

Town of Newington, NH
ZONING BOARD OF ADJUSTMENT

Meeting Minutes, Thursday, November 19, 2019

Call to Order: Chair Matt Morton called the November 19, 2019 meeting at 6:30 p.m. that was held at the Old Town Hall

Present: Chair Matt Morton, Vice-Chair Ralph Estes; John Frink; Meredith Hoyt; Edna Mosher; Alternate Board member, Kathy Latchaw; Town Planner, John Krebs and Jane Kendall, Recorder

Absent: Alternate Board member, Will Gilbert and Kathy Latchaw

Public Guests: John Bernier with Bernier Corporation; William Gregsak, P.E.; Denis Hebert

I) Public Hearings:

- A) A request by **25 Piscataqua Drive, LLC** for a variance from Article VII to allow the expansion of the existing manufacturing **Wilcox Industries** facility for additional manufacturing space and a 248-space parking garage 45 feet from the front property line where 75 feet is required at their property located on **Tax Map 27, Lot 22**.

William Gregsak, P.E. with Gregsak Engineering said Wilcox Industries was proposing an expansion on the existing building for additional manufacturing space, demolish existing portion of building in front, replace with a building with manufacturing, assembly and a parking garage on top, which would push building out 45' from frontage where 75' was required because they were running out of pkg spaces, and this that would add 248 spaces.

Town Planner, John Krebs noted that CEO, Jim Teetzle had stated that he didn't want to expand beyond 500 employees at this site to avoid additional requirements for government contracts.

Board member, Edna Mosher asked if there was a building height restriction. Planning Board Chair, Denis Hebert said there was, but it could be waived by the Planning Board.

Mr. Gregsak said this proposal would improve the traffic patterns around the building, and they were also looking to add temporary parking across the street on the former Family Buffet site that they had a purchase agreement on.

Town of Newington, NH

ZONING BOARD OF ADJUSTMENT

Meeting Minutes, Thursday, November 19, 2019

Chair Morton asked if the abutters had been notified, and Town Planner, John Krebs said they had. Chair Morton asked if any letters of objection had been received, and Mr. Krebs said no letters had been received.

Board member, John Frink noted that there were any easements in the front of the building, but asked about construction near the gas and utility easement area. John Bernier with Bernier Construction responded that an observer always worked with them when they worked near the gas easements.

Ralph Estes moved to grant the variance request by 25 Piscataqua Drive, LLC for a variance from Article VII to allow the expansion of the existing manufacturing Wilcox Industries facility for additional manufacturing space and a 248-space parking garage 45 feet from the front property line where 75 feet is required at their property located on Tax Map 27, Lot 22. Edna Mosher seconded the motion.

Mr. Frink reviewed the criteria for approval, noting that approval would not be contrary to the public interest, the spirit of the Ordinance would be observed, and substantial would be done.

Mr. Frink went on to say that the value of surrounding properties would be improved and not be diminished.

Mr. Frink stated that the request was for a reasonable use, and the special conditions of the lot restricted the expansion of the business, and parking.

The motion carried and all were in favor.

- 1) A request by **Joan Poulin** for a variance from Article VII, Section to allow the creation of a residential lot with 42 feet of road frontage where 200 feet is required on property located at **311 Little Bay Road, Tax Map 23, Lot 21.**

This item was postponed.

Mr. Krebs said the only slot available to re-schedule the meeting would be on Thursday, September 17, 2020, for the Kent Auditorium with Board members distanced on the stage, and limited members of the public at a time if a large number of people wanted to testify.

Mr. Krebs noted that abutters, Ralph Estes, and Alternate, Will Gilbert would have to recuse themselves from voting on this item. Mr. Krebs said he had a call into legal counsel, Attorney Walter Mitchell if there weren't five members in attendance. Mr. Krebs said the Board could hold a hearing with a quorum of three members, but it would require the applicant's approval, and three votes to pass.

Ms. Mosher said that she knew that Alternate, Kathy Latchaw had said that she would not attend a large meeting out of concerns for COVID, and she was hesitant to attend as well.

Town of Newington, NH
ZONING BOARD OF ADJUSTMENT

Meeting Minutes, Thursday, November 19, 2019

Mr. Frink said although he was not a direct abutter, he was reluctant to vote because he had known the applicants since childhood.

Ms. Mosher asked if the Board of Selectmen could appoint another alternate member. Mr. Krebs said some boards had up to four alternates, but most had two. Mr. Krebs suggested that the Board consider asking a previous member that was familiar with the process so they would be up to speed. Chair Morton said he thought there would be too many alternates, and they would lose interest if they were not able to participate in hearings.

Mr. Krebs said Governor Chris Sununu could halt public meetings if COVID numbers increased to 5%. After a brief discussion regarding the Governor's recent recommendation for masks in public places due to an increase surge in the COVID pandemic, Board members decided that they would be reluctant to attend public meetings in December for a request that might draw numerous residents. Board members also said they were not willing to do remote Zoom meetings.

Mr. Krebs said he would inform the Poulins.

Minutes: *John Frink moved to approve the Minutes for the September 17, 2019 meeting with corrections as noted. Edna Mosher seconded, and all were in favor.*

John Frink moved to approve the Minutes for the October 29, 2020 meeting. Meredith Hoyt seconded, and all were in favor.

Adjournment: *Edna Mosher moved to adjourn. Meredith Hoyt seconded the motion and the meeting adjourned at 7:34 p.m.*

Next Meeting: TBD

**Respectfully
Submitted by:** Jane K. Kendall, Recording Secretary