



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

PB Minutes 06/03/15

PLANNING BOARD MINUTES June 03, 2015

Call to Order: Vice Chair, Charles Lanza, called the meeting to order at 6:40 p.m.

ROLL CALL: Tim Moore, *Chair, arrived 6:43pm*
Charles Lanza, *Vice Chair*
Gennifer Silva
Shem Kellogg
Steve Ranlett, *Selectman Ex-Officio, excused*
Geoffrey Adams, *Alternate, absent*

Also present: Mark Fougere, *Planning Consultant* and P. Michael Dorman, *Chief Building Official*

Agenda Item 2: Minutes of May 20, 2015 Planning Board Meeting

The minutes were tabled (voted on later in meeting).

Agenda Item 3: General Workshop Items

a. Master Plan

- Transportation Chapter

M. Fougere noted that the Transportation Chapter is about 95% complete and it was hoped it will soon be available for the Board's review

T. Moore arrived at 6:43 p.m.

- Survey Update (157 Survey Monkey, 189 Paper)

There has been a good response to the Master Plan resident survey. The deadline for returning the surveys is June 5, 2015 and then they will be sorted and put into a spreadsheet for analysis.

b. School Impact Fee

- John Sherman Email
- Bruce Mayberry Email

The Board was provided with copies of an email by John Sherman that S. Ranlett forwarded to the Board.

Bruce Mayberry was consulted for an estimate of what it would cost to update Plaistow's School Impact Fee, so the Board could plan for it in the next budget.

It was noted that Mr. Mayberry cautioned that he was having difficulty obtaining information from the Timberlane Regional School District for an update he's doing for another town.

M. Fougere offered that the town of Sandown has been talking about leaving the school district which could cause significant financial implications for the individual towns in the district.

c. List of Proposed Amendments

The Board was given a list of zoning ordinance and regulation items that had been starred along the way for discussion to possibly update this year. Each item was noted, but no decisions were made as to whether or not to include it for amendment.

There was a brief discussion regarding the ordinance that restricts the size of residential garages and barns. M. Dorman offered that while it had its purpose to prevent residential garages from becoming commercial businesses it may be too restrictive. His suggestion is that the Board considers repealing the ordinance.

- 2002 Memo from Dennise Horrocks, Plaistow Health Officer

There was discussion about the location of doggie day cares. It has been suggested by the Dennise Horrocks, Plaistow Health Officer that they only be approved as standalone business and not be allowed in plazas with restaurants.

It was further suggested by the Department of Building Safety that they not be approved by Special Exception, but through the normal Planning Board Site Plan review and approval process.

- Planlink Discussion on AIRBnBs

It was noted that there was a discussion on Planlink about AIRBnBs. AIRBnBs are when a home owner advertizes their home for short-term rentals. Other communities, such as Portsmouth, are having issues with the concept. Plaistow is not known to be a vacation destination and these rentals will probably not be popular here, but the information was provided for discussion.

C. Lanza turned the meeting back over to T. Moore to chair.

Agenda Item 2: Minutes of May 20, 2015 Planning Board Meeting

C. Lanza moved, second by G. Silva, to approve the minutes of the May 20, 2015 meeting. There was no discussion on the motion. The vote was 2-0-2 (Silva and Kellogg abstaining).

Agenda Item 4: Update on RPC and MPO

T. Moore noted that the RPC Annual Meeting will be June 10, 2015 at the Zorvino Winery in Sandown, NH. The discussion topic for the meeting will be Solar Energy.

Agenda Item 5: Correspondence

The following notices were included in the Board's folders:

- Letter from Citizens for a Better Plaistow (Re: ASAP)

T. Moore read the letter address to Selectmen Chair, Steve Ranlett, from Citizens for a Better Plaistow (Citizens). It noted a number of concerns regarding All State Asbestos Professionals (ASAP) at 4 Wilder Drive:

- Lack of opinions from Normandeau and Sumner Kalman on the storage of asbestos in Plaistow
- Whether or not the State's permit is adequate and considers compliance with EPA (Environmental Protection Agency) regulations
- Do the Town's Zoning Ordinances require further action beyond amending the Site Plan for the location of the storage container
- The letter expressed the opinion that the EPA would define the material brought into Plaistow as "Hazardous Material" not as "Solid Waste Material" as the NHDES (New Hampshire Department of Environmental Services) defines it.
- It is the Citizens position in their letter that, based on this being a hazardous material, it should require additional review at a public hearing and permitting from both the Board of Selectmen and the Planning Board.

M. Dorman noted that the State does not define the material, in the state that it comes into Plaistow, as hazardous material, but as solid waste.

James Peck, 206 Oak Ridge Rd, was present and requested to address the Board. He noted that S. Ranlett had brought their letter to the Selectmen at their last meeting and said that he would bring it to counsel. He added that they wanted the Planning Board to be aware that they believe of how the EPA classifies asbestos. He also suggested that the EPA regulations should trump the NHDES regulations.

M. Dorman noted that he is comfortable that materials, in the form that they come into Plaistow, meet all the requirements and when NHDES issued the permit, he lifted the Stop Work Order. He agreed that if asbestos is dry and airborne it can be hazardous, but that is not the form that it is in when it comes into Plaistow.

There was a discussion regarding the EPA's regulations versus the NHDES regulations. It was noted that EPA considers Asbestos (Friable) as a hazardous material.

Mr. Peck offered that the Planning Board and the Town should err on the side of caution when considering allowing this activity in Plaistow.

M. Dorman reiterated that he didn't feel there was any risk the way the materials are packaged and contained prior to being brought to Town for storage.

The discussion continued back and forth regarding whether or not the asbestos is allowable as defined by the EPAs regulations.

C. Lanza offered that the Board had read the letter and listened to Mr. Peck. He suggested that the matter be reviewed by Town Counsel.

M. Dorman noted that if Town Counsel comes back with a different opinion than his then he will work with that opinion. He added that his office was right on top of this matter as soon as they learned of the permit application.

J. Peck added that this business had been operating for thirteen (13) years.

T. Moore offered that a lot of materials are only considered hazardous in certain quantities.

J. Peck suggested that ASAP could truck the material directly to the disposal site from the demolition site instead of storing it in Plaistow until the container is full.

- FYI - Abutter's Notice (Haverhill) – 3 Buildings/13 Units of Condo - 2 Cross Rd

Agenda Item 6: Other Business

157 Main St

M. Dorman noted the he would be issuing a building permit for a small deck at Dr. Holliman's property at 157 Main St. The deck and stairs will provide an exterior egress for the residential unit and will not affect the site's lot coverage.

M. Dorman's Recommendation Letter (Re: Planning Position)

M. Dorman provided that Board with a copy of a memo he sent to the Town Manager regarding the vacant Planning Office position. His recommendation is that Dee Voss is promoted to the position and a new secretary be hired for his office. If there are any special projects, services of a Planner could be engaged for those specific needs. His memo suggests this would provide cost savings as well as cross-training between departments. M. Dorman noted his frustrations that the position is not yet filled and he has not had the full use of his support staff.

Update – Methuen Construction

T. Moore noted that he and Sean Fitzgerald had met with Methuen Construction as well as NHDES and NHDOT (New Hampshire Department of Transportation) regarding the site at 144-146 Main Street. The site was recently purchased by Methuen Construction and they are looking at the possibility of building an access to the property from Route 125. The discussion was about whether or not the State would be amenable to the road and what permits would be required as there are significant wetlands to be crossed. T. Moore noted that the State agencies seemed to be receptive to the possibilities but the "devil is in the details" and they would need to review a plan.

There was a brief discussion about the topography and the wetlands, including Little River, which would be impacted. It was also noted that the Board would need to review a Site Plan before committing to anything.

T. Moore noted that Methuen Construction would initially bring in about 100 new jobs and could grow to as much as 200 jobs in the future.

There was no additional business before the Board. The meeting was adjourned at 7:32 p.m.

Respectfully Submitted as recorded by Dee Voss.

Approved by the Planning Board on _____

Tim Moore, Chair