

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



PLANNING BOARD MINUTES
October 7, 2020

Call to Order: The meeting was called to order at 6:32 PM

Ch. Peck read the following COVID-19 statement:

The Plaistow Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, is authorized to meet electronically, and these reasons shall be reflected in the minutes. Notice of this electronic meeting was sent to all abutters and published in the Eagle Tribune Newspaper.

The Plaistow Planning Board is utilizing the GoToWebinar program of the GoToMeeting platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during the meeting through the GoToWebinar program, and the public has access to contemporaneously listen and, if necessary, participate in this meeting. The link to access this meeting was provided on the Town's website, with the notice where to email with It is strongly suggested that you test the link in advance of the meeting to make sure you are able to access it. Please report any issues to jcashell@plaistow.com.

There is a "raise your hand" feature of the program that will allow attendees to participate in the discussion. There is also a Q&A box for the public to type questions during the meeting. The Public can also send emails with questions or concerns prior to and during the meeting to jpeck@plaistow.com. Please note: all questions and concerns typed into the Q & A box or sent via email will be read aloud to become part of the public record. The meeting will also be live on Plaistow Access Cable - Channel 17 and will be livestreaming on the Town's website

- 1. ROLL CALL:** James Peck, *Ch.* - Present at Town Hall
Tim Moore, *Vice Ch.* - Present at Town Hall
Laurie Milette- Present at Town Hall
Francine Hart, *Selectman's Rep-* Present at Town Hall
Karen Robinson - Present at Town Hall
Tom Alberti, Alternate – Present at Town Hall (non-voting)
Geoffrey Adams, Alternate – Present at Town Hall (non-voting)
John Cashell, *Planning Director* – Present at Town Hall (non-voting)

2. REVIEW/APPROVAL OF SEPTEMBER 16, 2020 MINUTES:

Draft minutes were included with the meeting materials

K. Robinson moved, second by F. Hart to approve the minutes from September 16, 2020.

The motion to approve the minutes as amended passed 5-0-0.

3. CONTINUED REVIEW OF RULES OF PROCEDURE (CHAPTER 225):

Ch. Peck distributed the amended Chapter 225 and read the articles that had been changed during the previous discussions by the Board members. He said that he and Tim Moore had reviewed Sec. 224-5 A to clarify the desire to end meetings at a reasonable hour. T. Moore said he did not want to constrain the committee's ability to conduct hearings and/or workshop discussions as needed, nor to summarily end a meeting when public hearings on the agenda had not been started. The re-written section follows:

Sec. 225-5: Meetings, A. Regular Meetings:

A. Regular Meetings. Regular meetings shall be held at the Plaistow Town Hall at 6:30 p.m. on the first and third Wednesdays of each month. When possible, agendas should be set so that the meetings can be adjourned no later than 9:00 p.m.

(1). Workshop Meetings.

- a. These meetings are typically held on the first Wednesday of each month.
- b. These meetings shall be set aside for training, master plan updates and discussion, site plan review regulations updates, subdivision regulations updates, zoning ordinance updates, and rules of procedure updates. They may also include deliberations on a public hearing that has been closed.
- c. Typically, public hearings are not scheduled during Workshop meetings, however the Chair may continue a previously scheduled public hearing to a Workshop meeting with the consensus of the Board.

(2). Public Hearing Meetings.

- a. These meetings are typically held on the third Wednesday of each month.
- b. When necessary to continue a public hearing, the Chair shall continue the hearing to the third Wednesday of the following month.
- c. Under extenuating circumstances, the Chair may continue the public hearing to the first Wednesday of the following month with the consensus of the Board.
- d. The NH RSA 676:4(c)(1) states that the Board must determine whether an application is complete within 30 days from the date the application was delivered to the Board. For meetings with very long agendas the Chair should announce at the beginning of the meeting that no public hearings will be started after 9:00 p.m.
- e. The normal procedure for the Board is to make the determination of whether or not an application is complete and if so, immediately open the public hearing for the application. With a very long agenda, this could result in cases where not all of the applications would be heard for a determination of completion and a continuation of the hearing would result in failure of the Board to meet the 30-day criteria. In these cases, if the Chair determines at 8:00 p.m. that not all the applications will be heard before 9:00 p.m., the Chair may change the order of the agenda such that a

determination of completeness would be made for all applications before the Board before opening any of the public hearings.

- f. In cases where the Chair has determined that a change in the order of the agenda is appropriate and after all the applications have been reviewed for completeness, the Chair shall then open the next scheduled public hearing in the order presented in the agenda.
- g. If a public hearing has begun before 9:00 p.m. and there is still active discussion after 9:00 p.m. the Chair may continue the public hearing to a time and date certain with the consensus of the Board and the applicant. This continuation shall be done on a case by case basis.
- h. If there are more hearings on the agenda that have not yet been opened and it is after 9:00 p.m., the Chair shall open each of the hearings and immediately continue the hearing to a time and date certain.

It was agreed that the changes met the Committee's needs.

T. Moore moved, second by G. Taillon to approve in entirety all the changes discussed and made to Chapter 225 Rules of Procedure since September 2, 2020.

The motion to approve the changes passed 5-0-0.

Ch. Peck changed the order of agenda items 4 and 5

5. MASTER PLAN AND IMPACT FEE EXPENDITURE:

Ch. Peck noted the spreadsheets were created by Dee Voss and John Cashell. He reviewed the Master Plan Encumbrance Tracking for 2019 and said the encumbered amount was spent. He asked about the Master Plan Update – Line Item #01-4191-10-85. F. Hart said the BOS encumbered these funds and if there is no further need for them the excess will return to the Unencumbered Fund.

4. MASTER PLAN:

Ch. Peck asked T. Moore to review the Action Plan. T. Moore said we need to take a critical look at what could be done in time and funds in the next 4-5 years. He noted some items are very important, and lots are ongoing and done every year. He noted that the list was created as action items, some of which could be targeted for 2020-2021, and work shared with other Boards/Commissions in hopes of group action. He noted the Planning Board has not gone through a critical review of the list and that an action item list should be created by the end of the year.

Ch. Peck suggested this be put on the agenda for each workshop meeting, and that this night's focus be the on-going and 2020 items. K. Robinson had some suggested Zoning change items to be considered during the next meeting. J. Cashell said we should leave enough time for discussion of these in each meeting going forward so they are ready by the end of the year. He suggested we have any actions we want contemplated ready for discussion as early as possible to meet time frames for the February 2021 Deliberative Session. He noted there are two simple applications for the next meeting.

T. Moore reviewed the ongoing and 2020 items. Discussion of items falling in the on-going and 2020 timelines of particular interest to the Planning Board follows.

NR7 – These should be kept in mind workshops and done as they come up. The Conservation Commission will be doing a public hearing on climate change and wetlands soon.

WR2 - Outreach is also done by Conservation Commission during Old Home Days. F. Hart noted this may have bigger impact with the new potable water system.

WR6 - Community cooperation is ongoing almost every month with sharing information with neighboring communities.

WR11 – T. Moore noted as an example that several years ago town members brought water samples to the town hall and the State Lab tested them.

WR14 – These are voluntary inspections which were conducted with businesses to see if chemicals were leaking into the water. It hasn't been done in several years and it needs to be done.

OS5 – F. Hart says there is a lot of money in the Conservation Fund and it doesn't need to be funded every year. She said there will be a critical look at funding requests this year. Ch. Peck said the principal of asking for some every year should be continued so as to be prepared for contingencies as they arise.

R5 – There has been ongoing work with surrounding towns and new trail maps showing all trails should be available next year.

P1 & P5 – Ch. Peck noted that it appears the last review of affordable housing was last done in 2018. T. Moore noted it is important to have a minimal stock of affordable housing or a developer can come in and exercise an option for whatever type of housing they want. F. Hart said she believes this was done in 2016 and wonders if it needs to be done now. T. Moore noted it was not done in 2020 due to Covid-19 but should be done next year and Ch. Peck asked that it be followed up on.

CF items are mostly being done on an ongoing basis as normal facilities issues.

CF17 – Ch. Peck suggested this is part of the water project. The Planning Board needs to discuss whether ordinance changes are needed, such as if a new subdivision is going in it will need water – if the new water main is close it should be connected. F. Hart noted there will be a water workshop on 10/26/2020 and the water budget discussed. She will bring to the discussion this suggestion of how to dovetail with the Planning Board. L. Milette suggested that houses in a subdivision with a shared well might be hooked up to the potable water main instead. T. Moore noted that some developments would want to disconnect their pump and connect to the main, but others won't want this. Ch. Peck asked if once the water mains are in place should we encourage hookups? G. Taillon suggested this will be driven by economics and supply demands. Ch. Peck suggested that the issue should remain a concern to the Board. J. Cashell said it is important to support the project. He suggested there may be some incentive for residents to hook up to the system. Ch. Peck asked if there should be some sort of inducement for developers to tie in. J. Cashell believes the demand will grow. F. Hart said the town is pursuing a bond to help homeowners tie in without having a huge upfront cost and rather have it spread across time. Ch. Peck said there may be some zoning and planning plan/regulations/standards needed to induce people to hook up, and this should be kept in front of the Planning Board.

T1 - T. Moore reported the DOT is looking at the railway tracks near the Library and traffic problems in the center of town. F. Hart reported there will be a conceptual design presented to the Board of Selectmen on 10/26/2020.

T10 – T. Moore reported there are no real major employers to impact Town traffic – should eliminate this.

FLU - T. Alberti suggested the PB should think about how it can influence what businesses come into the Town and how to keep Haverhill from overly influencing Plaistow. It was agreed that most members came onto the Board wanting to improve the Town's development, and that the PB should identify, prioritize and

move forward with the issues it finds most pressing. Ch. Peck said these items should continue to be discussed and be on each agenda going forward.

6. RT. 125 CORRIDOR/ECONOMIC REVITALIZATION DISTRICT AFTER POTABLE WATER

Planning Director John Cashell presented his report on Rte. 125 Mixed-Use Zoning. He suggested that mixed-use provides for a constantly changing environment leading to economic viability and sustainability. He noted that Rte. 125 has been a CI zoning district for 40-50 years drawing many Massachusetts residents to the tax-free shopping in New Hampshire. He asked whether the increase in e-commerce and overnight shipping might affect this level of use in the future.

J. Cashell suggested the PB consider amending the allowed uses within the CI district making it effectively a mixed-use zoning district without superimposing an overlay district on it. This could be done by allowing multi-family usage above first floor commercial/retail/office spaces as well as stand-alone multi-family buildings. He suggested this ordinance would allow thinking outside the box for future development, and that a conditional use permit would give developers a chance to introduce new use ideas for the PB to consider.

Ch. Peck asked what the impact would be, what benefits would accrue, and if more taxes and business/industry would come from such a change. He noted that many residents are skeptical about more commercial development and asked what about mixed use would attract more developers. J. Cashell said that the usage ideas would be up to the developers. He also noted that a combination of condos, restaurants, shops and businesses work together to create community.

T. Alberti asked how to keep from creating many separate islands that do not bring true community, how to control it from becoming something unwelcome to the Town as a whole. Ch. Peck noted that this is another tool to attract business and that this wouldn't happen overnight, but a tipping point could be reached. G. Taillon asked if a developer was granted a particular use would the PB be able to deny another developer wanting to do the same thing. J. Cashell said there would need to be checks and balances. You would look at the impact, and all developers would need to be measured accordingly. He said the PB would not be overwhelmed at first and there is only so much development that can be done in the area regardless. G. Adams asked if the Town has the right to put curb cuts in anywhere we want, as that is done by the State. This has an impact on development; how would we manage traffic disruption? J. Cashell noted the towns of Plaistow and Haverhill along with the states of Massachusetts and New Hampshire would need to work together to alleviate the bottleneck from Rte. 495 to Plaistow and that is not currently happening.

Ch. Peck asked about the conditional use permit. The PB currently has the ability to approve these for wetlands, but not for sub-divisions. Would this give the PB to bypass the ZBA? J. Cashell said yes for this C1 District. T. Alberti asked if the PB would supersede the same stringent criteria the ZBA have and don't we want to use them to protect the area? J. Cashell said the same criteria would apply to the PB.

Ch. Peck noted the suggestion that mixed use would accelerate a better Rte. 125. He asked the PB to consider why and why not would we want to try this option. He also questioned why a lot of people would want to live on Rte. 125. G. Taillon noted that mixed housing would create a need to absorb perhaps 500 people and the traffic they bring to an area. He said there is time to think about it but a lot of work needs to be done to get controls into place so there is framework for a new idea. J. Cashell noted that no development is allowed to go forward without considering the impact on the area.

K. Robinson expressed concerns about the impact on the Town by even greater development. F. Hart noted that there is limited acreage available regardless due to wetlands. She suggested this allows more imagination and flexibility while preserving the character of the town village and other areas. J. Cashell said this would allow for the potential of improving the Rte. 125 environment.

8. NEW BUSINESS: REQUEST FOR ESCROW RELEASE – 6, 8, 10 DANVILLE ROAD

Ch. Peck referred to the memorandum for Bond and Escrow release.

Bond Release: The initial bond was in the amount of \$24,688.00, but there will be some interest credited at the time the account is closed.

T. Moore moved, second by K. Robinson that the bond being held for the amended site plan at 6, 8, 10 Danville Road, as well as any accrued interest, be released and returned to James Industries NH. LLC, and the account closed

The motion to release the bond passed 5-0-0.

Escrow Release: The final invoice has been submitted for payment leaving a balance in the escrow account of \$2,390.92.

T. Moore moved, second by K. Robinson that the escrow being held for the amended site plan at 6, 8, 10 Danville Road be released and returned to James Industries NH. LLC, and the account closed

The motion to release the escrow passed 5-0-0.

7. OLD BUSINESS

L. Milette asked if there is a new building inspector and was informed Peter Blanchette has been hired and is believed to be a full-time employee. Ch. Peck noted that he is replacing Michael Dorman who has retired.

10. ADJOURNMENT

There was no additional business before the Board and the meeting was adjourned at 8:53 PM.

Respectfully Submitted,

Charlene A. Glorieux
Minute Taker