



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

PB Minutes 03/18/15

PLANNING BOARD MINUTES March 04, 2015

Call to Order: 6:35 p.m.

ROLL CALL: Tim Moore, *Chair, Excused*
Charles Lanza, *Vice Chair, Excused*
Gennifer Silva
Shem Kellogg
Steve Ranlett, *Selectman Ex-Officio*
Geoffrey Adams, *Alternate, Arrived 6:50 p.m.*

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

The meeting was chaired by G. Silva

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

S. Ranlett moved, second by S. Kellogg, to approve the minutes of the March 04, 2015 meeting. There was no discussion on the motion. The vote was 2-0-1 (Kellogg abstaining).

Agenda Item 3: Public Hearings:

Continues from February 28, 2015:

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 – *WRITTEN REQUEST FOR CONTINUANCE TO APRIL 15, 2015 HAS BEEN RECEIVED.*

It was noted that an email had been received from Steve Cummings, the engineer for the plan, requesting a continuance until April 15, 2015.

G. Silva stated that the public hearing on 26 Smith Corner Road would be continued to April 15, 2015. It was noted that there would be no additional notification of the continuance.

PB15-01: An application for Review and Approval of a Condominium Conversion Plan. The property is located at 6 Lower Rd, Tax Map 17, Lot 36, in the Low Density Residential District. The owner of record is Henry Corey.

Tim Lavelle, Lavelle Associates was present for the application. He noted that following about the plan before the Board:

- The property is located at 6 Lower Rd as an existing duplex
- The application is for a Condex, which changes nothing physical about the site, only the form of ownership
- Floor plans for each unit were submitted
- A copy of the State Subdivision Application has been submitted
- Note has been added to the Plan to show that this is a permitted use
- Note (Note #9) regarding the Aquifer Protection District has been added
- Set back lines and grades have been added
- Street light poles are now noted on the Plan
- There are no lights, other than normal house lights
- The road is noted as a 50 right-of-way
- There is a waiver request for §230-14.1.CC (location of offsite wells and septic)
- Note (Note #8) addresses the wetlands

It was noted that the condominium documents have been reviewed by Planning Board Counsel and there are no issues.

G. Silva asked if the Board had any questions, there were none. She asked if there were any abutters wishing to speak. There was no one.

S. Ranlett moved, second by S. Kellogg to accept the condo conversion plan for 6 Lower Road as complete. There was no discussion on the motion. The vote was 3-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the request to waive §230-14.1.CC (location of offsite wells and septic). There was no discussion on the motion. The vote was 3-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the condominium conversion Plan for 6 Lower Road with the following conditions:

- Receipt of State of New Hampshire Subdivision Approval
- Granted Waiver Note added to Plan

There was no additional discussion on the motion. The vote was 3-0-0 U/A.

PB15-04: An application for a Lot Line Adjustment which proposes to transfer 1.48 Acres from 4 Witch Lane to 4A Witch Lane. 4 Witch Lane is a 2.4 Acre Parcel; Owner of Record Virginia Richard; Tax Map 41, Lot 13. 4A Witch Lane is a 2.48 Acre Parcel; Owners of Record Ronald and Donna Reardon is Tax Map 41, Lot 14. Both properties are located in the Medium Density Residential District.

Charlie Zilch, SEC and Associates, was present for the application. He noted the following about the application:

- Lot 13 (4 Witch Lane) is a 2.4 acre parcel
- Lot 14 (4A Witch Lane) is a 2.48 acre parcel
- The intent is to transfer 1.48 acres from Lot 13 to Lot 14, both parcels will still meet minimum requirements by both zoning and soils
- There are existing dwelling units on both parcels
- They are serviced by individual septic
- There is a shared well on lot 13, which will end up being located on lot 14
- New well easements have been drawn up for the adjustment

- There is an additional easement for the driveway which benefits
- Drafts of both easements have been submitted
- There are spot grades located on the plan
- Utility poles have been added
- The street width has been added

G. Silva moved, second by S. Ranlett to accept the Lot Line Adjustment Plan for 4 and 4A Witch Lane as complete. There was no discussion on the motion. The vote was 3-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the request to waive §230-14.1.F (establishment of an escrow account). There was no discussion on the motion. The vote was 3-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the request to waive §230-14.1.CC (location of offsite wells and septic). There was no discussion on the motion. The vote was 3-0-0 U/A.

G. Adams arrived at 6:50 p.m. and was appointed as a voting member for C. Lanza.

S. Ranlett moved, second by S. Kellogg to approve the Lot Line Adjustment Plan for 4 and 4A Witch Lane with the following conditions:

- Granted Waiver(s) Note(s) added to Plan

There was no additional discussion on the motion. The vote was 3-0-1 (Adams abstaining).

PB15-05: An application for an Amendment to the Site Plan to include Outdoor Structure(s) for a Doggie Day Care. The property is located at 134 Newton Rd, Tax Map 70, Lot 20 in the Integrated Commercial Residential District.

Kevin Hatch, Cornerstone Survey, was present for the application.

G. Adams noted that he was an abutter to this site and asked the Board if they felt he should recuse himself. The consensus of the Board was that it would not be necessary.

It was also noted that a Special Exception for Care and Treatment of Animals has been granted for this site by the Zoning Board of Adjustment (ZBA).

K. Hatch noted the following about the application:

- The new use going into the plaza is a Doggie Day Care, which will need to add 24 feet of chain link fence to the site
- There is only one new tenant proposed as part of this amendment
- The fencing will be located behind unit 5

S. Ranlett noted that there were a number of requests for waivers.

M. Dorman offered the original 1985 Site Plan for the Board's review. He noted that there was a lot of information on that Plan that was not brought forward to this new Plan, but waivers were being requested. He expressed concern and urged caution as this would now become the Plan of Record without a lot of the existing details.

There was discussion regarding what was on the original Plan that was not brought forward to this Amended Site Plan. It was noted that any amendment to a Site Plan opens the entire site to

review.

There was also discussion as to why some of these issues weren't brought forward with the addition of the Dunkin Donuts and whether or not it was fair to put the burden of updating on this applicant.

It was noted that this Plan was being reviewed as there was now a change of use to include the doggie day care.

K. Hatch expressed liability concerns over bringing forward information from a prior Site Plan that was not drawn by him and he has not himself verified. He added that he expected the former information would be available in the Town Hall files as part of the complete site record.

S. Ranlett reiterated that this would be the new Plan of Record and was important the details were noted on it for enforcement. He added there was a great difference between the proposed amended Plan and the original approved Site Plan.

There was discussion regarding other iteration of the Plan that K. Hatch had brought forward in 2003 and 2004.

K. Hatch noted that they were not proposing any changes to the existing lighting or landscaping plans and was requesting a waiver from submitting separate plans for each of those.

There was discussion regarding the fire lanes; location of utilities; location of dumpsters, pads and fencing for them; and the loading/unloading zone; which were not indicated on the amended Plan.

There was discussion about the direction of the delivery traffic around the back of the building.

There was discussion as to whether there was enough room for UPS sized trucks to turn around at the back of the building instead of driving out through the Dunkin Donuts drive-thru area.

Karen Evans, owner of the proposed doggie day care, joined the discussion.

There was additional discussion about signage to direct deliveries. No changes were finalized for the signage.

It was noted that there were storage trailers now on the Plan. Those trailers will need to have annual permits if they are to remain on the site.

There was discussion regarding the need for the dumpsters to be put on concrete pads and be fenced. After some discussion it was decided that all the dumpsters would need to be fenced, but the ones closest to Unit 1 would not have to be on pads.

K. Evans talked about all the procedures she has been through trying to get her business started at this location. She also explained a little about how they operate their business and expressed concern over being asked to update things that have little to do with their business.

G. Silva offered that the Board understood her concerns, but that some things had to be updated for public safety.

There was additional discussion about fencing in the dumpsters as well as the storage trailers.

M. Dorman suggested that the Board could put conditions on updating the Site Plan but didn't have to hold up the applicant from opening their business.

S. Ranlett added that it would be the property owners' responsibility to take care of these changes.

G. Silva asked if there were any additional questions from the Board. There were none. She asked if there were any abutters who would like to speak. There was no one.

S. Ranlett moved, second by S. Kellogg to accept the Amended Site Plan for 134 Newton Road as complete. There was no discussion on the motion. The vote was 4-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the request to waive §230-14.1.F (establishment of an escrow account). There was no discussion on the motion. The vote was 4-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the request to waive §230-14.1.Z and AA (Topography contours and grades). There was no discussion on the motion. The vote was 4-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the request to waive §230-14.1.DD (Public and private utilities). There was no discussion on the motion. The vote was 4-0-0 U/A.

G. Adams moved, second by S. Kellogg to approve the request to waive §230-14.1.BB and CC (Existing structures and wells and septs on abutting properties). There was no discussion on the motion. The vote was 4-0-0 U/A.

G. Adams moved, second by S. Kellogg to approve the request to waive §230-14.1.II (Separate Lighting Plan). There was no discussion on the motion. The vote was 3-1-0 (Ranlett dissenting).

S. Kellogg moved, second by G. Adams to approve the request to waive §230-14.1.YY (Architectural rendering/building elevations). There was no discussion on the motion. The vote was 3-1-0 (Ranlett dissenting).

S. Kellogg moved, second by G. Adams to approve the request to waive §230-14.1.HH (Separate Landscaping Plan). There was no discussion on the motion. The vote was 3-1-0 (Ranlett dissenting).

S. Ranlett moved, second by S. Kellogg to approve the request to waive §230-14.1.XX (partial, dumpsters behind Unit 1) (Dumpsters on concrete pads). There was no discussion on the motion. The vote was 4-0-0 U/A.

S. Ranlett moved, second by S. Kellogg to approve the Amended Site Plan for 134 Newton Road with the following conditions:

- The Loading/Unloading Zone must be indicated on the Site Plan
- All notes updated as discussed
- Approved waivers noted on final Site Plan/Mylar
- Note on the Plan stating "Any future Amendments/Change of Use(s) to this Plan, may require that the Site Plan and/or Site be brought into compliance with all Current Regulations and Zoning at the time of application."

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

Agenda Item 4: Update on RPC and MPO

T. Moore was not available for this meeting to provide an update.

Agenda Item 5: Correspondence

- FYI Copy of Legal Notice for 04/01/15 Public Hearing on SD/SP Amendments
- Copy of Follow-Up Letter to ASAP – 4 Wilder Dr
- Letter RE: Draft Regional Master Plan
- FYI – Abutter Notice from Town of Newton, NH

Agenda Item 6: Other Business

- Abare – Proposed Industrial Use

M. Dorman noted that he had spoken David Abare regarding locating an industrial use in Plaistow. He was initially looking at the Upton property on Newton Road, but it has been determined that will not work. M. Dorman is helping him look into other locations such as the Panniello site on Route 125.

S. Ranlett asked to read aloud the letter that was written to All State Abatement Professionals by the Department of Building Safety. He noted there had been questions about it at the Board of Selectmen meeting.

M. Dorman explained what he has observed on the site. He noted that all the asbestos is properly bagged at the job site and brought back to the business site until the trailer is full. M. Dorman added that if it's a very large job the asbestos would go directly to the disposal site. He noted that he has asked the business owner to clean up the site and to make application to amend the site plan for the two (2) storage trailers that he'll need on site.

S. Ranlett asked the status of the Fish and Game Club.

M. Dorman replied that he has been speaking with Mark Fougere, who doesn't think there is any cause to make them come in to amend their site plan.

S. Ranlett requested that Charlie Cleary be contacted regarding the status of the matter.

There were no additional matters before the Board and the meeting was adjourned at 8:23 p.m.

Respectfully Submitted as recorded by Dee Voss.

Approved by the Planning Board on _____

Tim Moore, Chair