



Town of Plaistow, New Hampshire
145 Main Street, Plaistow NH 03865
Phone: (603) 382-8469

PB Minutes 02/18/15

PLANNING BOARD MINUTES February 18, 2015

Call to Order: 6:35 p.m.

ROLL CALL: Tim Moore, *Chair*
Charles Lanza, *Vice Chair*
Gennifer Silva
Shem Kellogg
Steve Ranlett, *Selectman Ex-Officio*
Geoffrey Adams, *Alternate*

Also Present: P. Michael Dorman, *Chief Building Official*

Agenda Item 2: Minutes of February 04, 2015 Planning Board Meeting

C. Lanza moved, second by S. Ranlett, to approve the minutes of the February 04, 2015 meeting. There was no discussion on the motion. The vote was 4-0-1 (Ranlett abstaining).

Agenda Item 3: Public Hearings

PB15-02: An application for a Final Review and Approval of a Plan to Construct an 850 foot roadway and create a 4-lot Residential Subdivision. The property is located at 26 Smith Corner Rd, Tax Map 53, Lot 56, in the Medium Density Residential District. The owners of record are Harry Scott Lane and Susan Lane

Jim Dufresne, prospective buyer/builder for the three (3) proposed lots, was present for the application.

J. Dufresne explained the following:

- This is a four-lot subdivision
- There are three (3) proposed new lots and the existing home owner's lot
- There would be a new 850 foot road to service the three (3) new houses

G. Adams noted that the letter from Conservation Commission (ConCom) indicates that they do not feel that a Conditional Use Permit (CUP) is valid for a residential road.

T. Moore added that a CUP application is appropriate for a crossing for utilities and not for new lots. He added that it is the ConCom opinion that this is a wetlands crossing and therefore the only remedy is a variance.

S. Ranlett questioned the comment from CLD asking for a determination on whether or not there is

a need for a hydrogeological study.

M. Dorman noted that there were test pits done for the septic systems and there are no issues there.

There was discussion about whether or not a hydrogeological study needed to be done under the requirements of the Aquifer Protection District (APD) Ordinance. The note on the Subdivision Plan states that it is less than 1,000 transmissivity, therefore a hydrogeological study is not required and they are not subject to three (3) acre zoning requirements.

The Board started to review the latest report from CLD and a list of responses from the applicant's engineer. There were a number of questions the Board had about the responses that Mr. Dufresne was not able to answer. The Board also had questions regarding the wetlands crossing, the well decommissioning, lighting and utilities and the CUP for the applicant's engineer, which Mr. Dufresne was not able to answer.

T. Moore asked if there were any abutters that wished to comment.

David Goodwin, 7 Kristie Lane, voiced the following concerns:

- Buffering zone between the proposed road and the Kristie Lane abutters, suggesting that there be two rows of trees staggered ten (10) feet apart
- Streetlights shining in their yards, perhaps shielding the lights so they shine in one direction away from the existing homes
- Diminishment of the surrounding property values

There was a discussion on the lighting and the possibility of shielding one side to shine away from abutters. Other alternatives, such as full cut off shielding were discussed. M. Dorman showed a picture of a carriage-style lighting fixture, similar to what is on Village Way, and suggested it to be used on this road as well. He added that LED lighting would save the Town money once the road is accepted by the Town.

There was discussion of the request for buffering. It was noted that two (2) rows of trees in the right-of-way would be an issue for snow removal. It was suggested that there would be room to put some buffering to mitigate the impact to the Kristie Lane residents. The possibility of installing fencing alone and fencing with plantings was also discussed. It was noted that the Board was open to requiring some kind of buffering.

It was decided that it would be best to continue the application until the engineer could be present. T. Moore stated that the public hearing was continued to March 18, 2015. It was noted that no additional formal notification would be made.

PB15-03: An application for a Final Review and Approval of a Site Plan for Change of Use, from Residential to Commercial, for a Swimming Pool Maintenance, Service and Repair Business. The property is located at 9 Garden, Tax Map 25, Lot 25, in the Commercial I District. The owner of record is DAP Realty, LLC

Charlie Zilch, SEC and Associates, and David O'Keefe, Owner of D&P Swimming Pools, were present for the application.

C. Zilch noted that following about the proposed plan:

- The property was owned by DAP Realty

- The proposed business use would be by D&P Swimming Pools
- The parcel is Tax Map 25, Lot 25 in the CI District
- The parcel is 6.54 acres with 148' of frontage on Garden Road and 242' of frontage on Chandler Ave
- There is an existing 2200 sq ft, one-story residential structure and a 850 sq ft garage on the property
- The parcel is serviced by its on on-site well and septic
- There is an existing paved driveway from Garden Road
- The majority of the site is wooded
- The wetlands have been delineated
- There are moderate slopes and the existing building sits twenty (20) feet higher than the Group 1 soils
- The proposal is to change the use from residential to commercial
- The proposed use is for a swimming pool service and maintenance business
- The retail swimming pool business will continue to be located at 26 Main St
- There will be no retail use on the property, only service and maintenance, mostly of commercial pools
- The existing dwelling will be converted to office space for five (5) employees. Two (2) will be onsite and (3) service techs who would be mostly on the road
- There would be a few changes to meet the needs of the business
- The paving would be striped
- The dumpster area would be paved
- The Fire Chief has been consulted regarding the access and the list of materials to be stored on the site. It was noted that there was a memo from the Fire Chief regarding access, the chemicals being stored as well there not being any need for a cistern
- The Highway Supervisor has been consulted regarding the driveway. It was noted there was an email from the Highway Supervisor in support.
- It was noted there is an existing water issue at the beginning of the driveway as the first 35 feet is sloped towards Garden Road and the rest tilts back into the site
- A contingency septic design has been reviewed by M. Dorman and will be submitted to the State the next day
- There are some waivers requested

S. Ranlett asked if there would be truck traffic on the site.

D. O'Keeffe noted that he had a 12 ft box truck and a couple of pick-up trucks. Deliveries were made by the box truck. There will be no tractor-trailer deliveries to the site.

C. Zilch added that there wasn't a sufficient turning radius for tractor-trailer trucks on the site.

S. Ranlett suggested that a note be added to the Plan stating no tractor-trailer traffic on the site.

T. Moore asked if there were any more questions from the Board.

S. Ranlett moved, second by C. Lanza, to accept the site plan for 9 Garden Road and complete. There was no discussion on the motion. The vote was 5-0-0 U/A.

The Board considered the waiver requests for the Site Plan:

S. Ranlett moved, second by G. Silva, to grant the request for a waiver of §230-14.1.HH to require a separate landscaping plan.

C. Zilch noted that the existing vegetation was noted on the full site plan and the rest of the site is wooded.

There was no discussion on the motion. The vote was 5-0-0 U/A.

C. Zilch noted that the previous owners had encroached on the abutting property by cutting down some trees and adding some pavement. He offered that they would be sawcutting the pavement back to where shown on the proposed site plan. He added that there will be a ten (10) foot planting buffer instead and a 100 feet length of six (6) foot high stockade fencing. C. Zilch noted that the plantings would be fir trees to eventually try and fill in what for what was lost to the abutters.

S. Ranlett moved, second by C. Lanza, to grant the request for a waiver of §230-14.1.II to require a separate lighting plan. There was no discussion on the motion. The vote was 5-0-0 U/A.

S. Ranlett moved, second by S. Kellogg, to grant the request for a waiver of §230-14.1.YY to require a building elevation plan. There was no discussion on the motion. The vote was 5-0-0 U/A.

S. Ranlett moved, second by G. Silva, to grant the request for a waiver of §230-23.A to require a 25' landscaping buffer abutting a residential use. There was no discussion on the motion. The vote was 5-0-0 U/A.

S. Ranlett moved, second by G. Silva, to grant the request for a waiver of §230-14.1.F to require an escrow account. It was noted that there was nothing in this plan to send for either engineering or legal review. There was no discussion on the motion. The vote was 5-0-0 U/A.

S. Ranlett moved, second by G. Silva, to grant the request for a waiver of §230-14.1.CC to require all onsite and abutting septic systems and wells be shown on the plan.

T. Moore asked that a note be added to the plan to state the well and well radius are on-site and comply with all State and Local Requirements.

There was no additional discussion and the vote was 5-0-0 U/A.

T. Moore asked if any abutters wished to comment.

Judy Garrett and Frank Ward, 32½ West Pine Street noted the following:

- There were concerns based on the previous owners use
- The trees that were cut down by the previous owner
- Chemicals that would be stored on the site
- Appearance of the property
- Starting times of 5:00 on Sunday mornings (previous owner)

C. Zilch reiterated the proposed buffering/fencing plan. He also noted that the surveying stakes, moved by the previous owner, had been re-established in their proper location. He added that the planned buffer would be evergreens to offer a good year-round buffer.

There was discussion regarding the width of the buffer and whether or not it could be expanded.

C. Zilch noted that he could not expand onto the abutter's property and the new occupants were intent on being good neighbors.

There was a discussion about the proposed stacked parking. C. Zilch noted that the inner parking space would be used by the owner, who would usually be on-site the entire day and therefore would not be moving his vehicle. He reminded that this was not a retail business and there would not be people coming to the site. He added that most of the work is done off-site and there were only office personnel on-site. C. Zilch noted that it was similar to what the Board had approved for the dentist on Wentworth Ave without a waiver.

M. Dorman noted that automotive service stations frequently used stacked parking as well.

S. Ranlett moved, second by G. Silva, to grant the request for a waiver of §230-12.2d to allow stacked parking. There was no discussion on the motion. The vote was 5-0-0 U/A.

J. Garrett asked if any State approvals were required for this new use.

M. Dorman replied they only needed State septic approval.

J. Garrett questioned if they would be mixing or repackaging any chemicals on-site.

D. O'Keefe answered they would not.

J. Garrett asked if there would be any vehicles kept on-site.

D. O'Keefe noted that he had a one-ton dump truck and a bobcat, both of which would be stored on pavement.

F. Ward asked if they would be working on both Saturday and Sunday.

D. O'Keefe replied that they do work Saturdays in the summer, but they do not offer Sunday service to their customers so there would be no need to operate on Sundays.

S. Ranlett moved, second by C. Lanza, to approve the site plan for a swimming pool service and maintenance business at 9 Garden Road with the following conditions:

- ***Additional buffer noted on the Plan***
- ***NHDES Septic System Approval Number noted on the Plan***
- ***All approved waivers noted on the Plan***
- ***Note to plan that there be no tractor-trailers on site added to Plan***
- ***Note regarding compliance with all State and Local Regulations regarding the existing septic system and well added to Plan***

There was no discussion on the motion. The vote was 5-0-0 U/A.

Agenda Item 4: Update on RPC and MPO

T. Moore noted that next Public Information meeting on the Rail will be 7:00 p.m. on February 24, 2015.

Agenda Item 7: Correspondence

- FYI – Copy of Stop Work Order – 144-146 Main St (Testa)
- PlanLink Thread Re: Subdivision/Site Plan Regulation
- FYI – Abutter Notice – City of Haverhill (46-50 Primrose St)

There were no additional matters before the Board and the meeting was adjourned at 8:10 p.m.

Respectfully Submitted as recorded by Dee Voss.

Approved by the Planning Board on _____

Tim Moore, Chair