



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

**PLANNING BOARD MINUTES
December 4, 2019**

Call to Order: The meeting was called to order at 6:30 PM

ROLL CALL: Tim Moore, *Chair*
James Peck, *Vice Chair*
Laurie Milette
Francine Hart, *Selectman's Rep*
Geoffrey Adams, *Alternate*

Also present: John Cashell, Planning Director, and Dee Voss, *Administrative Assistant*

★ ***T. Moore appointed G. Adams as a voting member.***

Agenda Item 2: Minutes of the November 20, 2019 Planning Board Meeting:

★ ***F. Hart moved, second by J. Peck to approve the minutes of the November 20, 2019 Planning Board Meeting. There was no discussion on the motion. The vote was 5-0-0 U/A.***

Agenda Item 3: Review of Proposed Zoning Amendments:

J. Cashell offered that he feels that there are some additional edits that are needed within the Proposed Zoning Amendments. He passed out a handout of suggested edits for Amendments Z-20-1 thru Z-20-5 to the Board. He also commended D. Voss on an amazing job at keeping up with the ongoing edits that have been made to the Proposed Zoning Amendments.

T. Moore offered that he would review the Proposed Zoning Amendments and the Board may suggest additional edits as they are reviewed.

D. Voss offered that if additional changes are made to the Proposed Zoning Amendments, the Board will need to re-vote to post the revised amendment(s) for Public Hearing. She explained that the Board can either re-vote on each amendment that is edited individually or wait until all changes are made and then vote at the end to post all Amendments, once finalized, for Public Hearing altogether. All changes that are made at tonight's meeting will be final and the final Public Hearing notification will be made available to the public tomorrow.

D. Voss offered that she will explain any comments made by Attorney, Charlie Cleary as they come up when the Proposed Zoning Amendments are reviewed.

T. Moore reviewed the following Proposed Zoning Amendments:

Proposed before edits:

D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-1.

Proposed Plaistow Zoning Amendment Z-20-1. Are you in favor of Amendment #1 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article II, Definitions, as follows?

Modify §220-2 Definitions

From: B. RETAIL BUSINESS — A business enterprise where goods and/or services are sold directly to the ultimate consumer.

To: B. RETAIL BUSINESS – A business enterprise where goods and/or services are sold or rented directly to the ultimate consumer

Amendment #1 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-1. Are you in favor of Amendment #1 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article II, Definitions, as follows?

Modify §220-2 Definitions

From: B. RETAIL BUSINESS — A business enterprise where goods and/or services are sold directly to the ultimate consumer.

To: B. RETAIL BUSINESS – A business enterprise where goods and/or services are sold or rented directly to the ultimate consumer

Amendment #1 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered a review of Attorney Cleary's comments regarding Amendment Z-20-2.

Proposed Plaistow Zoning Amendment Z-20-2. Are you in favor of Amendment #2 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article II, Definitions, as follows?

Add §220-2 Definitions

G. TRADE BUSINESS - A business enterprise which holds the necessary state and local licenses to provide trade services directly to the ultimate consumer. Such examples would be electricians, plumbers, and HVAC contractors. This does not include businesses such as landscaping or construction contractors that typically call for outdoor storage of materials.

Amendment #2 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-2. Are you in favor of Amendment #2 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article II, Definitions, as follows?

Add §220-2 Definitions

G. TRADE BUSINESS - A business enterprise which holds the necessary state and local licenses to provide trade services directly to the ultimate consumer. Such examples would be electricians, plumbers, and HVAC contractors. This does not include businesses such as landscaping or construction contractors that typically call for outdoor storage of materials.

Amendment #2 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered a review of Attorney Cleary's comments regarding Amendment Z-20-3.

Proposed Plaistow Zoning Amendment Z-20-3. Are you in favor of Amendment #3 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article II, Definitions, as follows?

Modify §220-2 Definitions

From: CHANGE OF USE - Change of use is marked by an alteration, modification, transformation, or substitution to either structural elements or the type of activity in an existing developed property.

In the case of commercial and industrial properties, a new site plan must be reviewed and/or approved before a certificate of occupancy can be issued allowing such change of use to take place and signaling its compliance with all applicable Town requirements.

To: CHANGE OF USE - A change of use occurs when an existing permitted activity (use) in the Commercial (CI, CII), Industrial (INDI, INDII) or Integrated Commercial Residential (ICR) districts is proposed to be changed to another permitted activity (use). Such use shall be determined as permitted by the Zoning Officer. If the Zoning Officer determines that the proposed change of use is greater, or significantly different, than the existing proposed use, the proposed use shall require review/approval of a new/amended site plan by the Planning Board prior to the issuance of any permits.

Amendment #3 is recommended by the Planning Board by a X-X-X vote

Discussion:

J. Cashell offered a review of some changes that he recommends for Amendment Z-20-3.

F. Hart asked what is meant by the "more intense" with regard to change of use.

D. Voss offered an explanation of Attorney Cleary's definition of a "more intense" change of use.

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-3. Are you in favor of Amendment #3 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article II, Definitions, as follows?

Modify §220-2 Definitions

From: CHANGE OF USE - Change of use is marked by an alteration, modification, transformation, or substitution to either structural elements or the type of activity in an existing developed property. In the case of commercial and industrial properties, a new site plan must be reviewed and/or approved before a certificate of occupancy can be issued allowing such change of use to take place and signaling its compliance with all applicable Town requirements.

To: CHANGE OF USE - A change of use occurs when an existing permitted use in the Commercial (CI, CII), Industrial (INDI, INDII) or Integrated Commercial Residential (ICR) districts is proposed to be changed to another permitted use. Such use shall be determined as permitted by the Zoning Officer. If the Zoning Officer determines that the proposed change of use is more intense, or significantly different, than the existing use, the proposed use shall require site plan approval by the Planning Board prior to the issuance of any permits.

Amendment #3 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered a review of Attorney Cleary's comments regarding Amendment Z-20-4. She stated that Attorney Cleary thought that part of Section B was duplicative. She offered that part of Section B is intentionally duplicative and gave the Board an explanation as to the reasoning behind it.

Proposed Plaistow Zoning Amendment Z-20-4. Are you in favor of Amendment #4 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article III, General Provisions as follows?

Modify §220.9.1 Location of Residential Driveways

From: All driveways in any residential district must be located within the frontage of the lot and comply with the rear and side setbacks as specified in Table 220-32I.

To: A. All driveways in any residential district must comply with the rear and side setbacks as specified in Table 220-32I.

B. Lots created by subdivision, with frontage on more than one public roadway, may choose either frontage for the location of the driveway, provided that at least one of the frontages meets the minimum requirements of the district, and any new driveway meets all required setbacks from the side and rear property line as specified in Table 220-32I.

Amendment #4 is recommended by the Planning Board by a X-X-X vote

Discussion:

There was a discussion that with the current Zoning Ordinance doesn't allow for choice when there is more than one frontage of the lot and therefore, more than one possible driveway access. When a lot is subdivided, there must be enough frontage to meet the frontage requirements of the district where the land is located, and "qualify" the lot for subdivision. If the lot only has frontage on one road, the driveway is located there. If a parcel has frontage on more than one road, currently, the driveway must then be located in that qualifying frontage. When a lot is being subdivided, and there is more than one frontage, there is no discretion for the owner to pick one frontage to locate a driveway over the other. Things like wetlands and sight distance, that might not make the qualifying frontage the best place for a driveway are not addressed in the current ordinance. They must put the driveway in the frontage that qualifies the lot to be subdivided, even if that may not be the best place for a driveway, or obtain a variance to put it in a non-qualifying frontage. It makes no sense to force a property owner to put a driveway through a wetland, or make them seek a variance, if there is a reasonable alternative. If the proposed amendment passes, the owner of a lot created by subdivision, that has more than one frontage would be able to pick which frontage to place the driveway, provided they can still meet all setback requirements and get approval from the Town or State for the location of the driveway.

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-4. Are you in favor of Amendment #4 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article III, General Provisions as follows?

Modify §220.9.1 Location of Residential Driveways

From: All driveways in any residential district must be located within the frontage of the lot and comply with the rear and side setbacks as specified in Table 220-32I.

To: A. All driveways in any residential district must comply with the rear and side setbacks as specified in Table 220-32I.

B. Owners of lots created by subdivision, with frontage on more than one public roadway, may choose either roadway frontage for the location of a driveway, provided that at least one of the roadway frontages meets the minimum frontage requirement. Any new driveway must meet all required setbacks from the side and rear property line as specified in Table 220-32I.

Amendment #4 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-14.

Proposed Plaistow Zoning Amendment Z-20-14. Are you in favor of Amendment #14 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article III – General Provisions and Article VI – Planned Residential Development as follows?

1. Delete §220-49 from Article VI – Planned Residential Development

2. Add the following new paragraphs to Article III – General Provisions §220-10 Roadway Construction:

§220-10.1 Public Roads

- A. All new roads shall be public roads and constructed as public roads including all residential/commercial/industrial subdivisions, Planned Residential Subdivisions, and Affordable, Elderly Housing subdivisions.
- B. Private roads may be allowed in Affordable, Elderly Housing subdivisions if the proposed road terminates on the Affordable, Elderly Housing lot. Any proposed road in an Affordable, Elderly Housing subdivision that is a through-road, that is both ends of the road connect to existing public rights-of-way, must be a public road.

Amendment #14 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-14. Are you in favor of Amendment #14 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article III – General Provisions and Article VI - Planned Residential Development as follows?

1. Delete §220-49 from Article VI – Planned Residential Development
2. Add the following new paragraphs to Article III – General Provisions §220-10 Roadway Construction:
§220-10.1 Public Roads
 - A. All new roads shall be public roads and constructed as public roads including all residential/commercial/industrial subdivisions, Planned Residential Subdivisions, and Affordable, Elderly Housing subdivisions.
 - B. Private roads may be allowed in Affordable, Elderly Housing subdivisions if the proposed road terminates on the Affordable, Elderly Housing lot. Any proposed road in an Affordable, Elderly Housing subdivision that is a through-road, that is both ends of the road connect to existing public rights-of-way, must be a public road.

Amendment #14 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

- D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-5.

Proposed Plaistow Zoning Amendment Z-20-5. Are you in favor of Amendment #5 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations as follows?

Delete “Motels” as a permitted use in all districts.

Amendment #5 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-5. Are you in favor of Amendment #5 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations as follows?

Delete “Motels” as a permitted use in all districts.

Amendment #5 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

- D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-6.

Proposed Plaistow Zoning Amendment Z-20-6. Are you in favor of Amendment #6 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations, as follows?

Adding the use of “Trade Business” as a permitted use in the Commercial (CI), Industrial (INDI, INDII), and Integrated Commercial Residential (ICR - Commercial and Combined Commercial/Residential only) districts.

Note: This proposed amendment is void if Z-20-2 does not pass.

Amendment #6 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-6. Are you in favor of Amendment #6 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations, as follows?

Adding the use of “Trade Business” as a permitted use in the Commercial (CI), Industrial (INDI, INDII), and Integrated Commercial Residential (ICR - Commercial and Combined Commercial/Residential only) districts.

Note: This proposed amendment is void if Z-20-2 does not pass.

Amendment #6 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-7.

Proposed Plaistow Zoning Amendment Z-20-7. Are you in favor of Amendment #7 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations, as follows?

Add PERSONAL SERVICES BUSINESS as defined in Article II, as a permitted use in the Commercial II (CII) and Village Center (VC) districts.

Amendment #7 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-7. Are you in favor of Amendment #7 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations, as follows?

Add PERSONAL SERVICES BUSINESS as defined in Article II, as a permitted use in the Commercial II (CII) and Village Center (VC) districts.

Amendment #7 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered a review of Attorney Cleary’s comments regarding Amendment Z-20-8.

Proposed Plaistow Zoning Amendment Z-20-8. Are you in favor of Amendment #8 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations, as follows?

Modify all references to structures to house any farm animals

From: Structures (including, but not limited to, barns, sheds and stables) used to house any farm animals must be at least 100 feet from all property lines.

To: Structures including, but not limited to, barns, sheds and stables, used to house any farm animals must be contained within the corral structure. If there is no corral the housing structure must be at least 100 feet from all property lines.

Amendment #8 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-8. Are you in favor of Amendment #8 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article V, Establishment of Districts and District Regulations, as follows?

Modify all references to structures to house any farm animals

From: Structures (including, but not limited to, barns, sheds and stables) used to house any farm animals must be at least 100 feet from all property lines.

To: Structures including, but not limited to, barns, sheds and stables, used to house any farm animals must be contained within the corral structure. If there is no corral the housing structure must be at least 100 feet from all property lines.

Amendment #8 is recommended by the Planning Board by a X-X-X vote

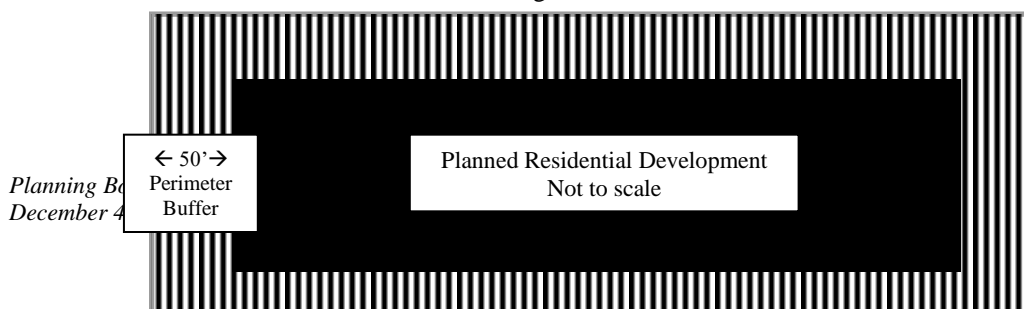
Proposed before edits:

D. Voss offered a review of Attorney Cleary's comments regarding Amendment Z-20-9.

Proposed Plaistow Zoning Amendment Z-20-9. Are you in favor of Amendment #9 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article VI. Planned Residential Development as follows?

1. Delete §220-47 paragraph A. This change will remove the minimum requirement of 10 acres for a PRD.
2. Replace existing paragraph B with the following:
 - B. Frontage requirements
 - 1) Frontage may not be on a Class VI road.
 - 2) 100 feet of frontage shall be required when ingress/egress to a PRD is provided by a single public way with a required 50-foot right-of-way connected to a public right-of-way.
 - 3) 200 feet of frontage shall be required when two (2) rights-of-way provide ingress/egress to the PRD. Each right-of-way may provide both ingress and egress or may provide ingress or egress only. In cases where two (2) rights-of-way are proposed, there must be at least 100 feet of separation between the rights-of-way as measured from the center of each right-of-way. Sight distance requirements may preclude the ability to have more than a single right-of-way.
 - 4) Ingress/egress rights-of-way shall conform to the diagram shown below in Figure 1.

Figure 1 – Perimeter buffer



Frontage – Ingress/Egress Location

Note: Drawing not to scale. Striped area represents the 50-foot perimeter buffer. Ingress/egress rights-of-way must be located in the white area of the above diagram. All rights-of-way shall be 50 feet wide. Any area of the frontage that is not a right-of-way shall be part of the perimeter buffer.

3. Add a new section as follows:

§220-47.1 Open space and buffering requirements

- A. Move paragraph § 220-48.C to become paragraph § 220-47.1.A
- B. A naturally vegetated 50-foot buffer shall be provided along all external property lines except for external lot lines for rights-of-way ingress/egress to the PRD. Such buffers may be used as part of the open space requirement.

4. Modify §220-48.B Specific Design Requirements

From: “The number of dwellings permitted ...”

To: “The number of dwelling units permitted ...”

5. Modify §220-48.B.(1)

From: “... wetlands, Class V and VI soils, and fifteen-percent and ...”

To: “... wetlands, High Intensity Soil Standards (HISS) Class V and VI soils, and fifteen-percent or ...”

6. Modify §220-48.B.(1) Specific Design Requirements

From: “The resulting number shall be multiplied by 90% to obtain the maximum number of dwellings permitted in a PRD.”

To: “The resulting number shall determine the maximum number of dwelling units permitted in a PRD.”

7. Modify §220-48.D.(2) Specific Design Requirements

From: “A two-hundred-fifty foot well radius within the parcel shall be limited in development to well construction and an access road to a pump house.”

To: “A well radius shall be provided in accordance with the standards and requirements of the New Hampshire Water Supply and Pollution Control Commission.”

8. Modify §220-48.E Specific Design Requirements

From: “No building or structure in the PRD shall be located closer than 50 feet to the PRD perimeter in an MDR District and 100 feet in an LDR District (or closer than 100 feet to a Town road network in all districts).”

To: “No building or structure in the PRD shall be located in the 50-foot perimeter buffer.”

9. Modify §220-48.G.(1) Specific Design Requirements

From: “No dwellings ...”

To: “No dwelling units ...”

10. Modify §220-48.G.(2) Specific Design Requirements

From: “... 30 feet between the edge of the nearest private right-of-way and/or driveway of any building or structure.”

To: “... 30 feet between the edge of any right-of-way and any building or structure.”

11. Modify §220-48.H Specific Design Requirements

From: “H. Each dwelling must be served by its own driveway.”

To: “H. Driveways

(1). Each single-family dwelling unit must be served by its own driveway.

- (2). Each duplex dwelling unit may be served by a common driveway or separate driveways for each dwelling unit.
- (3). Each multi-family building must be served by its own unique, single driveway.

Amendment #9 is recommended by the Planning Board by a X-X-X vote

Discussion:

There was a discussion regarding Attorney Cleary's questions regarding natural or planted vegetation.

T. Moore recommended the following be added to the amendment to address natural or planted buffers:

ADD to Section 3:

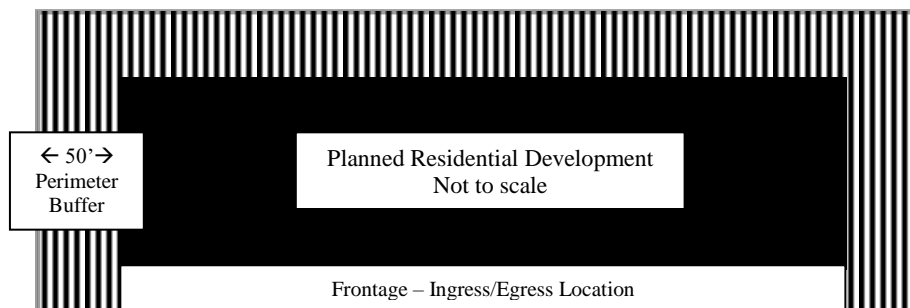
C. A natural buffer is always preferable, but where a natural vegetative buffer does not exist a planted buffer shall be installed.

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-9. Are you in favor of Amendment #9 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article VI. Planned Residential Development as follows?

1. Delete §220-47 paragraph A. This change will remove the minimum requirement of 10 acres for a PRD.
2. Replace existing paragraph B with the following:
 - B. Frontage requirements
 - 1) Frontage may not be on a Class VI road.
 - 2) 100 feet of frontage shall be required when ingress/egress to a PRD is provided by a single public way with a required 50-foot right-of-way connected to a public right-of-way.
 - 3) 200 feet of frontage shall be required when two (2) rights-of-way provide ingress/egress to the PRD, from the same public way. Each right-of-way may provide both ingress and egress or may provide ingress or egress only. In cases where two (2) rights-of-way are proposed, there must be at least 100 feet of separation between the rights-of-way as measured from the center of each right-of-way. Sight distance requirements may preclude the ability to have more than a single right-of-way.
 - 4) Ingress/egress rights-of-way shall conform to the diagram shown below in Figure 1.

Figure 1 – Perimeter buffer



Note: Drawing not to scale. Striped area represents the 50-foot perimeter buffer. Ingress/egress rights-of-way must be located in the white area of the above diagram. All rights-of-way shall be 50 feet wide. Any area of the frontage that is not a right-of-way shall be part of the perimeter buffer.

3. Add a new section as follows:

§220-47.1 Open space and buffering requirements

A. Move paragraph § 220-48.C to become paragraph § 220-47.1.A

B. A naturally vegetated 50-foot buffer shall be provided and maintained along all external property lines except for external lot lines for rights-of-way ingress/egress to the PRD. Such buffers may be used as part of the open space requirement.

C. A natural buffer is always preferable, but where a natural vegetative buffer does not exist a planted buffer shall be installed.

4. Modify §220-48.B Specific Design Requirements

From: “The number of dwellings permitted ...”

To: “The number of dwelling units permitted ...”

5. Modify §220-48.B.(1)

From: “... wetlands, Class V and VI soils, and fifteen-percent and ...”

To: “... wetlands, High Intensity Soil Standards (HISS) Class V and VI soils, and fifteen-percent or ...”

6. Modify §220-48.B.(1) Specific Design Requirements

From: “The resulting number shall be multiplied by 90% to obtain the maximum number of dwellings permitted in a PRD.”

To: “The resulting number shall determine the maximum number of dwelling units permitted in a PRD.”

7. Modify §220-48.D.(2) Specific Design Requirements

From: “A two-hundred-fifty foot well radius within the parcel shall be limited in development to well construction and an access road to a pump house.”

To: “A well radius shall be provided in accordance with the standards and requirements of the New Hampshire Water Supply and Pollution Control Commission.”

8. Modify §220-48.E Specific Design Requirements

From: “No building or structure in the PRD shall be located closer than 50 feet to the PRD perimeter in an MDR District and 100 feet in an LDR District (or closer than 100 feet to a Town road network in all districts).”

To: “No building or structure in the PRD shall be located in the 50-foot perimeter buffer.”

9. Modify §220-48.G.(1) Specific Design Requirements

From: “No dwellings ...”

To: “No dwelling units ...”

10. Modify §220-48.G.(2) Specific Design Requirements

From: “... 30 feet between the edge of the nearest private right-of-way and/or driveway of any building or structure.”

To: “... 30 feet between the edge of any right-of-way and any building or structure.”

11. Modify §220-48.H Specific Design Requirements

From: “H. Each dwelling must be served by its own driveway.”

To: “H. Driveways

(1). Each single-family dwelling unit must be served by its own driveway.

(2). Each duplex dwelling unit may be served by a common driveway or separate driveways for each dwelling unit.

(3). Each multi-family building must be served by its own exclusive, single driveway.

Amendment #9 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-10.

Proposed Plaistow Zoning Amendment Z-20-10. Are you in favor of Amendment #10 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article VII. Affordable Elderly Housing as follows?

1. Modify §220-51.A. Objectives and purpose by deleting "...in a cluster development and..."

2. Modify §220-51.E by deleting the words "...Section 230..." and "...Section 235..."

3. Modify §220-51.G Objectives and purpose

From: As with all subdivision proposals submitted, all proposals submitted under this section must align roadways so that connection to existing Class V or better roadways can be made.

To: As with all subdivision proposals submitted, all proposals submitted under this section must align roadways so that connections to an existing roadway can be made. Connections shall not be made to Class VI roads.

4. Deleting §220-52 Definitions as redundant

5. Modify §220-53.A.(1) Building and Site Design Requirements

From: Site must have 150 feet of frontage on an existing or proposed Class V or better road.

To: Site must have 150 feet of frontage.

6. Modify §220-53.A.(6). Building and Site Design requirements

From: (6) The minimum lot size shall be 160,000 square feet. At least 50% open space must be provided and no more than 30% of this open space can be in a wetlands district or have slopes greater than 15%.

To: (6) The minimum lot size shall be 160,000 square feet of which 50%, at minimum, shall comprise open space, having a maximum of 30% in a wetlands district, and having no slope area greater than 25%. Open space cannot be used towards the unit density calculations.

7. Modify §220-54. Density.

From: All plans submitted under this ordinance must show calculations for the maximum number of bedrooms permitted on the site by NHDES septic loading criteria. This is to be used as a theoretical maximum number of bedrooms. Other criteria may significantly lower the number of bedrooms permitted.

To: All plans submitted under this ordinance must show calculations for the maximum number of dwelling units permitted on the site by NHDES septic loading criteria. This is to be used as a theoretical maximum number of bedrooms. Other criteria may significantly lower the number of bedrooms permitted.

8. Modify §220-54. Density

From: (1) A maximum of six (6) Age-Restricted Affordable Elderly Housing Units (Renter Occupied) may be constructed per 40,000 square feet. Note that soil and slope requirements may increase the 40,000 square feet to a larger area.

To: (1) A maximum of six (6) Age-Restricted Affordable Elderly Housing Units (Renter Occupied) shall be allowed for every 40,000 square feet of buildable area as defined by §220-53.A(6). Note: soil requirements may increase the 40,000 square feet to a larger area.

9. Modify §220-54.1 Building Cap

From: The Planning Board shall not accept for consideration any proposal that, if approved, would increase the total number of all elderly housing units, existing and proposed, above the number representing ten percent (10%) of the total number of dwelling units within the Town as determined by the Assessor. The Planning Board shall keep a running total of the number of such units. All units constructed under earlier versions of this ordinance shall be counted towards the cap. This calculation is to be made at the end of each calendar year.

To: §220-54. Building Cap

- A. The Planning Board shall not accept for consideration any proposal that, if approved, would increase the total number of all affordable elderly housing units, existing and proposed, above the number representing ten percent (10%) of the total number of dwelling units within the Town as determined by the Assessor. The Planning Board shall keep a running total of the number of such units. All units constructed under any version of a Town of Plaistow affordable elderly housing ordinance shall be counted towards the cap. This calculation is to be made at the end of each calendar year.
- B. Applications received by the Planning Office for consideration under this ordinance will be date and time stamped. The date and time stamp will determine the order of consideration by the Planning Board for application completeness. Once the Planning Board has accepted the application as complete over a plan, the number of units proposed under that plan will be deducted from the building cap.
- C. If the number of units proposed on a plan submitted under this ordinance would exceed the building cap, should the Planning Board accept the application as complete of the plan, the developer will be notified of the exceedance prior to consideration by the Planning Board, and asked to lower the number of units to at or be below the building cap.
- D. If a plan proposed under this ordinance and accepted for jurisdiction by the Planning Board is not approved, the number of units proposed by the failed plan will then be considered as available under the building cap

10. And deleting §220-54.2

11. Modify § 220-55. Certification.

From: The Town of Plaistow shall require an annual certification of each development in the Elderly Housing District to ensure compliance with the age, income and rental provisions of this ordinance.

To: The Town of Plaistow shall require an annual certification of each development in the Affordable Elderly Housing District to ensure compliance with the age, income and rental provisions of this ordinance.

Amendment #10 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-10. Are you in favor of Amendment #10 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article VII. Affordable Elderly Housing as follows?

1. Modify §220-51.A. Objectives and purpose by deleting "...in a cluster development and..."

2. Modify §220-51.E by deleting the words "...Section 230..." and "...Section 235..."

3. Modify §220-51.G Objectives and purpose

From: As with all subdivision proposals submitted, all proposals submitted under this section must align roadways so that connection to existing Class V or better roadways can be made.

To: As with all subdivision proposals submitted, all proposals submitted under this section must align roadways so that connections to an existing roadway can be made. Connections shall not be made to Class VI roads.

4. Deleting §220-52 Definitions as redundant

5. Modify §220-53.A.(1) Building and Site Design Requirements

From: Site must have 150 feet of frontage on an existing or proposed Class V or better road.

To: Site must have 150 feet of frontage.

6. Modify §220-53.A.(6). Building and Site Design requirements

From: (6) The minimum lot size shall be 160,000 square feet. At least 50% open space must be provided and no more than 30% of this open space can be in a wetlands district or have slopes greater than 15%.

To: (6) The minimum lot size shall be 160,000 square feet of which 50%, at minimum, shall comprise open space, having a maximum of 30% in a wetlands district, and having no slope area greater than 25%. Open space cannot be used towards the unit density calculations.

7. Modify §220-54. Density.

From: All plans submitted under this ordinance must show calculations for the maximum number of bedrooms permitted on the site by NHDES septic loading criteria. This is to be used as a theoretical maximum number of bedrooms. Other criteria may significantly lower the number of bedrooms permitted.

To: All plans submitted under this ordinance must show calculations for the maximum number of dwelling units permitted on the site by NHDES septic loading criteria. This is to be used as a theoretical maximum number of bedrooms. Other criteria may significantly lower the number of bedrooms permitted.

8. Modify §220-54. Density

From: (1) A maximum of six (6) Age-Restricted Affordable Elderly Housing Units (Renter Occupied) may be constructed per 40,000 square feet. Note that soil and slope requirements may increase the 40,000 square feet to a larger area.

To: (1) A maximum of six (6) Age-Restricted Affordable Elderly Housing Units (Renter Occupied) shall be allowed for every 40,000 square feet of buildable area as defined by §220-53.A(6). Note: soil requirements may increase the 40,000 square feet to a larger area.

9. Modify §220-54.1 Building Cap

From: The Planning Board shall not accept for consideration any proposal that, if approved, would increase the total number of all elderly housing units, existing and proposed, above the number representing ten percent (10%) of the total number of dwelling units within the Town as determined by the Assessor. The Planning Board shall keep a running total of the number of such units. All units constructed under earlier versions of this ordinance shall be counted towards the cap. This calculation is to be made at the end of each calendar year.

To: §220-54. Building Cap

A. The Planning Board shall not accept for consideration any proposal that, if approved, would increase the total number of all affordable elderly housing units, existing and proposed, above the number representing ten percent (10%) of the total number of dwelling units within the Town as determined by the Assessor. The Planning Board shall keep a running total of the number of such units. All units constructed under any version of a Town of Plaistow affordable elderly housing ordinance shall be counted towards the cap. This calculation is to be made at the end of each calendar year.

B. Applications received by the Planning Office for consideration under this ordinance will be date and time stamped. The date and time stamp will determine the order of consideration by the Planning Board for application completeness. Once the Planning Board has accepted the application as complete over a plan, the number of units proposed under that plan will be deducted from the building cap.

C. If the number of units proposed on a plan submitted under this ordinance would exceed the building cap, should the Planning Board accept the application as complete of the plan, the developer will be notified of the exceedance prior to consideration by the Planning Board, and asked to lower the number of units to at or be below the building cap.

D. If a plan proposed under this ordinance and accepted for jurisdiction by the Planning Board is not approved, the number of units proposed by the failed plan will then be considered as available under the building cap

10. And deleting §220-54.2

11. Modify § 220-55. Certification.

From: The Town of Plaistow shall require an annual certification of each development in the Elderly Housing District to ensure compliance with the age, income and rental provisions of this ordinance.

To: The Town of Plaistow shall require an annual certification of each development in the Affordable Elderly Housing District to ensure compliance with the age, income and rental provisions of this ordinance.

Amendment #10 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-11.

Proposed Plaistow Zoning Amendment Z-20-11. Are you in favor of Amendment #11 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article X, Home Occupation as follows?

Modify §220-66.B. Permitted Uses

From: B. Artist, craftsman, daycare (caring for not more than six children not living in the home), seamstress, one-chair beauty parlor, teaching not more than four pupils simultaneously in addition to those living in the home, and other similar occupations.

To: B. Artist, craftsman, daycare (caring for not more than six children not living in the home), seamstress, one-chair beauty parlor, teaching not more than six pupils simultaneously in addition to those living in the home, and other similar occupations.

Amendment #11 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-11. Are you in favor of Amendment #11 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article X, Home Occupation as follows?

Modify §220-66.B. Permitted Uses

From: B. Artist, craftsman, daycare (caring for not more than six children not living in the home), seamstress, one-chair beauty parlor, teaching not more than four pupils simultaneously in addition to those living in the home, and other similar occupations.

To: B. Artist, craftsman, daycare (caring for not more than six children not living in the home), seamstress, one-chair beauty parlor, teaching not more than six pupils simultaneously in addition to those living in the home, and other similar occupations.

Amendment #11 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-15.

Proposed Plaistow Zoning Amendment Z-20-15. Are you in favor of Amendment #15 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article XIV – Impact Fees as follows?

Modify § 220-100.B.(2).B. Imposition of school district impact fee.

From: B. Credits for accessory dwelling units that are created entirely within the square footage of an existing primary residential dwelling unit, shall be 100%, that is, no impact fee will be assessed for this type of dwelling unit.

To: B. School District Impact Fees for accessory dwelling units shall be assessed in accordance with the Plaistow Planning Board Fee Schedule.

And modify Letter D to be Letter C

C. No other credits will be given to offset this impact fee.

Modify § 220-100.C.(2).B. Imposition of recreational facility impact fee.

From: B. Credits for accessory dwelling units that are created entirely within the square footage of an existing primary residential dwelling unit, shall be 100%, that is, no impact fee will be assessed for this type of dwelling unit.

To: B. Recreation Facility Impact Fees for accessory dwelling units shall be assessed in accordance with the Plaistow Planning Board Fee Schedule.

C. No other credits will be given to offset this impact fee.

Amendment #15 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-15. Are you in favor of Amendment #15 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article XIV – Impact Fees as follows?

Modify § 220-100.B.(2).B. Imposition of school district impact fee.

From: B. Credits for accessory dwelling units that are created entirely within the square footage of an existing primary residential dwelling unit, shall be 100%, that is, no impact fee will be assessed for this type of dwelling unit.

To: B. School District Impact Fees for accessory dwelling units shall be assessed in accordance with the Plaistow Planning Board Fee Schedule.

And modify Letter D to be Letter C

C. No other credits will be given to offset this impact fee.

Modify § 220-100.C.(2).B. Imposition of recreational facility impact fee.

From: B. Credits for accessory dwelling units that are created entirely within the square footage of an existing primary residential dwelling unit, shall be 100%, that is, no impact fee will be assessed for this type of dwelling unit.

To: B. Recreation Facility Impact Fees for accessory dwelling units shall be assessed in accordance with the Plaistow Planning Board Fee Schedule.

C. No other credits will be given to offset this impact fee.

Amendment #15 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered that there are no comments from Attorney Cleary regarding Amendment Z-20-12.

Proposed Plaistow Zoning Amendment Z-20-12. Are you in favor of Amendment #12 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article XX. Adjustments as follows?

Add §220-137 Board of Adjustment

D. Variances and special exceptions granted prior to December 31, 2013, but not exercised by March 30, 2022, shall be considered abandoned. Note: abandonment under this section of the ordinance shall not preclude submission of a new application for the same variance or special exception.

Amendment #12 is recommended by the Planning Board by a X-X-X vote

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-12. Are you in favor of Amendment #12 as proposed by the Plaistow Planning Board to the Plaistow Zoning Ordinance, Article XX. Adjustments as follows?

Add §220-137 Board of Adjustment

D. Variances and special exceptions granted prior to December 31, 2013, but not exercised by March 30, 2022, shall be considered abandoned. Note: abandonment under this section of the ordinance shall not preclude submission of a new application for the same variance or special exception.

Amendment #12 is recommended by the Planning Board by a X-X-X vote

Proposed before edits:

D. Voss offered a review of Attorney Cleary's comments regarding Amendment Z-20-13.

Proposed Plaistow Zoning Amendment Z-20-13. Are you in favor of Amendment #13 as proposed by the Plaistow Planning Board to re-zone parcels on Tax Map 24, Lot 42 (1 Main St); Lot 41 (3 Main St); Lot 40 (5 Main St) and Tax Map 37, Lot 65 (7A Main St) from Commercial 1 designation to Commercial 2 designation?



Amendment #13 is recommended by the Planning Board by a X-X-X vote

***Note:** This is the map that was used for the Warrant Article that re-zoned these parcels from C-2 to C-1 in 2018. I don't think the zoning map has been updated to change the color of these four parcels since the 2018 vote. The map is here to show the location of the four lots for discussion purposes. The map appears on the Warrant in black and white.*

Discussion:

J. Peck asked how often tax maps are updated.

D. Voss offered that tax maps are typically updated by the Assessing Department annually, if there are changes. However, there is not currently anyone responsible for doing the updates.

J. Cashell offered that the Board can speak with the Regional Planning Agency to have Zoning Maps updated annually.

Final to be posted for Public Hearing:

Proposed Plaistow Zoning Amendment Z-20-13. Are you in favor of Amendment #13 as proposed by the Plaistow Planning Board to re-zone parcels as shown on the official Tax Map on Tax Map 24, Lot 42 (1 Main St); Lot 41 (3 Main St); Lot 40 (5 Main St) and Tax Map 37, Lot 65 (7A Main St) from Commercial 1 designation to Commercial 2 designation?



Amendment #13 is recommended by the Planning Board by a X-X-X vote

***Note:** This is the map that was used for the Warrant Article that re-zoned these parcels from C-2 to C-1 in 2018. I don't think the zoning map has been updated to change the color of these four parcels since the 2018 vote. The map is here to show the location of the four lots for discussion purposes. The map appears on the Warrant in black and white.*

Proposed before edits:

D. Voss offered a review of Attorney Cleary's comments regarding Article VII.

**ARTICLE VII
Affordable, Elderly Housing District
[Added 3-13-18 ATM by Art. Z-18-16]**

NOTE: ~~red italic strikethrough indicates a deletion~~
red italic bold indicates proposed new text

§ 220-51. Objectives and purpose.

A. To provide age-restricted affordable housing for the elderly (~~as defined in § 220-52~~) [COMMENT: NEED NEW DEFINITION OF BOTH "ELDERLY RESIDENTS" & "AFFORDABLE" residents of the Town of Plaistow ~~in a clustered development and~~ which is consistent with NH RSA 354-A:15 Housing for Older Persons.

B. The applicant/developer shall provide deed restrictions, use limitations, covenants, or some other legally enforceable instrument, which shall permanently restrict occupancy of these housing facilities to persons who meet all applicable requirements of HUD defined age-restricted housing. Restrictions must also state that all units must be rental units and remain so in perpetuity. [COMMENT: NOT SURE IF THIS IS ENFORCEABLE]

C. This district shall be an overlay district in any residential zone except Residential Conservation 1.

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D. A cap of the number of such housing units shall be established to assure a mix of elderly housing as defined in this section and of standard housing allowed outside this district.

All proposals submitted under this section must be submitted as a site plan review application and must meet all site plan requirements. All proposals must also meet all applicable subdivision regulations. Provisions in this section will override any conflicting provisions found in ~~Section 230~~ Site Plan Review Regulations or in ~~Section 235~~ Subdivision Regulations. *Note:*

E. *The Planning Board is working on combining their Site Plan and Subdivision Regulations into a single document and the designated section number has yet to be determined.* [COMMENT: THIS SHOULD NOT BE AN ORDINANCE, BUT COULD BE A FOOTNOTE]

F. Any proposal submitted that includes 2 or more lots must submit a lot consolidation plan such that the entire project can be constructed on 1 lot.

G. Except for private road projects submitted, all proposals submitted under this section must align roadways so that ~~connection to existing Class V or better roadways can be made.~~ *connections to an existing roadway can be made. Connections shall not be made to Class VI roads.*

~~§ 220-52. Definitions.~~ The language is confusing and repetitive of §220-51.B above

~~As used in this article, the following terms shall have the meanings indicated:~~

~~A. Age-Restricted Affordable Elderly Housing Unit (Renter Occupied) — Shall mean renter-occupied housing where the total cost of rent does not exceed 30 percent of the Moderate-to-Median Income for Rockingham County or the HUD metropolitan fair market rent area to which Plaistow belongs. The units would be available only for those residents 62 years of age or older. They must also be rental units with documented provisions to remain rental units in perpetuity.~~

§ 220-53. Building and Site Design Requirements.

A. Site Design Requirements.

(1) Site must have 150 feet of frontage. ~~on an existing or proposed Class V or better road.~~

(2) Roadways and access ways must be constructed to Town specifications. See Amendment 2-20-14.

(3) One (1) parking space must be provided for each dwelling unit, plus:

(a) One (1) additional space for every 2 units must be provided for developments containing between 1 and 20 units.

(b) One (1) additional space for every 3 units must be provided for developments containing greater than 20 units.

(4) Handicapped spaces must be provided to meet all ADA requirements.

(5) Garages/carports are not required, but may be provided at the developer's discretion. The total square footage of a unit excludes the square footage of the garage.

(6) ~~The minimum lot size shall be 160,000 square feet. At least 50% open space must be provided and no more than 30% of this open space can be in a wetlands district or have slopes greater than 15%.~~

The minimum lot size shall be 160,000 square feet of which 50%, at minimum, shall comprise open space, having a maximum of 30% in a wetlands district, and having no slope area greater than 25%. Open space cannot be used towards the unit density calculations.

- (7) A 50-foot buffer must be provided on all side and perimeter lot lines. A 50-foot front buffer must also be provided however it must not interfere with driveway / roadway sight distance. Buffers may consist of natural vegetation or planted vegetation. At the discretion of the Planning Board, a fence may be used in place of, or in addition to, a portion of the vegetation.

B. Building Design Requirements.

- (1) For proposed developments with nine or more dwelling units, a social room shall be provided. The social room must be a minimum of 200 square feet plus 30 square feet per dwelling unit.
- (2) Building height may not exceed 45 feet.
- (3) Each dwelling unit shall have no more than two (2) bedrooms.
- (4) Each dwelling unit may not exceed 1,800 square feet.
- (5) Each dwelling unit must be equipped with washer and dryer hook ups.
- (6) All buildings must have an emergency egress plan that must be submitted to the Planning Board, reviewed and approved by the Plaistow Fire Department, and copies made available to all building occupants.
- (7) All hallways, doorways, and bathrooms must be constructed with sufficient size to meet ADA guidelines and specifications. Blocking must be installed in the bathroom walls to accommodate the possible future installation of grab rails.

§ 220-54. Density.

All plans submitted under this ordinance must show calculations for the maximum number of ~~bedrooms~~ **dwelling units** permitted on the site by NHDES septic loading criteria. This is to be used as a theoretical maximum number of bedrooms. Other criteria may significantly lower the number of bedrooms permitted.

~~(1) A maximum of six (6) Age-Restricted Affordable Elderly Housing Units (Renter Occupied) may be constructed per 40,000 square feet. Note that soil and slope requirements may increase the 40,000 square feet to a larger area.~~

(1) A maximum of six (6) Age-Restricted Affordable Elderly Housing Units (Renter Occupied) shall be allowed for every 40,000 square feet of buildable area as defined by §220-53.A.(6). Note: soil requirements may increase the 40,000 square feet to a larger area.

§ 220-54.1. Building Cap.

A. The Planning Board shall not accept for consideration any proposal that, if approved, would increase the total number of all **affordable** elderly housing units, existing and proposed, above the number representing ten percent (10%) of the total number of dwelling units within the Town as determined by the Assessor. The Planning Board shall keep a running total of the number of such units. All units constructed under ~~earlier any version of this a Town of Plaistow affordable elderly housing~~ ordinance shall be counted towards the cap. This calculation is to be made at the end of each calendar year.

B. Applications received by the Planning Office for consideration under this ordinance will be date and time stamped. The date and time stamp will determine the order of consideration by the Planning Board for application completeness. Once the Planning Board has accepted the plan as complete, the number of units proposed on that plan will be deducted from the building cap.

C. If the number of units proposed on a plan submitted under this ordinance would exceed the building cap, should the Planning Board accept the plan as complete, the developer will be notified of the exceedance, prior to consideration by the Planning Board, and asked to lower the number of units to be at or below the building cap.

D. If a plan proposed under this ordinance and accepted as complete by the Planning Board is not approved, the number of units proposed by the failed plan will then be considered as available under the building cap

~~§ 220-54.2. Building Cap Exceedance.~~

~~If plans from submitted to the Planning Board may possibly exceed the building cap if fully constructed, then the Planning Board shall adhere to the following process that essentially allows construction to proceed on a first come first serve basis:~~

~~(1) Submitted plans shall be logged in by the Planning Staff, specifically the number of housing units shall be recorded. Cap exceedance shall be based on the number of built units plus the number of units “in progress”, that is, those where the submitted plans have been approved or those where the submitted plans have been Accepted As Complete by the Planning Board.~~

~~(2) If a submitted plan has some number of units that would exceed the cap, the Planning Staff shall notify the developer of that fact and no further action will be taken by the Planning Board. If plans that have been approved result in a lower number of units, then the units not approved may be used by other plans.~~

§ 220-55. Certification.

The Town of Plaistow shall require an annual certification of each development in the **Affordable** Elderly Housing District to ensure compliance with the age, income and rental provisions of this ordinance.

Discussion:

D. Voss offered that the red lined changes are changes that the Board has discussed previously. A red-lined copy has been provided to Attorney Charlie Cleary and Attorney Ben Frost for review and comments.

There was a discussion that the reference to §220-52 has been removed and that the Town will refer to Housing and Urban Development (HUD) requirements for the definitions of elderly and affordable. All references to “elderly persons” will be changed to “older persons” to be in line with RSA 354-A:15.

There was a discussion that there is legislation available for age 55 and older and age 62 and older.

It was discussed that all roads, including those within an Older Persons Housing Complex, are to be built to Town specifications.

It was noted that Letter E, which Attorney Cleary suggested should be a footnote, not a section of the ordinance, is indeed a footnote and something went wrong with the formatting when it was sent to him.

D. Voss offered a review of Attorney Cleary's comments and offered that once he understood the origin of the changes he was fine with what has been written in Article VII.

★ J. Peck moved, second by F. Hart to post all Proposed Zoning Amendments, as amended, for Public Hearing. There was no discussion on the motion. The vote was 5-0-0 U/A.

Agenda Item 4: Old Business:

There was no Old Business presented.

Agenda Item 5: New Business:

There was no New Business presented.

Agenda Item 6: Communications, Updates, & Other Business:

71 Plaistow Rd.

There was a discussion that the Superior Court issued a Writ of Possession to the new property owner which gave Jay Davey seven (7) days to remove the vehicles from the property located at 71 Plaistow Rd, or the vehicles become the property of the new property owner to dispose of as they wish. However, Jay Davey has filed an appeal, and it is understood that he has a hearing scheduled for December 13, 2019.

J. Peck asked from what date the seven (7) day deadline for Jay Davies to remove the vehicles was from.

D. Voss offered that it is her understanding that the seven (7) day deadline was from the date on the Writ of Possession.

ProQuip/Milton CAT:

J. Cashell offered that he has spoken with D. Voss and Attorney Cleary regarding Milton CAT. He stated that Attorney Cleary stated that the Merits Hearing before the Superior Court went well. There has been no decision made by the Judge at this point. However, Attorney Cleary will write up a report of the proceedings, and provide it to the Board, once a decision has been made.

Exeter Med:

J. Peck offered asked if Exeter Med is considered a non-profit organization.

D. Voss offered that she will look into the tax status of Exeter Med and report her findings back to the Board.

D. Voss thanked the Board for their hard work on the Proposed Zoning Amendments.

T. Moore offered a review of some of the items to be addressed in 2020:

- The Conservation Commission will be working on the definition of wetlands
- The Board will be working on revising the Wetland Ordinance
- The Board will be working on Zoning Ordinance and Subdivision Regulations regarding potable water

D. Voss offered that the Water Ordinance will be a standalone ordinance.

D. Voss offered that there will be three (3) applications coming up for review by the Board on December 18, 2019 consisting of an Amended Site Plan for 222 Plaistow Rd. and a lot line adjustment with a subdivision for 55 and 57 Sweet Hill Rd.

J. Peck asked if there had been anything new on the North Ave subdivision project.

It was noted that they did not receive their variances from the ZBA. The last information that was received was that they were re-working the plan as a PRD.

T. Moore offered that Steve Whitman, Resilience Planning & Design, will be coming before the Board in January to review and discuss the Master Plan.

There was no additional business before the Board and the meeting was adjourned at 7:45pm.

Respectfully Submitted,
Samantha D. Cote
Recording Secretary