

Present: Denis Hebert, Sandy Hislop, John Frink, Barbara Hill, Chris Cross, Cosmas Iocovozzi.

Alternates Peggy Lamson, Jim Leger. Planner Tom Morgan.

Meeting was opened at 7:04 p.m. by Vice Chairman Denis Hebert.

Correspondence:

Letter from Jo-Ann Fabrics store manager requesting permit to have a storage trailer on site for 3 to 4 weeks while store fixtures are being up-dated.

Letter from Wrenn Assoc, contractors for the Kohl's store, advising that outstanding site work will be completed by the end of April 2002.

Letter from Chairman PDA to Chairman BOS re provisions for notification of PDA meetings.

Memo from Eliot, Me Town Planner, inviting Rockingham County Planners to meet and discuss the regional impact of a gambling casino in Kittery, Me.

Letter from Edwards & Kelsey re: Inspection of pavement conditions of the Industrial Corridor Road.

Various correspondence between the Newington, PDA and Granite State Minerals re: activities at the State Pier in Portsmouth.

Copy of notice from Atty Ratigan to owners of the Matrix property, Piscataqua Drive - requesting that the owners contact town attorney to finalize land transfer agreement of 1/29/01.

Agenda Items 4 & 5 to be taken up later in the meeting.

6) Public Hearing on proposal by Mo & Esther Wong for Lot Line Adjustment

Cohen Cartier of Millette, Sprague & Colwell, represented the applicant and presented plan showing the line change between the Asia Restaurant and abutting lot in residential use on River Road. Noted that the Board of Adjustment granted a variance on 2-4-02, to allow the present non-conforming lot to be further reduced by transferring paved parking area to the Asia Restaurant lot.

Mr Cohen was asked if the smaller lot was on town water & sewer. He did not know but will find out. Noted that plan gave little detail of placement of utilities, wetland, etc and questioned if a waiver of this requirement had been granted. Mr Cartier stated that a request for waiver had been submitted but not acted on to date.

Chris Cross, had visited the site, and noted that this transfer would leave the smaller lot with extensive wet land and would leave no buildable land should the property owner wish to convert/conform to Office - also, there is a well on the property that, for safety purposes, should be covered. Chris Cross also questioned the purpose for this adjustment as the Asia Restaurant's present parking meets zoning requirements.

Denis Hebert also voiced concern that this lot line adjustment would set a bad precedent by creating a small lot, with problems, if owners wanted to develop office use in the future. .

Tom Morgan advised that the BOA had granted the variance and the Planning Board did not have the right to undo the variance.

Denis Hebert suggested that Tom Morgan contact Atty Peter Loughlin and ask for his opinion if creating this small lot in the Office Zone would create a precedent and could approval be conditioned that the owner, by creating this self-imposed hardship, waive his rights to waive the zoning requirements of the Office Zone..

Cosmas Iocovozzi moved to grant the lot line adjustment as presented. Motion was seconded by Peggy Lamson.

Board discussed delaying further action until legal opinion is received. Chris Cross noted that it appeared the Board was accepting an incomplete application.

Iocovozzi & Lamson agreed to withdraw their motion.

Chris Cross moved to grant the request for waiver of subdivision regulations (1)i, (4) (c) & (5) of Section C. Motion was seconded by John Frink. Motion was defeated by unanimous nay vote.

Board agreed to continue this item at the May 13, 02 meeting.

7) Preliminary Discussion on Proposal for Bulk Storage by Granite State Minerals

Peggy Lamson left the table citing possible conflict of interest.

Plan was presented by Attorney Bernard Pelech, representing Granite State.

Atty Pelech advised that the BOA had granted a variance to Granite State to allow storage of salt on their Gosling Road property with condition that salt be brought to the site via rail.

The plan shows installation of a spur line, construction of a pit for bottom unloading and a conveyor system. Noted that Granite State will fund these changes.

Tom Morgan questioned if the salt storage was a separate use from warehousing and therefore require a subdivision as the ordinance allows only one principal use per lot.

Attorney Pelech stated that he was not aware that a subdivision would be required and he could see no reason for the subdivision as a building on the site was used to store salt storage related equipment. Board determined that the storage building was accessory to the salt storage and a subdivision was not required.

Barbara Hill noted that any salt pile must be covered and a berm constructed around the pad to prevent salt penetrating the land.

John Frink stated that he appreciated the efforts of Granite State to utilize the railway - cutting down on the number of trucks on the roads.

Traffic was discussed and Denis Hebert stated that a traffic study by Edwards & Kelsey needs to be updated to reflect the additional trucks leaving the site. Also, Granite State should check with the State to determine if the operation requires State Permits. Attorney Pelech will get a copy of the E & K traffic study to pass on to Granite State Minerals traffic engineers and agreed to check with the State re permits.

It was also suggested that the condition of paving on Gosling Road be checked and, depending on number of truck trips and weights, a possible pro-rated charge for infrastructure improvements be imposed. Attorney Pelech stated that his client would be willing to pay a pro-rated share of costs.

Cosmas Iocovozzi asked if a weigh station was to be located on the site and if so it should show on the plan.

Discussed the estimated number of trucks at the site at one time and was advised that 20 to 25 in line for loading. There should be little to no trucks parked on Gosling Road and none parked overnight.

Denis Hebert stated that he would like information about truck activity from the other industries on Gosling Road.

Chris Cross noted that Gosling Road services industries in Newington and Portsmouth and asked that Portsmouth be notified of any proposed activity on the Newington side. Tom Morgan advised that as an abutter it is a requirement.

On a motion by Cosmas Iocovozzi, seconded by Sandy Hislop, it was voted to hold a Public Hearing on this application, at the May 13 meeting.

8) New Business

Peggy Lamson returned to the table.

A) Storage Trailers Regulations.

Charlie Smart, Building Inspector, requested that the Board provide him with written regulations on uses of storage trailers.

Board discussed and concluded that Tom Morgan and Charlie Smart would work together to draft regulation and present to the Board for their review and action.

B) Woodbury Avenue Master Plan

Board agreed to hold a separate work session on 4-22-02 to formulate a plan. Once formulated will invite a representative of the Dept of Transportation to review and comment.

9) Old Business

Regional Impact of Commercial Development in Greenland -

Board read letter from Attorney Christopher Keenan who is representing the Greenland BOA, and is questioning the Board's concerns about the impact on Newington roads from the proposed development.

Board agreed to send letter and explain Newington's concerns.

Tom Morgan stated that the Pease Development Authority does not seem to heed the Planning Board's concerns about the impact of truck traffic from salt storage and urged the Board to support their representative, Peggy Lamson, in her attempt to have the PDA hold Public Hearings on any salt shipment issue. Board agreed - a letter will be distributed to all members and to Governor Shaheen. It was also suggested that a copy be sent to the Dept of Revenue Admin as some PDA policies may be undermining local businesses.

10) Sign Plans for Recording

None available at this time.

4) Election of Officers

On a motion by Denis Hebert, seconded by Peggy Lamson, Sandy Hislop was elected Chairman for the ensuing year.

On a motion by Peggy Lamson, seconded by Cosmas Iocovozzi, Denis Hebert was elected Vice Chairman for the ensuing year.

On a motion by Peggy Lamson, seconded by Cosmas Iocovozzi, John Frink was elected to serve as the Boards representative to the Board of Adjustment for the ensuing year.

On a motion by Peggy Lamson, seconded by Cosmas Iocovozzi, Chris Cross was elected to serve as the alternate rep. To the BOA.

On a motion by Cosmas Iocovozzi, seconded by Sandy Hislop, Chris Cross was elected to serve as a Planning Board rep to the Open Space Committee.

For information BI Charlie Smart advised that the State has adopted a State Wide Building & Mechanical Code effective 9-14-02.

Meeting was adjourned at 9:45 p.m.

Pat Main
Secretary

