

## Planning Board

## Minutes

January 12, 2009

**Planning board Members Present:** Denis Hebert, Peggy Lamson, Michael Marconi, Tom Bobotas, Cliff Abbott, Chris Cross (7:35 pm)

**Also Present:** Town Planner Tom Morgan

**Commencement:** Chairman Hebert opened the meeting at 6:34 pm

**Public Hearing:** Proposal by Todd Adelman for a 2-lot subdivision and office warehouse construction at the site of the former Flagstones Restaurant off Shattuck Way, Tax Map 7, Lot 2.

Presenting for the applicant were Attorney Pelech and John Chagnon. Chagnon indicated that a tentative agreement had been reached with the Sterns regarding the abandonment of the right of way. Chagnon presented a lot line relocation plan. The plan would subdivide into two lots – 2A the lot on the east side of the right of way and lot 2B on the south side.

Chagnon further stated that on lot 2B there would be a lot line adjustment between the Bernard and Stern property thereby increasing the Stern lot from 15,252 to 65,266 sq. ft. with water frontage. This would be conveyed subject to a conservation easement. In exchange, Sterns will release the easement on Lot A.

Attorney Pelech stated that the Sterns would not be able to build on the additional land subject to the conservation easement, but would be allowed to replace their septic if needed.

Morgan asked Attorney Pelech to provide the board with the proposed conservation easement. He also suggested Attorney Pelech write to the conservation commission to inquire about holding the easement.

Chairman Hebert expressed his disappointment that the applicant intended to convey this land privately to the Sterns instead of to the Town of Newington. He further stated he was caught by surprise and it was previously discussed that the land would be conveyed to the Town.

Bobotas asked about the remaining land on lot 2B. Pelech indicated there was approximately 150,000 sq ft. still available to benefit the town.

Lamson stated that the plan sounded like a good idea and of benefit to all parties.

Hebert asked about adjusting the Stern lot line where the town currently owns to make it more square and even. Chagnon replied that a separate plan could be done for this.

Chairman Hebert stated the matter would be continued to the February meeting.

**Preliminary Discussion:**

**Proposal by Thomas Aspinwall to construct an office/warehouse building adjacent to the Nimble Hill Road Gulf Station, Tax Map 12, Lot 15 and Map 7, Lot 20.**

Mr. Aspinwall presented preliminary drawings of the proposed office building and rental space. The building would be for his own use and would have additional rental space for income. The proposed building would be 10,000 sq. ft with a 2,000 sq ft garage. The building would be a 2 story colonial with a pole barn.

Mr. Aspinwall has a pest management business. His equipment would be stored in the barn.

Chairman Hebert asked about storm water management. Mr. Aspinwall replied that he would like to work with Neslab (at no cost to them) to address stormwater management and runoff.

Morgan advised Aspinwall that the wetlands need to be shown on the plan as well as the setbacks to parking and the building. The board would also need to see the specs on lighting.

Chairman Hebert asked if Aspinwall would be willing to convey the 50' ROW to the Town. Aspinwall said he would take it under advisement.

**Zoning Amendment: Small Wind Energy Systems**

Discussion of letter from Attorney Loughlin regarding more strict guidelines in the residential district. His letter indicates the Town can't exclude small wind energy systems from the residential district.

Lamson suggested the board seek a second opinion from Attorney McNeil.

Discussion of restricting decibel level. The state legislation indicates noise levels up to 55 decibels are allowed. Chairman Hebert stated that he is not against wind systems. He believes that the state made an error – that 55 decibels is too loud when the technology allows for much lower levels.

**Marconi made a motion to amend draft #3 , page 3 paragraph C - Noise Level: to read “the sound level of the small wind energy system shall not be discernible at the property line.”, seconded by Lamson, all in favor – motion carried.**

**Cross made a motion to go into Non Public Session pursuant to RSA 91-A:3 (d) acquisition of real property, seconded by Lamson and on a roll call vote the motion passed 6-0.**

**Cross made a motion to come out of non public session at 9:40 pm – Lamson seconded – motion passed 6-0 on a roll call vote.**

**Minutes of December 15, 2008**

**Marconi moved to approve the minutes of December 15, 2008, Abbott seconded, Lamson and Cross abstained, all others in favor – motion carried.**

Item #4 Design Review Guidelines and Item #5 Traffic in the Residential District will be moved to the next meeting.

Chairman Hebert asked Morgan to provide an update on the progress of the master plan at the next meeting on January 26<sup>th</sup>.

**Marconi made a motion to adjourn, Bobotas seconded – all in favor, motion carried.**

Meeting adjourned at 9:30 pm.

Respectfully submitted,

Melia Michaud  
Recording Secretary