at 253 Main Street, in the Medium Density Residential district. The property owners of record are Mark J., Eric and Robert Rivard.**

Michael Malynowski, Allen & Major Associates, was present for the application and was in attendance for the discussion. Also present for the discussion was Pat Todisco.

The applicant has provided proof of five (5) owners. Robert Rivard has legal authority to act on behalf of all property owners.

M. Malynowski offered the following information for discussion:

- The intent of the project is to amend the site plan to allow for paved exterior storage of vehicles
- The Fire Department asked that the access to the back portion of the property be re-graveled to a consistent width
- There will be a temporary fence around gravel area

P. Todisco offered the following information for discussion:

- The site is not intended to be a tow yard, but rather a storage area for the US Marshall's Service to store vehicles that are seized as evidence until there is a disposition regarding them
- There will be one (1) employee and only authorized personnel will have access to the site
- There will be no trucks coming in and out
- The site is not to be accessed by the public

Discussion:

L. Lambert asked what is meant by "temporary" storage of vehicles.

P. Todisco stated that vehicles are cleaned, started occasionally, tire pressure checked, and maintained every thirty (30) days so that they are left in the same condition as the day that they were received on site. If a person is found guilty, the government will seize the vehicle and bring it to auction. If the owner is found innocent, the vehicle is delivered to the owner so that no one knows the location of the holding yard.

J. Peck asked if P. Todisco has any other locations utilized for this purpose?

P. Todisco stated that this is the first site used for the purpose of storing evidence. The allocation is for fifty-three (53) outside vehicles. The site sits back 120 FT and cannot be seen from the road.

D. Voss asked why thirty-eight (38) vehicles were show in enclosure?

M. Malynowski stated that additional vehicles meet regulations plus additional thirty-eight (38). Fifty (50) cars are currently stored.

D. Voss stated that operating hours need to be added to the site plan.

M. Malynowski stated that operating hours will be Monday through Friday, 8:00am - 4:00pm.

L. Lambert asked about Medium Density Residential (MDR) Zoning.

D. Voss stated that the parcel of land was there as a commercial use prior to the change in zoning and is grandfathered.

J. Kiszka asked about landscaping

M. Malynowski stated that the site is not meant for the public, therefore there is no need for improvements.

There was discussion about the old fence, not as "temporary" on the amended site plan. What fencing will be maintained and what fencing will be removed needs to be clarified on the plan.

J. Kiszka asked about the gravel area to access the back of the property; will it be widened?

M. Malynowski stated, yes, it will be widened to an 18-foot gravel area.

J. Peck asked if P. Todisco maintains the entire building.

P. Todisco responded by saying, yes, that the building is leased.

It was asked if abutters were notified of the amendment to change the parking area. It was stated that a public notice went out letting abutters know that they could be at the public hearing tonight.

Brian Rivard, one of the property owners of 253 Main St, offered the comment that Mr. Todisco runs a very clean operation and that they take very good care of the property.

**★ J. Kiszka moved, second by L. Lambert, to accept the amended site plan for 253 Main Street. as complete. There was no discussion on the motion. The vote was 4-0-1 (L. Milette abstaining)**

**★ J. Kiszka moved, second by L. Lambert, to conditionally approve the amended site plan for 253 Main Street with the following conditions:**

- **Note the hours of operation on the site plan**
- **Put the Planning Board number on the site plan**
- **Clarify the fence from temporary to permanent**

***There was no discussion on the motion. The vote was 4-0-1 (L. Milette abstaining)***

#### **Agenda Item 4: Discussions**

SEC & Associates re: Diesel World, 87 Plaistow Road, Conditions of Approval

##### Discussion:

Charlie Zilch, SEC and Associates, and Brian Orlando, property owner, were present for the discussion.

The conditions of approval were noted at the May 16, 2018 Planning Board Meeting. It was decided that Brian Orlando, owner of Diesel World, would close off the Southern driveway and landscape.

C. Zilch noted that Mr. Orlando is asking to keep the Southern driveway and put up a gate. He offered that before money was spent to amend the site plan again, they were seeking consensus from the Planning Board that putting a chain across the driveway instead of landscaping would be acceptable.

There was discussion regarding the advantages of the chain, noting that it would allow the ability to move cars around easier for snow removal. It was noted that the regulations require that if the driveway it to be closed it would need to be landscaped. It was also noted that the Planning Board, at the applicant's request, could consider a waiver of that buffer. The consensus of the Board was that there wouldn't be a problem with the chain instead of the landscaping buffer.

There was additional discussion regarding a second free standing sign that Mr. Orlando would like to install. It was noted that he would need a variance from the Zoning Board of Adjustment (ZBA) for such a request. He would need to successfully obtain that before amending the site plan, or the site plan would have to be amended again once there is an approved variance.

Discussion with Heidi Mongeau re: Additional single-year special permit for Rock, Run, Raiser

Heidi Mongeau, organizer of the Rock, Run Raiser was present for the discussion.

It was noted that H. Mongeau had been before the Board a year ago to request a one-time special event approval. At that time, she was told that if the event were to become annual she would have to amend the site plans for the two (2) properties involved. Those properties are the Rock Church and the former Goudreault's Farm. After some additional consideration this may not be the best way to handle this annual event. Ms. Mongeau is not the property owner for either property, but is using them with owner's permission. The events are not part of the operations of either property owners so to add them to the site plan may be too restrictive or give more permissions to the event than intended going forward. Staff suggests that the best way to ensure that the event has continued support of both property owners would be to ask that Ms. Mongeau make an application for the special event each year.

#### **Agenda Item 5: Old Business**

Jay Davey, 71 Plaistow Rd

It was noted that Mr. Davey requested, and was granted, a continuance of his ZBA hearing.

### **Agenda Item 6: New Business**

J. Peck asked about the status of North Avenue.

D. Voss offered that nothing is going on. Last known was that they were going to sell the property.

### **Agenda Item 7: Communications, Updates, & Other Business**

#### Master Plan:

In regard to Master Plan: T. Moore spoke with Steve Whitman, Resilience Planning and Design, and they agreed on three (3) possible dates in mid to late September: September 17, 19, and 24, 2018 from 3:00pm - 7:00pm.

They will look at the library schedule to see what is available for dates to be able to set up information stations.

D. Voss will coordinate with the library.

S. Whitman will be attending the August 15 meeting and asks that any comments or questions regarding the first three (3) sections be submitted in advance.

#### Beede Site Open House:

It was noted that the annual Beede Site Open House will be held July 19 from 7:00pm- 9:00pm. This is a good opportunity to see the progress that is being made to clean up the site.

There was no additional business before the Board and the meeting was adjourned at 8:47p.m.

Respectfully Submitted,

Samantha D. Cote  
Recording Secretary