

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



PLANNING BOARD MINUTES
Jan. 19, 2022

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

1. ROLL CALL:

Tom Alberti, *Ch.* – Present at Town Hall
Tim Moore, *Vice Ch.* - Present at Town Hall
Laurie Milette - excused
Karen Robinson – Present at Town Hall
Greg Taillon, *Selectman's Rep.* Present at Town Hall
Maxann Dobson, Alternate – excused
Bill Coye, *Selectman's Alt.* - Present at Town Hall
John Cashell, *Planning Director* –Present at Town Hall (non-voting)

Also Present: Joseph Peznola, Hancock Associates
Elder Baror, Eldy's Automotive
Adam Crunk, Crunk Engineering
John Skevington, Parkland Medical Center

2. REVIEW/APPROVAL OF DECEMBER 1, 2021 MINUTES:

Draft minutes of the January 5, 2022 meeting were included with the meeting materials.

G. Taillon moved, second by T. Moore to approve the minutes of the January 5, 2022 meeting as issued.

The motion to approve the minutes as issued passed 4-0-0

3. PUBLIC HEARINGS:

Continued from November 17 and December 15, 2021

PB 21-17: The completeness of an application from Eldy's Automotive, Inc. for an Amended Site Plan. The Amended Site Plan proposes to re-establish the previous Salvage Yard Use, and includes related parking, drainage, lighting and landscaping. The property is located at 233 Main St, Tax Map 31, Lot 21, in the MDR Zoning District. The property owners of record are the Lori E. Thomas Rev Trust, Lori E. Thomas TR (1/2 interest) and Stephen R. Thomas and Judith R. Thomas Rev Trust, Stephen R. Thomas and Judith R. Thomas, TR (1/2 interest). If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

Applicant's representative Joseph Peznola reviewed the status of the application. He said they had a review from Steven Keach of Keach-Nordstrom Associates dated January 9, 2022 and had responded with a letter dated January 13, 2022. He noted that the Planning Board had a response from Mr. Keach this day, January 19, 2022 saying everything was in order and issues had been resolved. He said they have requested two waivers from the Board: one for septic systems on abutting properties and one for landscaping. He said they have tried to get the information on wells and septic within 100 feet of the property borders but have been unable to get the information from the Town and NHDES. He noted they are not expanding the use, and will use the existing well and septic system on site. He said NHDES did give approval for operation of the septic system in 1998 and no changes are being made. He noted that the second waiver is a partial waiver on the landscape buffer requirements and the actual planting requirements for screening along the north property line which is the other salvage yard. He said they are fully compliant with the quantity of trees and types of trees all along the residential abutters which are delineated on the plan.

Ch. Alberti noted the lateness of receiving materials and was told it was mainly due to the Monday holiday and a heavy work load the previous week. He invited comment from the Board members.

H. Robinson noted the residential nature of the neighborhood and asked about plantings at the front gate. J. Peznola said they would leave the existing gate and supplement the fence with the fiberglass strips that are put in chain link fences. He said on either side of the opening in the gate there is pavement between the road and the fence which will be removed and seven trees will be planted in front. K. Robinson asked about the hours of operation. E. Baror said 7:30am to 5:00pm on weekdays and 8am-5pm on Saturday, closed on Sunday. Ch. Alberti noted this is a residential zoning MDR district and questioned what might happen if the abutting salvage yard became residential use at some point. E. Baror noted the other yard is a profitable business and is unlikely to close.

J. Peznola said the cover sheet to the plan has proposed hours of operation as Monday – Friday 7am – 6pm and Saturday 9am – 4pm. T. Moore noted that business hours are set by the business' requirements and the only hours set by the Town are construction. E. Baror said that he is currently running such a business and nobody would be moving forklifts after 4pm as they are already home at that time. He also said there would be no trucks parked next to the neighbors at 3:00am. He said his employees start at 7:30am and they have morning routines before going out into the yard about 8:00am. He said he is not looking to cause any friction with the neighbors; that none of his loaders have back up alarms, and that the mornings are busier than the afternoons. J. Cashell noted there is a noise ordinance in the Zone and he may want to become familiar with it, and that the business should not be so much louder than the general ambience or it may become a public nuisance which would require enforcement.

Ch. Alberti invited public comment on the application; there was none.

Waiver request Landscaping:

T. Moore moved, second by G. Taillon to grant the waiver request for Article III, §230-23 for the sideline plantings abutting 237 Main Street, for the reason noted in the waiver request and per the Board's discussion

The motion to grant the landscape waiver passed 4-0-0

Waiver Request – Septic Systems on Abutting Properties:

K. Robinson moved. Second by G. Taillon, to grant the waiver request for Article I, §230-14.1.CC to not require the locations of septic systems and wells on abutting properties to be located on the site plan, for the reason noted in the waiver request and per the Board's discussion

The motion to grant the septic systems waiver passed 4-0-0

Ch. Alberti noted that the applicant plans to use the existing driveway which and asked if they are applying for a NHDOT driveway permit and was told they are. J. Cashell said that on all state roads now if there is a change of use now require new driveway permits.

Conditional Plan Approval:

G. Taillon moved, second by K. Robinson, to approve the amended site plan for a Salvage Yard Use at 233 Main Street, Tax Map 31, Lot 21, with the following conditions:

- All items of KNA Rev #1 and Rev #2 must be satisfactorily addressed and reviewed by Staff and Keach-Nordstrom Associates and a final review letter from KNA received by Staff***
- All granted Site Plan Review Regulation waiver request, with section citation and date of approval, need to be added to the plan notes***
- Receipt of NHDOT Driveway Permit, with approval number and date noted on plan.***
- All professional stamps are affixed to final plan set***
- Other conditions not listed that the Board may find appropriate.***

The motion to conditionally approve the plan passed 4-0-0

Ch. Alberti noted that the applicant will need to comply with the current Board of Selectmen approved Salvage Yard License for the property.

There are no proposed changes to the structures on the site, therefore there will be no Impact Fees assessed for this site plan.

Continued from December 15, 2021

PB 21-18: The completeness of an application from Crunk Engineering for a Site Plan. The Plan proposes the demolition of an existing retail building and the construction of a new 9,500SF 24-hour outpatient healthcare facility, with related parking, drainage, lighting and landscaping. The property is located at 26 Plaistow Road, Tax Map 25, Lot 4 in the C1 Zoning District. The property owner of record is Bendetson-Plaistow Realty Trust, Norris and Margery Bendetson, TR. If the application is found to be complete, the Planning Board may immediately conduct the public hearing.

Adam Crunk, Crunk Engineering, Brentwood, TN 37024 noted some changes to the plan since the last hearing. He said to abide by the front setback they pulled the building back a few feet; they removed the parking between the building and Plaistow Road to leave a green space; and are showing the parking spaces to be in compliance. He noted that on January they received approval for a side setback variance to 15 feet. He noted minor issues to be addressed by Steve Keach's January 9, 2022 letter have been addressed.

He introduced John Skevington, CEO of Parkland Medical Center, Derry, NH to talk about the use of the proposed facility. J. Skevington said that Parkland is a level 3 trauma center, primary stroke center and work closely with EMS services in Plaistow already. He said they would like to bring a 24/7/365 free standing emergency room to Plaistow. He said it will be staffed by emergency room physicians and nursing staff and will feature imaging suites for CT, ultrasound, and X-ray. He said typically there are 8-10 bays and 10,000SF including dedicated trauma resuscitation bay, pediatric area and a room that is safe for behavioral health patients as well. He said the difference between a free standing emergency room and an urgent care facility is that they are open 24/7/365, are always staffed by emergency room physicians, and in addition to the minor urgencies typically treated at urgent care, they are equipped to treat major injuries such as cardiac arrest, stroke, broken bones and other major injuries.

G. Taillon asked for the difference between a hospital emergency room care and what they would provide, and if the space they are allocating is comparable to a hospital emergency room. J. Skevington said 10,000SF is less than you would typically see in a hospital, noting there are 19 bays at the Parkland Hospital, and that if a patient needs an inpatient bed they would be transferred. J. Skevington noted that Parkland's parent company, Hospital Corporation of America, operate two other free standing emergency rooms and that one of the factors that most interested them about Plaistow is the distance to other New Hampshire hospitals, noting that residents in this area have to drive upwards of 25 minutes to a NH hospital. He noted this facility would be strictly emergency care.

Ch. Alberti asked about the types of visits at their Dover and Seabrook free standing ERs and was told it's between 25-35 visits a day. Ch. Alberti referenced Planning Board discussions about the sudden increase in urgent care facilities in Plaistow and what differentiates the applicant from them. J. Skevington said the stand alone ER can treat more acute cases than urgent care facilities such as heart attacks, stroke, which if presented at an urgent care would be transferred to a hospital. He also said that they would treat such emergencies and then possibly transfer to a hospital. K. Robinson asked if patients needing to be transferred to hospitals would go to Parkland in Derry, NH and was told that would be likely. She said a lot of people in this area would go to Methuen or Exeter which are very close, and asked if the patient would have a choice; J. Skevington stated it is the patient's choice.

G. Taillon noted that Route 125 is an extremely busy roadway and asked if the egress to it would be changed. A. Crunk said there would be no change and noted the center turn lane. Ch. Alberti asked if anyone knew whether the State had any further plans for that section of Rte. 125, but no one did. There was discussion about increasing traffic due to development and the lack of a center island. J. Cashell noted the two-lane driveway that extends back into the lot before turning into the facility which helps prevent queuing on Rte. 125. Ch. Alberti asked if there are any recommendations the Board could make to improve traffic safety. J. Cashell noted the State may be working towards a long term improvement plan for Rte. 125 but has not let the Town know.

Ch. Alberti asked what makes Plaistow a good location for this facility; J. Skevington said it's bringing these ER services closer to the residents, and noted the time it takes to get to a facility really matters. There was considerable discussion about transporting patients to hospitals and tying up local response resources. It was noted that an ambulance call could elect to transport to a free standing ER because time is so critical

emergency cases. B. Coyle noted this might be the big difference, that if someone is in cardiac arrest they would come to this type of facility rather than urgent care.

Ch. Alberti asked for any further comments from the Board and the public. There were none.

Ch. Alberti addressed the staff report and comments that the need to be addressed from the KNA second review. J. Cashell said that proposed motion was created and takes into consideration that the applicant would have to comply with conditions being set for approval. He said the Board has had good discussions and has learned a lot about this particular use and noted this is a high end profession and a new facility being introduced, that there isn't a high traffic count associated with it, and that these facilities are being built because of what is going on in the population and the ability to access something like this can make all the difference to outcomes.

J. Cashell noted that Steve Keach has control over making sure the applicant provides everything before the Board signs off on the plan. He noted these issues are technical and will be resolved. There was discussion of whether to conditionally approve the plan or continue the hearing. A. Crunk noted that the issues are in the KNA letter of January 9, 2022 and relate to the DOT permit, the Septic permit, the electrical plan, pavement types which they will comply with. G. Taillon noted that the items left from the January 9th KNA report are covered in the proposed conditional approval motion. Ch. Alberti noted that since the issues are covered a continuance may not be needed. After discussion it was agreed to move forward with the vote on the plan.

G. Taillon moved, second by T. Moore. to approve the plan for 26 Plaistow Road Tax Map 25, Lot 4, which proposes the demolition of an existing retail building and the construction of a new 9,500SF 24-hour outpatient healthcare facility, with related parking, drainage, lighting and landscaping, with the following conditions:

- Receipt of NHDOT Driveway Permit and Permit Number and Approval Date noted on the plan***
- Receipt of NHDES Septic Design Construction Approval and Approval Number and Date noted on the plan***
- All comments in the KNA Rev #2 report are addressed and the plan updated accordingly***
- All comments in the December 14, 2021 Staff Checklist Review are addressed and the plan updated accordingly***
- The ZBA Variance approval is noted on the plan by section and approval date***
- Appropriate Professional Stamps on all final plans***

The motion to conditionally approve the plan passed 3-1(K. Robinson)-0

Impact Fees:

This project will be subject to Public Safety Impact Fees in the amount of \$1,866.90. This is calculated as the net gain in square footage of 1,470 (9,500 proposed – 8,030 existing) times \$1.27/SF. If the square footage of the new building changes, then this number would be adjusted accordingly.

Recording/Pre-Construction/Bonding:

Information regarding the recording, bonding, and pre-construction process will be provided in the Notice of Decision.

Ch. Alberti closed the Public Hearing at 8:04 PM.

4. OLD BUSINESS:

Ch. Alberti returned to the discussion about what drives business to come to Plaistow and how they benefit the Town as part of the development of an economic development plan and how to drive best drive it. He also discussed the need to have all documents by the Friday prior to the meeting, noting that the Board understands the staff is very busy and Town Hall is now closed on Fridays. He said that he would like to have all documents to the Board members by the Thursday prior to the meeting. J. Cashell said he understood the need for the Board to review all the documents prior to the meetings; Ch. Alberti noted that while Dee Voss is in the Planning Board's budget he is aware that she has many other duties taking up her time.

K. Robinson asked how the Board can let the NHMA know that we need a full time code enforcement officer. She said it is unfair to ask one person to fill so many different functions and the work of the Board is suffering for it. Ch. Alberti said he will address the issue with the Town Manager. J. Cashell said he had not discussed this with Greg Colby and that the building inspector is code enforcement but there is nobody in the field investigating this. Ch. Alberti asked if there is a part-time person. J. Cashell said there is not enough funding for personnel or there would be more employees to handle these matters. He said that some towns in NH use the Fire Department for building inspection leaving the opportunity for the funding of a zoning enforcement office. Ch. Alberti will discuss the issue with G. Colby. G. Taillon noted that there had been a code enforcement officer who was removed from the position and he does not know if the position is in the 2022 budget. He noted the budget is done, and will be going to the townspeople for a vote. J. Cashell noted that the most capable person for the position would be Dee Voss but that she has too much on her plate to do it. He said if it was possible to get an administrative assistant to help with some of Dee's workload, she would be ideal for the job. T. Moore said the missing piece is the after construction site enforcement that needs to be done on an annual basis and is almost a full-time job. He said the Town needs a separate full time code enforcement officer.

Ch. Alberti discussed laying the ground work for an economic development plan through discussion within the Board for land use in the Town and how to create the capacity to attract businesses that will benefit the townspeople. J. Cashell said he has started researching the development of economic plan prospects mentioned by T. Moore for the next workshop meeting. He suggested it might take much of the time of a workshop meeting to decide on survey questions. Ch. Alberti asked if the RPC has resources/guidance for this type of work. T. Moore said that typically RPC dues would not be paid until after Town Meeting and our membership would not be active until then. He said he believes the RPC could be a resource for the economic development plan and suggested asking Tim Roche to come to a Board workshop meeting and explain what their capabilities are.

5. NEW BUSINESS:

J. Cashell said there will be three site plans and a subdivision plan that came in this week and will be scheduled for an initial public hearing application acceptance for the second meeting in February if they can meet the deadlines. He mentioned a warehouse that is being proposed on Route 125; Ch. Alberti suggested the Board go see the property.

There was considerable discussion of traffic problems and the extent drivers will go to trying to avoid it by using private property to cut through.

Term Expirations and Election Sign-ups: there was a discussion about elections and newly elected members being sworn in by the BOS or Town Clerk. Ch. Alberti noted that Laurie Milette's term expires this year and that sign-up for Board positions started today and run through 1/28/2022. Recruiting alternate members was also discussed.

6. ADJOURNMENT

There was no additional business before the Board and the meeting was adjourned at 8:50 PM.

Respectfully Submitted,

Charlene A. Glorieux
Minute Taker