

**Present:** Chairman Marlon Frink, Barbara Hill, Sandy Hislop, Denis Hebert, John Frink, Alternates Peggy Lamson and Jim Leger, Selectmen's Rep. Chris Cross, Planner Tom Morgan.

Absent: Larry Upson.

Meeting was called to order at 7:04 p.m.

Tom Morgan announced that Simplex has withdrawn its law suit against the Town.

**Minutes:** Minutes of meeting held 4/9/01, were accepted on a motion by Barbara Hill, seconded by Peggy Lamson.

Barbara Hill remarked about the length of tonight's agenda and was concerned that the Board would be inclined to hurry through some items.

Chairman Frink stated that he had instructed Tom Morgan to add additional items for discussion with the intent if they were not reached before the deadline time set by the Board - a work session would be scheduled - that no member should feel hurried and will be given ample time to state their opinions.

**Correspondence:**

Memo from Selectmen listing their recommended Town Permit Fee Structure and requesting the Planning Board's comments (4/28/01).

Notice of Public Hearing on Sprague's application for exemption from EFSEC requirements - to be held in the Newington Town Hall May 15, 2001, at 7 p.m.

Letter to Howard Patten owner of property at 32 Nimble Hill Road, listing the items that require completion before Board can recommend release of the site improvement bond (4/23/01).

Copies of correspondence from Building Inspector to Wal Mart, Macey's and JC Penney's regarding various zoning and sign violations.

Notice of ZBA hearing in Candia, N.H. re: application to erect a telecommunication tower.

Copies of all correspondence distributed to each member to be discussed as the matter comes up on the agenda.

**Public Hearings:**

**A) Proposal by Kohl's Corporation to enlarge the former Bradlees store.**

Site plans presented by Tom Murphy, representing Kohl's.

Plan shows suggested changes to the traffic pattern around the building and to the parking for Sullivan Tire. Also shown on plan is the proposed location for the waste compactors which will be screened by a wall to match the facade of the building.

Landscaping plans will be reviewed by the Conservation Commission sometime this week. Site plan including hydrant locations will be reviewed by the Fire Chief this week.

Denis Hebert questioned the proposed lighting and was told that light poles will be moved to new islands in the parking lot - there will be no lights on the building that lighting levels will stay the same - no changes.

Michael \_\_\_\_\_, manager of Sullivan Tire, was present and advised that the electric and

telephone service to Sullivan Tire comes from the former Bradlees store and he is concerned that, during construction, the utility services may be cut off and he would not want his business to be interrupted. Mr Murphy proposed a construction sequence which should prevent this problem but also suggested that Sullivan Tire write to the Mall owners and express their concerns.

This revelation prompted lengthy discussion regarding utility services to Sullivan Tire raising the question if the building meets codes, that the building should have its own, separate service, and that the Fire Chief and Building Inspector must be informed and asked to review. It was also discussed and all agreed that Sullivan Tire should be encouraged to give their building a face lift which has not been done in several years - noted that the building is very visible from highway and should have a better appearance.

Board proceeded to review plans noting the following: Pedestrian crossing should be well marked and signs warning of pedestrian crossing should be placed at corner of building. There will be no storage trailers left on lot without prior approval. Proposed traffic pattern needs to be approved by Mall management.

There being no further comments the Public Hearing was closed and the Board returned to the regular meeting.

Denis Hebert moved to approve the Kohl's proposal with the following conditions:

1. The Fire Chief must review and approve traffic pattern modifications and hydrant locations.
2. Conservation must review and approve proposed landscaping.
3. There will be no outside sales.
4. A crosswalk through a traffic island in front of Sullivan Tire will be provided.
5. That power supply and disconnect to Sullivan Tire will be separated from Kohl's.

Motion was seconded by Peggy Lamson and amended to add:

6. Mall owners must approve plans.
7. Police Chief must also approve traffic pattern - particularly in the vicinity of the trash compactors.

Motion carried with Chris Cross opposing. Plans will not be signed until all required approvals are received in writing.

Mr Murphy agreed to have Kohl's discuss, with Sullivan Tire, the updating of their building.

### **B) Proposal by Westinghouse to construct parking lot.**

Marlon Frink stepped down and Vice Chair Denis Hebert took chair.

Gerry Gagner, Meridian Land Services, presented plan showing both temporary and permanent parking areas and stated he was present to discuss the permanent parking.

Board questioned total of spaces provided (95); landscaping (only grass); Lot will adhere to setback requirement except for some old parking that is grandfathered.

Chris Cross moved to approve as presented. Motion was seconded by Sandy Hilsop.

In discussion on the motion the area lighting was discussed and Mr Gagner was informed that significant upgrades to lighting specifications have been made and the lighting in the area of Westinghouse parking may not be met.

The motion was amended to add that approval will be contingent on approval of lighting by Vice

Chairman Denis Hebert. Motion as amended carried. John Frink abstained as he was not familiar with proposal.

Marlon Frink returned to Chair , Denis Hebert to table.

**C. Proposal by Robert Allard to construct a 36,389 SF warehouse at 40 Old Dover Road.**

Gerry Gagne, Meridian Land Services, presented plan and described locations of water service, gas line, sewerage tie-in and drainage plan.

Wetland and Site Specific permits have been issued. Noted that land is within newly created Office Zone - plan refers to Industrial Zone and needs to be corrected.

Some mitigation of wetland is required and will be handled with the overall mitigation plans for the Industrial Service Road.

Board questioned if easements to catch basins and culverts will be needed and were advised that Edwards & Kelsey have reviewed and agree that easements are not required.

There being no further comments the Public Hearing was closed and Board returned to the regular meeting.

On a motion by Chris Cross, seconded by Barbara Hill, it was voted to approve the application by Robert Allard as presented.

**D. Proposal by Great Bay Marine to expand bathroom facilities.**

Sandy Hislop, representing Great Bay, stated that he is still waiting for State permits and would like a continuance until the September 2001 meeting.

**Industrial Road** - Gerry Gagne asked permission to discuss a slight modification to the Industrial Road plans. He questioned if the turn-around in the cul-de-sac at the end of River Road should be paved or grassed.

Board discussed and various suggestions made. Major concern is the long term maintenance required

Concluded that the Industrial Road committee will meet with Edwards & Kelsey and the Conservation Commission to determine what is best.

**New Business:** None

**Preliminary Discussion** - Proposed Flea Market at Newington Skate. No representative present no action taken.

**Driveway Application -**

Board reviewed proposal by Gary Kedaisch for drive at 6 Mott Cove Road.

Drainage and culvert maintenance was discussed. Board noted that owner should make sure that no water is shed onto roadway and a culvert on site will need to be maintained by the present and future owners of the property.

Denis Hebert moved to approve the drive location with the condition that maintenance of culvert is the responsibility of the present and future owners. Motion was seconded by Sandy Hislop, and carried.

**Planning: Woodbury Avenue Master Plan -**

Will be discussed at the next meeting.  
Peggy Lamson left the meeting at this time.

**Zoning Interpretations:**

A) Truck Trailers - Building Inspector Doug George asked for the Boards input regarding the parking of tractor trailers on business sites in Town. He questions if using trailers for storage is an expansion of the business and therefore will require Planning Board approval. Also, there is a need to be consistent.

There are three methods used by businesses - 1. Trailer backed up to loading docks and swapped daily. 2. Trailer (without wheels) parked in lot and used for storage. 3. Trailer parked on lot to be filled with disposables (mainly tires) and emptied when full.

Board reached no definite conclusions but tentatively agreed that trailers off loading daily are part of business - trailers without wheels are in violation and should get site plan approval - trailers used to hold disposables are OK as they are better than having piles of disposables on the ground.

Future applicants will have to make known their intent for outside storage and show area on plan and any temporary approval should be in writing with expiration date.

B) Tom Morgan asked for the Boards opinions on allowing Bed&Breakfast establishments in the town's residential zone.

Board discussed and concluded that this would not be a permissible use at the present time but agreed to discuss further later in the year.

**Old Business:**

Board agreed that some agenda items could not be considered at this meeting due to lateness of hour and agreed to hold a work session on Wednesday May 23, at 7:00 p.m to work on those items.

**Appointment to Board of Adjustment -**

It was voted on a motion by Chris Cross, seconded by Sandy Hislop, that John Frink would act as Planning Board representative to the BOA and Denis Hebert would be the alternate representative.

The meeting was adjourned at 9:45 p.m. on a motion by Jim Leger, seconded by Barbara Hill.

Pat Main  
Secretary