



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

PLANNING BOARD MINUTES

December 18, 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, *excused*
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.***

F. Hart commended Samantha Cote, Recording Secretary, for her work on taking and transcribing the Planning Board Meeting Minutes.

Agenda Item 2: Minutes of the December 4, 2019 Planning Board Meeting:

★ ***F. Hart moved, second by J. Peck to approve the minutes of the December 4, 2019 Planning Board Meeting. There was no discussion on the motion. The vote was 4-0-0 U/A.***

Agenda Item 3: Public Hearings:

REQUESTS FOR CONTINUANCE:

3b) PB 19-18: The completeness of an application from Peter & Karen Ray and Henry Corey for a lot line adjustment. The plan proposes to transfer .74A from 57 Sweet Hill Rd, Tax Map 62, Lot 12, owned by Henry G. Corey, to 55 Sweet Hill Rd, Tax Map 62, Lot 13, owned by Peter N. and Karen J. (Peaslee) Ray. Both parcels are located in both the LDR and MDR zoning districts. If the application is found to be complete, the Planning Board may immediately conduct the Public Hearing.

3c) PB 19-19: The completeness of an application from Peter & Karen Ray for a subdivision of land. The plan proposes a two (2) lot subdivision of 55 Sweet Hill Rd, Tax Map 62, Lot 13. Lot 13 is proposed to be 1.59A and have 277.53' of frontage on Sweet Hill Rd. Lot 13-1 is proposed to be 2.66A, with 2.53A of uplands and 424.54' of frontage on Pollard Rd. The property is located in the MDR and LDR Districts. The applicants are the property owners of record. If the application is found to be complete, the Planning Board may immediately conduct the Public Hearing.

T. Moore read a request from Timothy Lavelle, the applicant's agent, requesting the two matters be continued. T. Moore stated that PB 19-18 and 19-19 will be continued to January 15, 2020.

3a) PB 19-17: The completeness of an application from PH Electric for an amended site plan. The plan proposes a 14,400SF warehouse addition with related drainage, pavement and site improvements. The property is located at 222 Plaistow Rd, Tax Map 45, Lot 6 in the IND2 District. The property owner of record is DBH Realty of Plaistow, LLC. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

Charlie Zilch, *SEC Associates Inc.*, Meera Alanoly, *Civil Design Consultants*, and Bruce Howard and David Howard, *property owners and owners of PH Electric*, were present for the application.

★ J. Peck moved, second by F. Hart that the application for an amended site plan, proposing a 14,400 SF building with associated pavement and drainage, at 222 Plaistow Rd, Tax Map 45, Lot 6, be accepted as complete. There was no discussion on the motion. The vote was 4-0-0 U/A

T. Moore opened the Public Hearing.

C. Zilch offered a review of the Existing Conditions Site Plan and provided the following information regarding the application:

- The goal of the application is to get approval for the construction of an addition to an existing building used by the business.
- The lot is 10.5 acres with 575 feet of frontage on the west side of Route 125
- Located completely in the Industrial II Zone
- The site has had several commercial uses over the years and is well developed
- There is currently a 13,000 SF commercial building on site surrounded by a large paved area for access and loading
- There is a gravel area beyond the pavement in the wetlands buffer
- The site is supported by an on-site well and septic system
- The site has two (2) access entrances on Route 125

C. Zilch asked if the Board had any questions.

C. Zilch gave a review of the wetland location and soil types on site.

C. Zilch gave a review of the history of the commercial uses and the changes that have been made to the site from 1993 to present.

C. Zilch offered that the current operators of the site, PH Electric, use the building for office space, prefabrication area, and warehouse storage. The owners and operators take pride in the site and keep it clean and well maintained. All materials are kept within the building or storage containers. The proposed 14,400 SF addition will be used as a warehouse only. The current building will consist of office space, apprentice training area, and a prefabrication area.

C. Zilch offered a review of the slope of the site and the maneuvering area. With the construction of the new addition, the applicant needed to decide whether to drop the slope to a lower grade or keep the same height as the existing warehouse. The decision has been made to keep the slope the same as the existing warehouse to allow for more functionality in operations. With the construction of the new addition, the site will fall short of what is needed for paved area to allow for complete access around the building for business and emergency vehicles. Therefore, new pavement is proposed around the new addition to allow for this access.

F. Hart asked if the applicant has considered making the building shorter to avoid the wetland.

C. Zilch offered that the applicant has considered other options. However, the proposed configuration meets every need that they currently have and will need for years to come.

J. Peck asked what is fabricated on site and if there are any hazardous by-products produced.

D. Howard offered that there is some prefabrication and electrical assembly needed before going to a job site. The business now has a need to store more materials than they used to. There are no hazardous by-products produced.

C. Zilch offered a review of Figure 1, showing an aerial view of the crushed stone apron.

C. Zilch offered that there was a variance granted back in 2001 by the Zoning Board of Adjustment (ZBA) to allow for the current pavement configuration including the crushed stone apron. In order to expand the pavement around the proposed addition, the applicant will need relief from the ZBA for two (2) minor intrusions into the wetlands buffer. The proposed areas of impact are still well outside the 25' no-disturb wetlands buffer. Even though the pavement will not expand beyond the current location of the crushed stone, a variance is needed because pavement is considered a structure.

C. Zilch explained that the original proposal for the pavement around the building was for permeable pavement. They had met with the Conservation Commission (ConCom) to gain their support. After that meeting the report from Planning Board Review Engineers, Keach-Nordstrom Associated (KNA) suggested for durability and maintenance purposes, that standard impermeable pavement be used. While permeable pavement is porous and therefore does not require a variance, impermeable pavement is considered a structure and would require a variance. The property owners then applied for a variance. The ZBA Public Hearing was continued to a January date to allow the applicant to go back to ConCom and hopefully get their continued support for the impermeable pavement and the variance. That meeting with ConCom is scheduled for December 19, 2019.

M. Alanoly offered a review of the drainage noting the following:

- Review of Figure 1: crushed stone apron
- Review of the area of disturbance for the proposed paved area
- Review of additional disturbance impact consisting of a 2000 SF minimal graded area.
- Review of the drainage system and 4300 SF impervious area
- Review of peak flow and water quality improvements made by the proposed drainage system

M. Alanoly offered that all of Steve Keach's (KNA) comments have been addressed.

J. Cashell offered that the remainder of S. Keach's comments were exclusively centered around landscaping and the requested waivers.

There was a brief discussion regarding lighting and abutters.

D. Voss offered that there is a note on the plan that all lighting will comply with lighting regulations.

C. Zilch offered that there are no abutting structures within close proximity of the site. All abutters to the site are established commercial/industrial uses.

J. Peck asked for a review of the wetland area.

C. Zilch pointed out locations of the wetland area around the back of the property.

J. Cashell asked if lights will have shielding wall mounts.

C. Zilch offered that the lighting will have shielding wall mounts.

C. Zilch offered that the next steps will be to add some additional parking, add the loading zone, move the dumpster onto a concrete pad, and add some landscaping.

There was a discussion regarding parking.

C. Zilch offered a review of the parking areas that will be needed.

D. Howard offered that the only visitors to the site will be vendors.

C. Zilch offered that handicap requirements have been reviewed per the Plaistow Site Plan requirements.

J. Cashell congratulated the property owner for keeping a clean, well maintained site.

J. Cashell asked if there is any outside storage.

C. Zilch offered that there are two (2) outside storage containers.

J. Peck asked if the containers will be moved near the wetland buffer and asked why they are needed if the applicant is building a large warehouse.

C. Zilch offered that the containers will be positioned in an area that is already approved for non-motorized parking and that any containers that are on site will have the appropriate, required permits.

There was a discussion regarding the access gate to the site.

D. Howard offered that the gate is a manual, sliding gate that is open during the day and closed at night.

J. Peck asked how Fire Department apparatus would get into the gate at night, if needed.

D. Howard offered that there is a key available in a Knox box

C. Zilch offered a review of the waiver request to waive full parking requirements. He gave a review of what parking areas are currently on site and what will be needed. He suggested that to provide the 111 spaces to meet the site plan regulations would mean additional, unnecessary pavement on the site.

J. Peck asked where business vehicles would be parked.

B. Howard explained where business vehicles park.

★ F. Hart moved, second by J. Peck to grant the waiver request for §230.14.1.KK, to waive the full parking requirements and allow 77 spaces, where 111 is the minimum required under the regulation, as strict conformity would pose an unnecessary hardship and the waiver would not be contrary to the spirit and intent of the ordinance. Specific circumstances relative to the site plan, or conditions of the land indicate that the waiver will properly carry out the spirit and intent of the regulations. There was no discussion on the motion. The vote was 4-0-0 U/A.

C. Zilch offered a review of the waiver request to waive the landscaping requirements along the rear portion of the site. He gave a review of the current landscaping on site and what will be needed. He also gave a review of enhancements to be made, such as an evergreen buffer.

F. Hart asked about required landscaping up keep.

D. Voss offered that there is a Commercial/Industrial Site Maintenance Ordinance that addresses the up keep of commercial and industrial properties. Mike Dorman can use the ordinance for maintenance of the landscaping.

★ J. Peck moved, second by G. Adams to grant the waiver request for §230.14.1.HH, to waive the landscaping requirements along the rear portion of the parcel, as strict conformity would pose an unnecessary hardship and the waiver would not be contrary to the spirit and intent of the ordinance. Specific circumstances relative to the site plan, or conditions of the land indicate that the waiver will properly carry out the spirit and intent of the regulations. There was no discussion on the motion. The vote was 4-0-0 U/A.

★ F. Hart moved, second by J. Peck to approve the Amended Site Plan proposing a 14,400 SF warehouse addition, with associated drainage and pavement, at 222 Plaistow Rd, Tax Map 45, Lot 6 with the following conditions:

D. Voss offered that a copy of the NHDOT driveway permit application had been received. It was also noted that a final review letter from KNA, noting that all items in the December 16, 2019 review letter have been successfully addressed, has been provided to the Planning Department.

- **Receipt of NHDOT Driveway Permit and the permit number noted on the final Plan**
- **All Planning Board granted waivers are noted on the final Plan, with the date granted**
- **Wetlands Buffer Variance is granted by ZBA, the approval date is noted on the final Plan, and the 30-day ZBA appeal period expires**
- **Favorable Letter from ConCom regarding the new pavement around the proposed addition.**

There was a brief discussion regarding the proposed improvements for water runoff.

M. Alanoly offered a brief review of the proposed improvements that will address water runoff. She noted that there would be a 10% decrease in offsite impacts and that the water recharging into the wetlands will be cleaner than it is now.

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

The following was also noted for the record:

Impact Fee Assessment:

The new structure will be subject to a Public Safety Impact Fee of \$6,048.00 (14,400 SF X \$0.42/SF). Impact Fees are assessed at the time of approval and are payable any time prior to the closing of the building permit and issuance of the Certificate of Occupancy.

Pre-Construction Meeting:

Once all conditions have been met and the approved plan has been recorded the applicant will need to schedule a pre-construction meeting with the Department of Building Safety.

Bonding:

The Applicant will need to complete a Bond Estimate Worksheet (BEW) and submit it to the Planning Department. The BEW will be reviewed by the Planning Board's Review Engineer and then forwarded to the Planning Board to set the bond. Bonding needs to be in place prior to the start of construction.

3d) The Board will also be considering Amendments to the following sections of the Plaistow Zoning Ordinances:

T. Moore offered that there is no one in the audience to offer public comment.

T. Moore opened the Public Hearing.

T. Moore gave a review of each of the 2019-2020 Proposed Zoning Amendments.

Article II – Definitions:

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to Proposed Plaistow Zoning Amendment Z-20-1.

★ F. Hart moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-1 to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to Proposed Plaistow Zoning Amendment Z-20-2.

★ G. Adams moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-2 to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-3*.

★ F. Hart moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-3 to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

Article III – General Provisions – Locations of Residential Driveways:

Article III – General Provisions – Roadway Construction, Public Roads:

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-4*.

★ F. Hart moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-4 to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-5*.

★ J. Peck moved, second by F. Hart to post *Proposed Plaistow Zoning Amendment Z-20-5 to the Warrant*. There was no discussion on the motion. The vote was 4-0-0 U/A.

Article V – Establishment of Districts and District Regulations (All Tables):

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?

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

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-6*.

★ J. Peck moved, second by G. Adams to post *Proposed Plaistow Zoning Amendment Z-20-6 to the Warrant*. There was no discussion on the motion. The vote was 4-0-0 U/A.

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?

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-7*.

★ J. Peck moved, second by G. Adams to post *Proposed Plaistow Zoning Amendment Z-20-7 to the Warrant*. There was no discussion on the motion. The vote was 4-0-0 U/A.

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?

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

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to **Proposed Plaistow Zoning Amendment Z-20-8**.

★ **G. Adams moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-8 to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.**

Proposed before edits:

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

T. Moore asked the Board if there was any discussion needed.

There was a brief discussion regarding some minor adjustments to the wording of the **Proposed Plaistow Zoning Amendment Z-20-9**.

Proposed after edits:

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 V, Establishment of Districts and District Regulations, as follows?

Modify all references to structures used 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 #9 is recommended by the Planning Board by a X-X-X vote

★ **F. Hart moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-9 to the Warrant, as amended. There was no discussion on the motion. The vote was 4-0-0 U/A.**

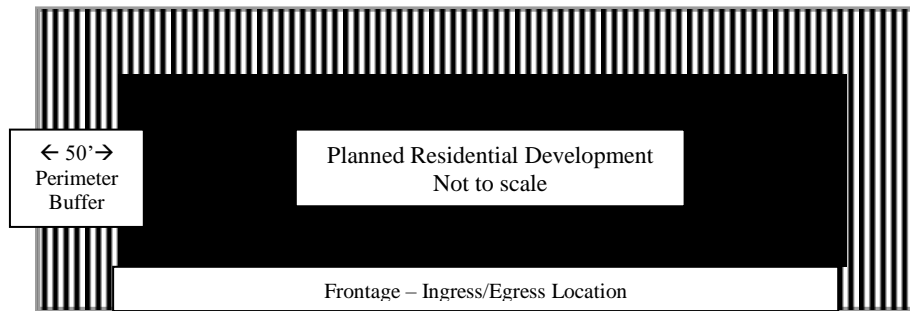
Article VI – Planned Residential Development:

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

T. Moore asked the Board if there was any discussion needed.

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-10*.

★ F. Hart moved, second by G. Adams to post *Proposed Plaistow Zoning Amendment Z-20-10* to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

Article VII – Affordable Elderly Housing:

Proposed before edits:

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 VII. Affordable Elderly Housing as follows?

1. Modify all references of “Elderly Housing” to “Housing for Older Persons.”

2. Modify §220-51.A. Objectives and purpose by deleting “...in a cluster development and...”

3. Modify §220-51.E by deleting the words “...Section 230...” and “...Section 235...”

4. 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.

5. Deleting §220-52 Definitions as redundant

6. 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.

7. 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.

8. 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.

9. 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.

10. 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

11. And deleting §220-54.2

12. 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 #11 is recommended by the Planning Board by a X-X-X vote

T. Moore asked the Board if there was any discussion needed.

There was a brief discussion regarding some minor adjustments to the wording of the **Proposed Plaistow Zoning Amendment Z-20-11**.

Proposed after edits:

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 VII. Affordable Elderly Housing as follows?

1. Modify all references of “Elderly Housing” to “Housing for Older Persons.”

2. Modify §220-51.A. Objectives and purpose by deleting “...in a cluster development and...”

3. Modify §220-51.E by deleting the words “...Section 230...” and “...Section 235...”

4. 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.

5. Deleting §220-52 Definitions as redundant

6. 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.

7. 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.

8. 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 dwelling units. Other criteria may significantly lower the number of dwelling units permitted.

9. 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.

10. 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, 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, the developer will be notified of the exceedance prior to consideration by the Planning Board, and directed 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

11. And deleting §220-54.2

12. 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 #11 is recommended by the Planning Board by a X-X-X vote

★ F. Hart moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-11 to the Warrant, as amended. There was no discussion on the motion. The vote was 4-0-0 U/A.

Article X – Home Occupation – Permitted Uses:

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

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-12.*

★ J. Peck moved, second by G. Adams to post Proposed Plaistow Zoning Amendment Z-20-12 to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

Article IV – Impact Fees:

Proposed Plaistow Zoning Amendment Z-20-13. Are you in favor of Amendment #13 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 #13 is recommended by the Planning Board by a X-X-X vote

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-13.*

★ F. Hart moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-13 to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

Article XX – Board of Adjustment:

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

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-14*.

★ F. Hart moved, second by J. Peck to post *Proposed Plaistow Zoning Amendment Z-20-14* to the Warrant. There was no discussion on the motion. The vote was 4-0-0 U/A.

The re-zoning of parcels shown on the official Tax Map as Map 24, Lot 42 (1 Main St); Lot 41 (3 Main St); 40 (5 Main St) and Map 37, Lot 65 (7A Main St):

Proposed Plaistow Zoning Amendment Z-20-15. Are you in favor of Amendment #15 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 #15 is recommended by the Planning Board by a X-X-X vote

There were no changes made to *Proposed Plaistow Zoning Amendment Z-20-15*.

There was a discussion that tax maps are updated annually, after April 1st, by Assessing if any changes are needed

There was discussion on the function of the tax maps, which are reference documents only. The Zoning Map is an overlay to the tax map that defines what uses are permitted and where.

There was a discussion as to why maps need to be reviewed regularly.

It was discussed that a subdivision would change a tax map, but not a zoning map. A subdivision would create new parcel lines within a zoning district, but would not usually change the zoning district lines.

There was a discussion that Main St. is no longer technically called Main St. Main St now continues to Route 125 over what used to be called Hazeltine Street. This change was done when Route 125 was redeveloped in that area and there was a swap of roads. The old section of Main St that was swapped has been referred to as Border Road on some maps, but has never been officially named by the Board of Selectmen.

★ F. Hart moved, second by J. Peck to post Proposed Plaistow Zoning Amendment Z-20-15 to the Warrant. There was no discussion on the motion. The vote was 3-1-0 (T. Moore dissenting).

**** The full text of the proposed amendments is available on the Planning Board's page of Town of Plaistow Website www.plaistow.com, as well as in the Planning Office during regular business hours.**

Agenda Item 4: New Business:

There was no New Business presented.

Agenda Item 5: Old Business:

Master Plan:

T. Moore offered that the Public Hearing to discuss the Master Plan will be held January 15, 2020. If the Board feels that everything is fine, and no changes need to be made, then the Master Plan can be adopted at this meeting.

J. Peck offered to help Steve Whitman, Resilience Planning and Design LLC., with the sections for the Historical Society and Library.

D. Voss stated that she will send an e-mail to S. Whitman giving him J. Peck's contact information.

71 Plaistow Rd.

It was discussed that the Judge denied Jay Davey's appeal and Jay Davey's will be served with a Writ of Possession by the court.

It was noted that Mr. Davey may have allowed tenants in the building and if so. It was questioned if there would then need to be an eviction process for those tenants, once the Writ has been executed, if they are not willing to leave on their own.

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

It was discussed that the January 15, 2020 Planning Board Meeting Agenda will include Public Hearings for:

1. PB 19-18: 55 and 57 Sweet Hill Rd. (Lot Line Adjustment)
2. PB 19-19: 55 Sweet Hill Rd. (2-lot Subdivision)
3. 2019 Master Plan

There was no additional business before the Board and the meeting was adjourned at 8:35pm.

**Respectfully Submitted,
Samantha D. Cote
Recording Secretary**

*Planning Board Minutes
December 18, 2019*