



**Town of Plaistow, NH
Office of the Planning Board
145 Main Street, Plaistow, NH 03865**

PLANNING BOARD MINUTES

October 19, 2016

Call to Order: The meeting was called to order at 6:33 PM

ROLL CALL: Tim Moore, *Chair, Excused*
Gennifer Silva, *Vice Chair, Arrived at 6:42 p.m.*
Charlie Lanza,
Laurie Milette, *Excused*
Steve Ranlett, *Selectman Ex-Officio, Excused*
Geoffrey Adams, *Alternate*
Julian Kiszka, *Selectman Ex-Officio, Alternate*

Also present: Greg Jones, *Town Planner* and P. Michael Dorman, *Chief Building Official*

★G. Adams was appointed as a voting member for this meeting.

Agenda Item 2: Minutes of October 05, 2016 Meeting

★G. Adams moved, second by J. Kiszka to approve the minutes of the October 05, 2016. There was no discussion on the motion. The vote was 2-0-1 (Kiszka abstaining).

Agenda Item 4: PB16-10: A Continued Public Hearing for a Lot Line Adjustment and Subdivision Plan application which proposes to subdivide tax parcel Map 48, Lot 33 into 6 single family residential building lots serviced by a 1,100', 50' wide Right of Way commencing at Forrest Street and terminating at a cul-de-sac.

Charlie Zilch, SEC and Associates and James Hanley, Civil Design Consulting, were present for the application.

G. Jones noted that he had just received SEC's comments on the CLD review letter and had not had time to review them and prepare a staff report. He recommended that the applicant be allowed to address specific items that are on CLD's review list, but need to be addressed by the Board. He also asked that the Public Hearing be continued in order for him to complete his review of that submitted information and offer a staff report to the Board.

C. Zilch addressed the outstanding comments from the CLD letter noting where he had updated the plan to resolve each one. He noted which items that conflicted with CLD's review and requested input from the Planning Board:

G. Silva arrived at 6:42 p.m.

Timber guardrails

The applicant requests to use timber guardrails instead of NHDOT (New Hampshire Department of Transportation) specific steel guardrails. There is not a long length of guardrail needed and the timber guardrails are more aesthetically pleasing, while still providing adequate protection. It was noted that timber guardrails were allowed by the Planning Board for the Gunstock Road project which had 9% grades. Consensus was that this would be allowed.

Culvert headwalls

The applicant requests permission to maintain portions of the driveway culvert headwalls within the Town's right-of-way. It was noted that the CLD letter called this structure out as a retaining wall. The applicant notes it to be more of a headwall for the culvert. The location of the headwall would be more aesthetic as well as cause less land disturbance.

M. Dorman noted that this was not a regulation and was just a recommendation from CLD.

There was discussion regarding the drainage and Alteration of Terrain permitting. It was noted that a formal drainage report has been forwarded to NHDES (New Hampshire Department of Environmental Services) for the basin design, which will need to conform to all their regulations.

There was consensus of the Board that the location of the headwall was permissible.

C. Zilch also noted that they had two (2) waiver requests.

Robert Noltemy, 53 Forrest St, requested a copy of the updated plans so that people in the gallery could follow along. Copies were provided.

There was additional discussion regarding the drainage. J. Hanley explained the basin and infiltration system. It was noted that they were working their way through the NHDES approval process, but there were no specific timeline for approval. It was hoped that there would be conditional approval of their drainage design by November.

C. Lanza asked if the Board had any questions, there were none at this time.

C. Lanza asked if there were any abutters with questions or comments.

Stephen Boudreau, 56 Forrest Street and Neil Rabideau, 54 Forrest Street, read a letter voicing the concerns of some of the abutters. They also presented a petition signed by abutters who support the submitted letter. The concerns voiced in the letter are:

- The letter requested that S. Ranlett recuse himself from considering this Plan as he has a personal relationship with one or more of the property owners involved
- Detrimental impact upon residential amenities such as a safe and adequate drinking water supply
- Disturbance of wetlands and the potential for additional runoff and flooding
- Reduction of natural buffer for the cutting in of the roadway and how it may disturb woodlands, wildlife and wetlands
- The subdivision is contrary to the Town's Subdivision Regulations in that it would "involve danger or injury to the health, safety, or prosperity by reason of a lack of water supply, drainage or fire protection"
- Non-compliance with other council of Town and State government planning guidance on subdivision – with appendixes
- The subdivision is contrary to the government planning policy or guidance by being contrary to the Source Water Protection Plan for drinking water sources in Plaistow as adopted by the Town.
- Concerned were expressed over the accuracy of the current Aquifer maps for the Town
- There were a number of photos, maps and aerials attached to the letter from the abutters
- There was concern expressed over wells already needed to be replaced in light of the current drought conditions
- It was noted that a copy of the petition was send to NHDES as well

In addition to the concerns voiced in the letter there were a number of recommendations:

- Reject the Subdivision Plan

- If not rejected, delay consideration until valid perk tests can be performed after normal rainfall/ground water level restoration
- If not rejected, revise the Plan to prevent any additional water from flowing into the wetlands along Forrest St than already exists today
- If not rejected, revise the Plan to reduce the road grade and dependence on winter salt use, which may require lengthening the road and/or possible elimination of a lot or two
- If not rejected, put in place a covenant/restriction prohibiting the installation of irrigation systems within the subdivision
- If not rejected, mandate a bond or trust is established by the subdivision owner and/or contractor for the purpose of redressing damages to abutter's property, such as well replacement, and drainage or contamination remediation. A proposed amount would be \$1M for a period of ten (10) years after completion of the last house in the subdivision
- Review and update watershed, wetlands and Aquifer maps prior to final vote on this proposal
- Obtain an independent peer review of the subdivision and its environmental impact:
 - o Wildlife and studies of vernal pools
 - o Stormwater Management – Erosion control and construction monitoring
 - o Wetland Function Analysis – Snow Brook and Seaver Brook Watershed systems analysis
- That abutting wells on Forrest St and Autumn Circle be tested for water level and quality by the EPA (Environmental Protection Agency)

J. Hanley explained the drainage design and where water would be directed to be treated and infiltrated back into the ground water system.

There was discussion of the Aquifer maps and whether they should be updated to reflect current conditions.

J. Hanley noted that the subdivision was a “by right” use of the property, with its 2+acre parcel zoning. He added when the Town designated and developed its zoning it was done with this proposed use in mind. He noted that all plans and drainage designs were reviewed not only by the Planning Board, but by the Board's engineers, CLD as well as NHDES. J. Hanley added that they are required to meet all the stringent requirements of a NHDES review to get their approval.

R. Noltemy questioned how close the retention pond would be to his property.

J. Hanley noted that it was twenty-five feet off the property line. He added that the basins would be empty much of the time as they were designed and would be built to re-infiltrate the water back into the ground. He also noted that they are designed to provide protection from what is referred to as a “50-year storm event.”

J. Hanley explained that of the total approximately nineteen (19) only two (2) acres would be disturbed for the roadway. He added that the goal was to retain as much of the original buffer as is possible.

There was discussion about where the water is already naturally directed and where it will be directed once the subdivision is built. There was additional explanation as to how the culverts, swales and basins would function. It was noted that the runoff is collected in the basins for a slow release into the ground water systems.

J. Hanley noted that it was a very conservative drainage system design and was compliance with State and Town regulation. He offered that the calculations show a slight decrease in offsite drainage from pre and post construction.

G. Jones offered that if there are concerns over wildlife habitat then he would suggest that the applicant consult with the Conservation Commission (ConCom) to alleviate any concerns.

J. Kiszka agreed with the concerns over the use of salt on roadways. He suggested that more sand and less salt be used.

M. Dorman noted there are other roads in town that are designated as low salt areas.

G. Jones added that the Town is cognizant of the use of salt and employs the best management practices.

J. Kiszka asked if the new homes are proposed to have irrigation systems.

C. Zilch replied that they were neither proposed nor eliminated at this stage in the process.

C. Zilch also noted that they have already met with the ConCom to discuss the wetlands protections. He added that there are already disturbances to the wetlands

S. Boudreau offered additional information regarding where the water runs to. He noted that he hears the applicant saying that they think they got it right, but he still has concerns over widespread impacts. He added that just because there is already disturbance to the wetlands does not mean that we should carry that disturbance further.

There was discussion regarding the conditions of Forrest St and the deterioration of the roadway. It was noted that the Highway Department should weigh in on the conditions of Forrest St as well as the proposed subdivision road.

C. Lanza suggested that there was enough information to accept the Plan as complete and start the 65-day clock running.

G. Jones suggested that there be further review by ConCom and the Highway Department. He added that he would like additional time to review the applicant's responses to the CLD letter and prepare a staff report for the Board.

Lisa Fronc, 52 Forrest St, asked for an explanation of what is meant by "accepted as complete."

G. Jones explained that it did not mean approval, but only established that there are enough technical aspects of the Plan in order for the Board to consider it.

★G. Silva moved, second by J. Kiszka to accept the lot line adjustment and 6-lot subdivision plan on Forrest St as complete. There was no discussion on the motion. The vote was 4-0-0 U/A.

C. Lanza stated that the Public Hearing in this matter is continued to November 16, 2016.

C. Lanza turned the meeting chair over to G. Silva.

There was a short break from 7:40 p.m. to 7:43 p.m.

Agenda Item 5: PB16-11: A Continued Public Hearing for a Site & Consolidation plan application proposing to raze an existing structure and associated infrastructure located on tax parcel Map 27, Lot 30, and replace with 11,050 s.f. of paved parking area for 33 display space with access from an existing auto dealership. The proposal also calls for the consolidation of tax parcels Map 27, Lot 30 and Map 27, Lot 29.

Charlie Zilch, SEC and Associates and James Hanley, Civil Design Consulting, were present for the application.

G. Jones noted that there is an issue with some wetlands remediation on the 87 Plaistow Rd lot that ConCom has not yet signed off. He noted that this was not a new issue.

C. Zilch explained that Mr. Orlando owns both the 85 and 87 Plaistow Rd parcels. The building at 87 Plaistow Rd had been rebuilt after a fire and there was excess material behind the maintenance building, which had been graded out, including some of the wetlands. He continued that they were working with Evan Lewis of NHDES and with ConCom on a remediation plan, which they will have to do no matter what happens with the lot consolidation and site plan amendment application.

G. Jones questioned if ConCom has signed off yet.

C. Zilch offered a point of clarification that it will be NHDES who will have to sign off on the remediation plan.

G. Jones suggested that the review could move forward but that sign off on the remediation plan should be a condition of any approval.

G. Jones explained that just with the first application he had just recently received the applicant's responses to the CLD letter and that he hadn't had enough time to review it and prepare a staff report.

C. Zilch went through the CLD letter explaining how he had addressed each of their concerns. He noted that he did have a question for the Planning Board regarding CLDs comment for handicap striping in the new display area. C. Zilch noted that all the parking spaces were intended for display parking only. All customer parking, including handicap parking was designated at the main office building. He noted that they would lose a valuable display space if they had to put accessible parking in the display area. He added that they weren't increasing any customer or employee parking so there was no requirement for additional accessible parking spots.

It was noted that there were no abutters in the gallery for comment on this Public Hearing.

★C. Lanza moved, second by G. Adams to accept the lot consolidation and site plan amendment for 85 and 87 Plaistow Road as complete.

There was discussion regarding the traffic circulation for the display parking. It was noted to be one-way from the existing site, exiting to Route 125 through a shared driveway at the southern end of the lot. Customers would then right turn north to re-enter the site.

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

C. Zilch noted that he had two waiver requests.

G. Jones suggested that this Public Hearing be continued to November 16, 2016 to give him time to review the CLD letter and applicant's response and prepare a staff report. He added that he wasn't comfortable with the Board approving this plan without that. He also noted that he would like to have confirmation that the remediation on 87 Plaistow Rd was approved.

C. Lanza offered that he was prepared to make a motion to conditionally approve this plan. He added that it sounded like all the outstanding items are housekeeping and easily worked out.

C. Zilch noted that he was waiting on the NHDOT permit and the two waivers, but other than that there wasn't a lot to review.

There was discussion regarding moving the Public Hearing to November 2, instead of the 16th.

G. Silva stated that the Public Hearing for 85-87 Plaistow Road was continued to November 2, 2016.

Agenda Item 6: PB16-03: A Continued Public Hearing for a Minor Site Plan Application to consider a proposed change of use from an existing ground floor retail/restaurant space to a 15 unit long-term stay motel facility located at 93 Plaistow Road, Plaistow, NH 03865, Tax Map 27, Lot 26-1.

G. Jones offered that he had not had a request from the applicant to continue this Public Hearing, nor has he received any updated information for the application. It was noted that historically the Board has never not continued a Public Hearing based on the lack of a letter from the applicant.

G. Silva stated that the Public Hearing for 93 Plaistow Road was continued to November 16, 2016.

Agenda Item 7: PB16-07: A Continued Public Hearing for a proposed Minor Site Plan application submitted to seek approval for a proposed site plan amendment to a commercial site located at 239 Main Street, Plaistow, NH 03865, Tax Map 31, Lot 18.

There was a written request received to continue this public hearing. G. Silva stated that this Public Hearing is continued to November 16, 2016.

Agenda Item 3: Public Hearing: Final review and consideration of the Town of Plaistow's 2017 Capital Improvement Plan as submitted by the Plaistow Capital Improvement Committee (CIP).

John Sherman, Board of Selectmen Vice Chair, and member of the CIP Committee was present for the Public Hearing.

G. Jones noted that T. Moore had gone through the PowerPoint presentation of the CIP at a previous meeting. They have cleaned up the formatting, the cash flow sheets were up-to-date and it was ready for Planning Board approval. He noted that it would then move on to the Budget Committee and Board of Selectmen.

It was noted that there was no one in the gallery to make comment at this public hearing on the CIP.

J. Sherman offered that he thought it was a "helluva document" best in the State. He added that it detailed foresight and allowed the citizens to know that there is a plan in place for the responsible replacement and/or purchase of capital items. Mr. Sherman noted that all the changes that were made were cosmetic. He added that the Timberlane Regional School District now has a CIP program as well.

G. Jones noted that they decided to leave completed projects from the last year in so there would be a context for what was done.

There was a brief discussion about the new K-9 and the "gofundme" program that funded the purchase of the dog. It was noted that this type of funding was not covered in the CIP and that the CIP was just a planning tool.

There was also discussion about clarifying in a Warrant Article for any replacement vehicle the disposition of the vehicle being replaced, whether it will be sold, transferred to another Department or retained in service as a back-up vehicle.

★C. Lanza moved, second by G. Adams to approve the Capital Improvement Plan as presented. There was no discussion on the motion. The vote was 4-0-0 U/A.

Other Business and Updates

G. Jones offered updates on the following projects:

- There will be two presentations at the November 2 meeting from those seeking to assist in updating the Water Resources Chapter of the Master Plan
- Proposed Zoning Ordinance Amendments will also be discussed at the November 2 meeting. Any suggestions for change should be forwarded to G. Jones
- The RFP for review of the Recreation Impact Fees have gone out and are posting on various planning and municipal-related websites
- Plaistow scored #1 out of Rockingham County for the TAP grant. The application now moves on to the State
- The Renewable Energy Committee is still trying to figure out how to put a solar field on the landfill cap.
- The Source Water Task Force is working on completing the 2016 report

D. Voss noted that the Chandler Place variance appeal for the Recreation Impact Fee is schedule for the October 27, 2016 Zoning Board meeting.

There was no additional business before the Board and the meeting was adjourned at 8:25 p.m.

Respectfully Submitted,

Dee Voss
Recording Secretary