

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, June 14, 2010

Call to Order: Denis Hebert, Chair Person called the June 14, 2010 meeting at 6:34 PM. Meeting posted for 6:30 PM

Present: Denis Hebert; Chair; Patty Borkland, Alternate Member; Peggy Lamson; Mike Marconi; Jack Pare; Clifford Abbott, Alternate Appointed Member (not yet sworn in and abstained from voting); and Thomas Morgan, Town Planner

Absent: Tom Bobotas, Chris Cross; Cosmos Iocavazzi, and Rick Stern

Guests: Bob Shaines, Attorney for Granite State Minerals
Chris Mulligan, Attorney for deRochemont House
John Greenlaw, Construction Manager

Old Business: Proposal by Granite State Minerals for improvements at 325 Gosling Road, Tax Map 28, Lot 5.

Bob Shaines, Attorney for Granite State Minerals & GSM Realty, came before the board for approval on the permit for soil testing of the berms where the former Mobil Oil Companies storage tanks sat. Mr. Shaines said approval and testing would be the first step of Phase I of the project to gain information before any other requirements and improvements of the property could be discussed further.

Discussion ensued regarding what would be an appropriate bond and letter of credit for the project and board members agreed that a bond of \$365,000 for construction and \$40,000 for maintenance would be appropriate, with the understanding that GSM would need to reapply if work on the project doesn't start in two years.

Attorney Shaines told the board that Mobil Oil still has a monitoring obligation on map listings with the NH Department of Environmental Services (DES), but that the state would probably request GSM take over the monitoring, but Mobil Oil would still be responsible for any changes to the soils as a result of their storage tanks.

Town Planner, Tom Morgan suggested the board review the recommendations listed in the 5/21/10 letter from NHDES Altus, and noted that the town could continue to have their engineers monitor the site at an approximate cost of \$3,000 to \$10,000, which would need to be covered by ~~the bond~~ an escrow, and reimbursed to the town.

Jack Pare presented a motion for further discussion. After further discussion Jack Pare moved that the board approve the soil testing permit for the GSM property at 325 Gosling Road with provisions as outlined in the May 25, 2010 Altus memo to include orange fencing and water flow velocity control around the site, after review of the

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Construction bond for \$365,000 ~~and a maintenance bond of \$40,000~~ for three years from the start of construction date, and an 8-year maintenance bond in the amount of \$40,000.

The second subject of the motion is that the applicant agrees to reimburse the Town of Newington for any additional costs as incurred and billed.

Mike Marconi seconded the motion

The motion was then amended per ordinances that GSM begin by putting \$5,000 into escrow to be available to reimburse the town for any reasonable costs incurred by the town.

All members voted in favor (Cliff Abbott abstained), none opposed and the motion passed.

deRochemont House: Update on utilities

Chris Mulligan, Attorney for Whole Life Health in the deRochemont House on Shattuck way came before the board to request permission to continue to obtain power to the building from the temporary utility pole that was erected in 2007 on town property on the corner of Shattuck Way and Piscataqua Road. Construction manager, John Greenlaw also spoke explaining that he felt they were not able to use the underground utility conduits due to size restrictions with the aluminum conduits (instead of original copper), and not being able to use dissimilar metals.

Board Chair, Denis Hebert reminded them that six months ago he had suggested they speak with Mike Coffee of PSNH for alternative solutions to their problem so they would be compliant with the ordinance that says new construction are to put their utilities underground.

Mike Marconi suggested the board would need to hold their decision until further information is obtained.

Capital Improvements Program (CIP)

Tom Morgan presented his list of Capital Improvements for 2011 through 2016. Mr. Morgan pointed out that the selectmen still haven't done their site walks and they still haven't heard from the Recreation Committee. A public hearing will also be necessary to finalize the proposals.

Chair Hebert requested that 2009 and 2010 information columns be added for historical reference on road paving to set up level expenditure expectations for road paving, noting that the average road has a twenty-year "life" expectancy. Jack Pare noted that

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Road Agent, Lenny Thomas made no distinction in his proposal between road repairs that are dug up, graded and paved, or repaired with topcoat. Additional discussion

ensued regarding town roads that were graded and done thoroughly and others that have been repeatedly repaired and have not held up well, showing the importance of upgrading roads over time. Hebert then asked if Mr. Morgan would divide the road lengths by twenty years to see what the upgrades would cost over time.

Mr. Hebert also raised the issue of congestion at the transfer station, suggesting future consideration that traffic enter one way and exit another way separately.

Zoning Ordinance: Review Article XIII

Town Planner, Tom Morgan pointed out to members that the U.S. Constitution says the adult entertainment industry cannot be prohibited from doing business in towns, however towns do have the right to establish ordinances to restrict their locations from other areas. Overhead maps were viewed to get a sense of how the current ordinances might be altered to limit the adult entertainment industry from developing near certain areas of development on Woodbury Ave, and beyond.

Denis Hebert motioned to establish a 400-foot buffer around churches and schools. Jack Pare seconded, and the motion passed unanimously (Clifford Abbott abstained).

Proposed Roundabout

Planning Board members all agreed that they have no objections to a roundabout so long as it is engineered well than the round about in Rye, which it will be. There was additional discussion of how approval could be used in exchange to seed the master plan, whether for work force housing or additional industrial development. It was noted that the town would still need to address land use either way.

Sewer System: Review new system map

It was noted that the dimensions of pipe to the old drive in theatre needs correction.

Roadway Construction Specifications

Discussion ensued regarding the possibility of adjusting specs for new roads. Specifically it was recommended that an increase in gravel base with crushed stone to act as a leaching filter, and roads be built up away from the water table. Cliff Abbott suggested that permeable asphalt be used, especially on roads like Airport Road that is very wet. However, Mike Marconi pointed out that maintenance such as sweeping is more intensive with permeable paving,

Chair Hebert requested that inquiries be made on alternatives to upgrade commercial and residential paving to be more efficient, long lasting and cost effective.

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Peggy Lamson moved to approve the motion. Mike Marconi seconded and all approved, except Jack Pare who was absent for the last meeting and Cliff Abbott who abstained.

Correspondence

Discussion ensued regarding the May 25, 2010 letter from Code Enforcement regarding complaints of “agriculture” in “residential” zones. Jack Pare brought up a survey that said townspeople enjoyed living in Newington because of its rural nature, and a motion was made to retain its agricultural character. Chair Hebert said his general philosophy was not to change anything unnecessarily, but that conflicts and change will always be part of the process. Because there were no particulars mentioned, and the letter suggested a concern for contamination of waterways and a lack of best management practices without further specifics, it was decided the board should invite Code Enforcer, Charlie Smart to frame and clarify the complaint.

Adjournment: Meeting adjourned at 8:50 pm.

Respectfully

Submitted by: Jane K. Kendall, Recording Secretary