

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



PLANNING BOARD MEETING MINUTES (***DRAFT MINUTES – Subject to change once approved and amended by the board at its next meeting on November 16, 2022***)

November 2, 2022

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

1. ROLL CALL:

Tom Alberti, *Ch.* – Excused
Tim Moore, *Vice Ch.* - Present at Town Hall
Laurie Milette - Present at Town Hall
Karen Robinson – Present at Town Hall
Richard Anthony, Alternate – Excused
Darrell Britton, *Selectman's Alt.* - Present at Town Hall
Bill Coye, *Selectman's Rep.* – Present at Town Hall
Sara Tatarczuk, RPC – Present at Town Hall

2. MINUTES:

Review of the minutes of the previous meeting was postponed.

3. WORKSHOP ITEMS:

Economic Development Master Plan Survey – Update

S. Tatarczuk noted that the survey was now live and was posted on the Town website, on social media and print copies had been distributed at the Town Hall, Town Hall Annex, Library, etc. She noted it was doing well with 69 responses so far. It was agreed to allow it to remain open for the next few weeks, to check in mid-November to determine how long to keep it open, to do another social media blast, to ask for permission to have it on a table at the exit from the Town election site.

2023 Zoning Ordinance Amendment Review:

S. Tatarczuk led the Board through a review of the proposed amendments. She noted the numbers will be set later.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article V Establishment of Districts and District Regulations, Table 220-32I Minimum Dimensions for All Districts by adding a new Letter D as follows?

D. Residential Handicap Access Ramps are exempt from the requirement to meet property line setbacks for structures. Building permits and inspections are still required.

Voter's Note: The amendment seeks to remove the requirement for residential handicap access ramps to meet the property line setbacks for structures (Commercial would be addressed as part of a Planning Board Site Plan Review). These structures are often temporary in nature and when the need is urgent, obtaining a variance when setbacks cannot be met, can be up to a 60 day process. Building permits and inspections will still be required to make sure that the structure is meeting the applicable building codes and is safe to use.

The Board agreed this was a good change.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article IX Signs §220-60. Commercial 2 District and Village Center District that amends paragraph A and paragraph C by adding the Village Center to read as follows?

A. All signs in a Commercial 2 and ***Village Center*** Districts shall consist of wood construction only, shall be illuminated with indirect lighting only, and shall be in keeping with the character of Main Street.

C. The following signs are not permitted in the C2 and ***VC*** Districts:

Voter's Note: This is a housekeeping amendment. The ordinance section is titled to note that is it the signage requirements for both the Commercial 2 and Village Center (VC) Districts, but the VC District was inadvertently omitted from paragraph A and C.

The Board understood this was just a housekeeping matter.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article III General Provisions, §220-17.3 by deleting paragraph 1 and add "except residential lots" to paragraph A to read as follows?

A. Storage containers, without an axle, may be placed on any lot, ***except residential lots***, in any district, provided that the container has been issued a permit, is places to meet the setbacks of the individual district and the following conditions are met:

~~1. Residential: One container per residential lot, maximum length 30 feet.~~

2. Commercial/Industrial: No commercial or industrial site, with or without an approved site plan shall be issued a permit for a storage container without prior approval of the Planning Board.

Voter's Note: The amendment seeks to prohibit commercial-type storage containers on residential lots. Storage containers would still be permitted, with a permit, on commercial and industrial lots as approved by the Planning Board through the Site Plan Review process.

There was considerable discussion about storage containers on residential lots and it was agreed they should not be allowed. There as discussion about the features to be regulated such as aesthetics and concern expressed about people using them to add working/living space, or running a business out of a garage. It was agreed that the garage should be discussed further at another meeting. It was also noted storage containers should not be permanent.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article III General Provisions, §220-17.3. Storage Containers, by deleting “Plaistow Planning Board Fee Schedule” in paragraph C and adding “Building Department Fee Schedule Chapter 31 of the Plaistow Town Code” and to read as follows?

C. The cost of a permit for a storage container shall be as set forth in the ~~**Plaistow Planning Board Fee Schedule**~~ **Building Department Fee Schedule – Chapter 31 of the Plaistow Town Code** for a twelve-month period. [Amended 3-11-2008 ATM by Art. 42; 3-13-18 ATM by Art. Z-18-14]

Voter’s Note: This is a housekeeping amendment that points the reader to the correct location for the fees associated with a permit for a storage container.

The Board agreed with this change.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article II Definitions, §220-2. by amending the definition of ROOMING AND BOARDING HOUSE to read as follows?

ROOMING AND BOARDING HOUSE — A building other than a hotel or motel where lodging is provided for compensation, *lodging and meals are provided and kitchen facilities are not shared without individual cooking facilities*. These will be considered commercial uses. [Amended ATM 3-13-2012 by Article P-12-21]

Voter’s Note: The amendment seeks to amend the definition of Rooming and Boarding House to clarify the difference between a Rooming and Boarding House and a shared housing situation.

The Board agreed to remove “lodging and” from the above definition and to use only one definition for the amendment.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article II Definitions, §220-2. by adding the following definition to read as follows?

CONGREGATE CARE FACILITY — A residential development consisting of individual dwelling units with centralized amenities such as dining, housekeeping, transportation and organized social and recreational activities, and which may include limited medical services or social services on site.

[insert additional permitted district as determined by the planning board]

Voter’s Note: The amendment seeks to add a definition for Congregate Care Facility and add to permitted uses in the **XX District(s)** to clarify the difference between a Rooming and Boarding House and a Congregate Care Facility.

There was discussion about these facilities and the legalities of saying yes to one group and no to another. S. Tatarczuk suggested defining the concept and then determine whether and where it should be a permitted use.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article II Definitions, §220-2. by adding the following definition to read as follows?

SHORT TERM RENTAL — *An accessory use to an owner-occupied single-family residence containing, in addition to a living accommodations for the owner and the owner’s family, not more than three sleeping rooms for the purpose of providing to the general public, for compensation, lodging, with or without breakfast, for less than 30 consecutive days.*

[insert additional permitted district as determined by the planning board – CZ and VC? Do we need additional standards? Do we need to require permit?]

Voter’s Note: The amendment seeks to add a definition for Short Term Rental and then provide the districts where it is permitted. This allows Short Term Rentals to be regulated in town.

There was considerable discussion about this and the various definitions. It was agreed that the owner could rent it out if it was their primary residence and an owner-occupied standard should be included. It was felt that the NHMA Short Tern Rental Guidelines were good and should be used. It was agreed not to restrict this to particular zones or areas of the Town.

Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article II Definitions, §220-2. by adding the following definition to read as follows.

TRANSPORTATION FACILITY (SMALL) — *A facility that is used for the storage or parking of motor-driven buses, taxis, limousines, or courier services with no more than four vehicles.*

TRANSPORTATION FACILITY (LARGE) — *A facility that is used for the storage or parking of motor-driven buses, taxis, limousines, or courier services with five or more vehicles.*

[insert additional permitted district as determined by the planning board – C1 and IND]

Voter’s Note: The amendment seeks to add a definition for small and large Transportation Facilities and add to permitted uses in the XX District(s). This allows Transportation Facilities to be regulated in town.

There was discussion of these facilities and whether there was a need for a definition of a business office. T. Moore will consider this again. It was agreed that the C1 district should only allow small facilities and the Industrial2 could have both small and large. A site plan review would be needed with either case.

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Proposed Plaistow Zoning Amendment Z-23-??: Are you in favor of Amendment #??, as proposed by the Plaistow Planning Board, to the Plaistow Zoning Ordinance, Article II Definitions, §220-2. by adding the

following definitions to read as follows and amending Article V, Table 220-32A “IND1” – Industrial 1 to read as follows?

ARTICLE II DEFINITIONS

WAREHOUSE, LIGHT INDUSTRY — *A building that is used primarily for Industry (light). The storage of goods and materials may be an accessory use to the primary use of manufacturing.*

WAREHOUSE, DISTRIBUTION CENTER — *A facility that is engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by boat, rail, air, or motor vehicle.*

ARTICLE V, TABLE 220-32A “IND” – INDUSTRIAL 1

- A. Objectives and characteristics. The purpose of this district is to provide locations for the establishment of plants to improve employment opportunities and broaden the tax base in the community. These areas should be selected so that they will not adversely affect developed residential areas, will have good access to transportation facilities, and will have the potential for being served by public water and sewer systems. A variety of types of manufacturing activities, ~~distribution facilities~~, and offices should be permitted, as well as certain support facilities, especially of a commercial nature.
- B. USES. [Amended 3-13-2001 ATM by Art. P-33; 7-7-2005 by ATM by Art. SP-1; 3-11-2008 ATM by Art. P-08-24; 3-10-2009 ATM by Art. P-09-26; 3-14-2017 by Art.; 314-2017 by Art. Z-17-03; 3-10-2020 ATM by Art. Z-20-7]
Permitted Uses
 - 1. **Warehouse**, Light Industry
 - ~~2. Warehouse~~

The Board had considerable discussion about this. Removing the distribution facilities was suggested, but it was agreed to define them but not to make them a permitted use. It was agreed to allow small industry in the C1, C2 and C3 zones while large facilities should be restricted to the Industrial zones. Restrictions by size and lot coverage were also discussed.

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RECREATIONAL VEHICLE STANDARDS
SAMPLE DEFINITIONS:

RECREATIONAL VEHICLE – Any vehicle used or intended to be used for living and/or sleeping purposes which is or may be equipped with wheel or wheels or similar devices for the purpose of transporting the unit.

RECREATIONAL VEHICLE – A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and is primarily designed as a temporary living accommodation for recreational, camping, travel, or seasonal use.

SAMPLE STANDARDS:

- a. Recreational vehicles may be stored unoccupied at the owner’s premises or permanent domicile in any zone in the Town of Plaistow for any period of time.

- b. Recreational vehicles may be occupied for camping in all zones of the Town of Plaistow for up to thirty (30) days of the year providing the Recreational Vehicle presents no threat to public health and safety.
- c. Recreational vehicles may be occupied for camping in all zones for more than thirty (30) days of the year but not to exceed ninety (90) days, ***with a permit and inspection*** from the Town of Plaistow's Building Department.
- d. A Recreational Vehicle shall not be occupied as a permanent dwelling at any time in the Town of Plaistow ***with the exception of use as temporary housing after fire or damage to the permanent dwelling.***

The Board agreed that the second definition was best. There was discussion of RV's and Campers on residential properties and it was agreed the sample standards should be adjusted with the additions above in bold italics.

HOUSING FOR OLDER PERSONS

(HB 1661 – update to require all zoning incentives that apply to age restricted housing to automatically apply to all workforce housing as of June 2023)

ARTICLE VII Affordable Housing for Older Persons District

Key Points:

- This District shall be an overlay in any residential zone except Residential Conservation 1.
- A maximum of 6 Age-Restricted Affordable Housing for Older Persons Units (renter occupied) may be constructed per 40,000 sq ft of buildable area as defined by §220-53.A.(6). Note that soil and slope requirements may increase the 40,000 square feet to a larger area. *(Minimum 6,666 sf of buildable land required per dwelling unit).*

There was discussion of whether age restrictions should apply as they may apply to workforce housing also.

5. NEW BUSINESS

S. Tatarczuk noted the email from Attorney Cleary regarding an application before the Zoning Board regarding Sweet Hill Farm. It was agreed to table this topic until next year.

Renewal of the Town's dues to the Rockingham Planning Commission was discussed.

L. Milette moved, second by K. Robinson, to recommend to the Board of Selectmen that they renew the Town of Plaistow's membership in the Rockingham Planning Commission and pay the requested dues in the amount of \$7,914.00

The motion to reduce the bond passed 4-0-0.

S. Tatarczuk mention the RPC is working on Age Friendly Communities and invited the Board's interest.

Next meetings: The Board will meet again on Wed., December 7. If there are no new applications for consideration the Dec. 21 meeting can be cancelled; if there are applications, the Board would meet again on Dec. 15.

ADJOURNMENT

There was no additional business before the Board and the meeting was adjourned at 8:45 PM.

Respectfully Submitted,

Charlene A. Glorieux
Minute Taker