

Present: Denis Hebert, John Frink, Jack Pare, Robert Simms, Planner Tom Morgan.
Sandy Hislop, Chris Cross, Cosmas Iocovozzi arrived after the meeting was opened at 6:33 by Vice Chair Denis Hebert.

Minutes: Minutes of meeting held 7-14-03, were amended to show that a study of the Tyco wetlands would be made at the developers expense and not the Town's. Minutes, as amended, were accepted on a motion by Jack Pare, seconded by John Frink..
Chairman Sandy Hislop and Chris Cross arrived at this time and Sandy took the Chair.

Correspondence:

Memo from Building Inspector Charlie Smart re: test pit witnessing - advising that Selectmen are supporting his recommendation.

Letter from NH-DOT addressed to Chris Cross re development of the Tyco property and allowing developer to mow brush in the States ROW.

Copy of E-Mail from Jack Pare advising of a symposium on Regional Problem Solving sponsored by UNH and suggesting that the some Planning Board members may be interested in attending.

Copy of letter addressed to Conservation Commission advising that the developers of the Longhorn Steakhouse will not be removing maple trees from the median strip between the Midas site and McDonalds.

Memo from West Environmental Inc advising that an evaluation of the wetlands on the Tyco property in the vicinity of the deRochemont Drive show that combining the two areas is feasible and beneficial to the wetlands system.

Letter from Mr & Mrs Sluder , Hodgdon Farm Lane, advising that they have no objection to Lot Line adjustment proposed by Mr & Mrs Anthony Smith.

Copies of letters from Board to Tyco Industries and Fox Run Mall listing findings and conditions of approval for Tyco's subdivision and development and the Longhorn Restaurant on the Midas site.

Old Business:

Mike Cuomo, Soil Scientist, was present at the Building Inspectors invitation to answer any questions on the BI's recommendations re: septic systems.

Board was advised that test pits on pre-existing lots are not witnessed and this can create problems - that test pits and bed bottoms should be inspected for proper soil types and materials. Cosmas Iocovozzi arrived at this time.

John Frink asked about the process of replacing 'in-kind' systems. Mr Cuomo stated that there is a questionnaire to be completed, mainly to determine if there will be any increased load to the system - that a licensed contractor should be aware of this and bring it to the owners notice - also noted that State is less stringent in their requirements for replacement systems. Mr Cuomo recommends inspection of all test pits and making sure that work is not being done by unlicensed people.

Board held long discussion on the minimum footage of the seasonal high water table - BI is recommending 18" an increase from 15" ,to improve the filtration prior to water entering the water table.

Chris Cross questioned the increase - Mr Cuomo stated that in many instances soil is removed during construction and system ends up with less than 12" from HWT.

Chris Cross voiced his concern that some land owners would be restricted from using their land even if they could meet the State standard of 12" and suggested that minimum footage stay the same - that waivers or exceptions can be granted. Cosmas Iocovozzi noted that there are many ways to relieve the land owner from restrictions.

Mr Cuomo stated that State minimums are a general standard for the whole State and statute allows for each community to set their standards based on soil and water conditions - that there has to be a good balance between protecting ground water and use of land.

Building Inspector asked that the Board address his original request that all test pits be witnessed.

After further discussion Denis Hebert moved that a letter be drafted, addressed to the BI, requiring that all test pits be witnessed by either a town official or representative. Motion was seconded by John Frink and carried unanimously.

PUBLIC HEARINGS -

A) Proposal to amend Subdivision Regs re: septic systems

Notice, as posted, was read To change seasonal High Water Table from 12" to 18". To add that Septic Systems will be situated a minimum of 30 feet from property lines.

Changes are recommended by the Building Inspector and he described his reasons as being mainly health issues based on the conditions in Newington.

The following points were raised:

John Frink questioned if a mounded system had any influence on setbacks and was told no!.

Jack Pare suggested that only mounded systems be subject to a minimum of 30 feet to improve leaching distance.

Robert Simms suggested leaving the requirements as is and leaving the decision for each lot to a technical person - that only an expert can properly design a system.

It was noted that most lots in Town are on city water - Tom Morgan stated that there could be an increase in dug wells due to shortage of water.

Chris Cross would like the Town to match the State Regs thereby allowing more usable lots.

Discussed the process of approving systems and noted that system location and approval have been granted by the State prior to BI receiving application for building permit. Mr Cuomo advised that there are provisions for having proposed system approved for local standards prior to being submitted to the State.

Resident Linda Khalsa stated that the Board was assuming that any proposed system would be the regularly accepted type of system but there many new style systems that land owners could propose and she is not in favor of these proposed changes.

Resident Tony Smith stated that in his opinion it would be wrong to deny something that is technically doable - that 30 feet setback could make some lots unbuildable .Tom Morgan advised that the new requirement will only apply to newly created subdivisions and noted that Planning Board can grant waivers to subdivision regulations.

Chris Cross again voiced his opinion that 10 feet and staying away from streams and drainage should be sufficient.

John Frink objects to creating subdivision regs with waivers in mind.

Linda Khalsa suggested that this is a major issue and asked the Board to have more review and discussion before taking action.

Mike Cuomo stated that, in his opinion, prior review is important and he prefers the more stringent requirements by the municipalities - there are more problems where requirements are only minimum - that the State is too lenient.

The Public Hearing was closed and Board returned to the regular meeting.

Denis Hebert stated that there is still a lot to consider and he was not ready to vote tonight.

Jack Pare moved that the Planning Board send a memo to the Board of Selectmen asking the Board of Selectmen to notify the NH Dept of Environmental Services that Newington requires Prior Review of septic system design before submitting to the State. Motion was seconded by Denis Hebert and carried unanimously.

On a motion by Denis Hebert seconded by Chris Cross, it was voted to table further action on changes to subdivision regulations until the next meeting.

B) Proposal by Anthony & Mary Edith Smith for Lot Line Adjustment

Board reviewed plans as presented by Tony Smith noting that proposal meets requirements.

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

Cosmas Iocovozzi moved to accept the lot line adjustment as proposed and to waive requirement for topo lines - noting that topographical mapping was done at the time the Hodgdon Farm was subdivided.

Motion was seconded by Denis Hebert and carried.

Chairman Hislop read draft of letter addressed to Cliff Sinott, Rockingham Planning Commission re: regional bicycle paths. Board approved - letter was signed for mailing.

Master Plan:

Tom Morgan stated that the City of Portsmouth wants to involve surrounding towns in their Master Plan update. Tom suggests a meeting between Portsmouth and Newington and offered a draft of letter listing the various topics and issues that should be covered including shared industrial sites and future uses of the Pease Tradeport.

Board discussed and reworded/revised the draft.

Tom will rewrite and present for signature at the next meeting.

Other Business:

Denis Hebert nominated Alternate Member Jack Pare to fill the vacancy created by the resignation of Barbara Hill and moved that Jack Pare complete Barbara's term. Cosmos Iocovozzi

seconded the motion which carried unanimously.

Denis also suggested eliminating restaurants as a permitted use in the office zone and asked the Board to discuss this and all ancillary uses in this zone. It was agreed to place on the August agenda under preliminary discussions.

Tom Morgan advised that Sea-3 is proposing adding a second story to their office building with no change to foot print and did the Board wish to review the proposal prior to any application for building permit. Board agreed that site review is necessary.

Tom also advised that a retail tire company wishes to lease space at the old Star Center and will Board wish to review this proposal. Board agreed that this could change parking requirements, etc and should be reviewed prior to application for any building permit.

Chris Cross advised that Allards Warehouse had received a setback variance for a freestanding sign - the contractor had erred and installed the sign closer to lot line than waiver allowed. The BOA has granted an equitable waiver of dimensional requirements which Chris objects to. Chris suggests that the Planning Board needs to come up with different setback requirements for businesses (including directory) signs - that 75 feet seems obstructive. Board agreed to discuss at the next work session sometime in September.

Meeting was adjourned at 9:30 pm on a motion by Cosmas Iocovozzi, seconded by John Frink.

Pat Main
Secretary