

**Planning board Members Present:** Denis Hebert, Michael Marconi, Jack Pare, Tom Bobotas, Chris Cross, Peggy Lamson

**Also Present:** Town Planner Tom Morgan

**Commencement:** Chairman Hebert opened the meeting at 6:33 pm

Chairman Hebert announced the next work session on the master plan will be on March 24<sup>th</sup>.

**Old Business: Fenton Groen – proposed Shattuck Way hotel**

*Sidewalk from site north to the intersection.* Bernie Pelech and Groen spoke regarding the estimates received to install the proposed sidewalk of approximately 800 ft, Blood Excavation - \$21,600, Lupoli - \$21,185, Appledore \$27,000 (900 ft). Pelech spoke regarding the selectman's position that there won't be any snow removal on sidewalks that are in state jurisdiction, Pelech proposed putting \$22,000 in escrow for the construction of the sidewalk. A municipal agreement is required, which was forwarded to Tom Morgan.

Discussion of approximate footage needed and average cost per foot.

*Blocking off the median.* Groen spoke with DOT (Douglas Deporta) regarding the median. The long term objective of DOT is to revise the whole median area. Groen proposed a 4 – 4 1/2 ft. bituminous curb between the two openings rounded to 8-9" in the middle so people don't try to go over it. DOT would mark it with yellow striping. Cross question if they would go through the entire pavement or just going over the top.

Chairman Hebert was in favor of going over the top with a bonding agent creating a monolithic piece, and stated that if you go down through the pavement, you would need to go all the way through because if you went down only a couple of inches, there would be the potential of water getting through and lifting it.

Groen indicated that the DOT was fine with the monolithic curb and is aware that this is a temporary solution but could be anywhere from 2 to 10 yrs before the whole median are is addressed

**Cross made a motion to accept a sidewalk contribution of \$24,000 and to accept the 4 – 4 1/2 ft curb with 8" center height to seal off the median, Lamson seconded, all in favor – motion carries.**

## **Public Hearings:**

### **1. United Oil Recovery installation of office trailer 410 Shattuck Way:**

Brian Abely of United Oil Recovery discussed the proposed landscaping to screen the view of the proposed trailer. He will put in eight 8 ft. arborvitaes. Cross questioned the spacing. Bobotas suggested they be staggered rather than in a line.

Abely noted both the Fire and Sewer Departments have reviewed and approved the project. The board questioned the building setup. Abely indicated that the office trailer would be a block foundation with skirting. Cross suggested high wind anchors, Abely agreed.

Abely stated the lighting fixtures would be coated on the inside in a ½ moon to reduce the glare and the other lighting on the tanks would be turned in another direction and add a light on the dock facing the other way.

**Marconi made a motion to accept the plan as complete, Lamson seconded, all in favor – motion carries.**

Chairman Hebert closed the public session at 7:15 pm

**Bobotas made a motion to approve the plan with the following conditions:  
The landscaping of arborvitaes be staggered and spaced at 10ft apart;  
Modifications to the lighting be completed as presented;  
Trailer is to have a concrete block foundation, the wheels removed and cable anchoring installed. Lamson seconded, all in favor – motion carries.**

### **2. Lee Garrod, DVM veterinary clinic 15 Piscataqua Drive**

Attorney Tom Watson presented plans and spoke regarding the project and explained that Dr. Garrod is seeking a change of use permit. Dr. Garrod has an emergency veterinary clinic in Portsmouth that she will be relocating to this site. The interior of the building will be totally renovated. The exterior will remain the same with the exception of a mobile MRI unit. There will be no outdoor kennel or boarding of animals. There will be no crematory on site. The facility has a freezer which will contain remains until picked up by the facility contracted to do the cremation. Watson presented Exhibit B showing the location of the signage. Dr. Garrod wishes to relocate the existing sign to the new location.

Chairman Hebert directed the applicant to refer to the sign ordinances to be sure it meets the requirements.

Pare questioned whether the applicants had the proper easements. Watson indicated both a sign easement and an easement to access the property were in place.

Watson stated the mobile MRI unit would be 9' wide, 51' long and 14' high. They will agree to landscape to screen the unit. Chairman Hebert believes the unit is not considered a storage unit, but rather a piece of equipment.

James Vera of Great Bay Commons felt this use would devalue the surrounding properties and questioned whether large animals and livestock would be treated there. Dr. Garrod replied that they would not, as the facility would not be large enough.

Albert Kelly of 121 Shattuck Way raised concerns about the size and location of the MRI unit. He stated he didn't think a mobile unit should be permitted. He is concerned how the unit will look as viewed from his property.

Barbara MacDonald spoke in favor of the proposal and feels it is a good use of the property.

**Pare made a motion to accept the plan as complete, Marconi seconded, all in favor – motion carries.**

Albert Kelly reviewed the plan and noted the scale of the MRI unit and the location as noted on the plan was acceptable if it is properly landscaped.

Cross suggested a brick wall with barrel mounted plantings so they could be moved or replaced if needed.

Justin Richardson spoke and cautioned the board to be cautious regarding the drainage on the property near the pond.

Marconi suggested plantings in the 30' strip to screen the MRI unit.

Discussion of Article 15.

**Lamson made a motion that Article 15 does not apply to the mobile MRI unit, Marconi seconded, all in favor – motion carries.**

Morgan indicated that the sewer commission advised that the grease trap on site needs to be filled in. Cross indicated that is an operation issue. Clarification is needed as to why the grease trap needs to be filled in.

Discussion of size of plantings and spacing in the 30' buffer.

Chairman Hebert closed the public hearing at 8:26 pm.

**Pare made a motion to approve the change of use permit with the following conditions:**

**The applicant will screen the viewscape from Great Bay Commons near the lot line using evergreen plantings at 10' ft. spacing; The sign shown on exhibit B must conform to the sign ordinances; A maintained dog walking area be at least 50' from any and all retention ponds; The trees in the proposed additional island near the MRI unit be of similar type and spacing to break up the view of the MRI unit, Lamson seconded, all in favor – motion carries.**

Justin Richardson advised the board that in February, 3 acres has been clear cut in the prime wetlands on Pease. This is for expansion of the golf course. He further stated that all development requires a site plan and should come before the planning board. The selectman have voted to send a joint letter with the planning board asking the PDA to come before the board.

Lamson recused herself.

**Marconi made a motion to send a joint letter with the selectman addressing this issue, Pare seconded, all in favor – motion carries.**

**Preliminary Discussion – Kelly Davis architects for development of Nimble Spaulding Properties at 521 Shattuck Way.**

Bernie Pelech spoke and questioned whether the creation of Shattuck Way created a subdivision of the lot.,

Chairman Hebert asked if there were individual deeds for each property. Davis replied that there were not. Hebert stated it is still a single lot and the applicant needs to understand and address the various ROWs to determine what they can do with the property.

Mr. Sterns, abutter, indicated that he has a deeded ROW from his property all the way to the Spaulding Turnpike and that it is not for a defined purpose.

Cross spoke regarding his personal feelings about the development of this property. The stated there are various concerns – noise, wetlands issues, setbacks – a residential lot within the parcel. He informed the applicant that there is and 11 acre area of State owned land abutting the upper portion of this parcel. There are several proposals the State is considering for wetlands mitigation to be funded by the state. He suggested the possibility of a potential exchange of the state land to extend the upper lot in exchange for a portion to be left as conservation area.

Davis thanked the board for their comments, and felt the next step should be to come before the board with a preliminary subdivision plan.

Barbara MacDonald spoke regarding the noise issues caused from the clear cutting of trees at Pease. She doesn't feel sitting down the PDA will work. She has called the PDA 3 times and the last time was told the circuit board was broken in the silent jetway.

**Minutes of January 28, 2008**

**Marconi voted to approve the minutes of January 28, 2008, Pare seconded, all in favor – motion carries.**

**Minutes of February 11, 2008**

Pare noted the minutes should be corrected on page 1, the last sentence should read "...and suggested the applicants return with *their* final *proposal* of the project."

**Pare voted to approve the minutes of February 11, 2008 as corrected, Marconi seconded, all in favor – motion carries.**

**Correspondence:**

Review of letter from PSNH stating the size of conduit must be 5".

Review of Interrogatories to Town of Newington by the Plaintiffs, James Carroll and Susan Carroll.

**Other Business:**

Lamson informed the board she had attended a work session on March 6<sup>th</sup> with the PDA regarding the wetlands ordinance.

At 9:45 pm, Marconi made a motion to adjourn, Pare seconded, all in favor – motion carries.

Meeting adjourned at 9:45 pm

Respectfully submitted,

Melia Michaud  
Recording Secretary