

**Present:** Sandy Hislop, Denis Hebert, Peggy Lamson, Jack Pare, John Frink, Chris Cross, Selectman Cosmas Iocovozzi Planner Tom Morgan, and Building Inspector Charles Smart.

The meeting was called to order at 6:37 by Chair Sandy Hislop.

**Minutes:** Minutes of the July 14, 2003 meeting were amended to change the wording on page 4, to read that Chris Cross said that the BOA found 75 feet to be obstructive. Minutes, as amended, were accepted on a motion by Vice Chair Hebert, seconded by Jack Pare.

**Correspondence:**

A letter from Portsmouth Public Works Department addressed to Jones & Beach Engineers- Regarding Plan of subdivision of land for Evelyn Ferland Living Trust, 19 Captain's Landing. Water can be made available to these lots.

A revised subdivision approval from the State of New Hampshire for land of Evelyn Ferland, 19 Captains Landing was reviewed.

A letter from the City of Portsmouth, Public Works - Regarding defects found in the Industrial Corridor Road.

An e-mail from Peter Loughlin in response to Tom Morgan's question regarding two purpose businesses in the Office Zone was reviewed.

**Driveway Permit Requests:**

A driveway permit request from Jeff White of 62 Little Bay Road was submitted. Fred Attalla represented Mr. White. Mr. Attalla presented a letter from Mr. White to the Planning Board answering the Board's question relative to the driveway drainage. A site plan had previously been submitted to the Planning Board as well. Ms. Lamson asked how close the driveway will be to the Lamson driveway at 40 Little Bay Road. Mr. Attalla responded that there is 200 foot frontage and it would be approximately 15 to 30 feet from the property line. Mr. Cross mentioned that Little Bay Road is dependant on drainage. Mr. Attalla said that the goal is to have the water flow naturally off the road and so a culvert would be used. Vice Chair Hebert asked the size of the culvert. Mr. Attalla answered that it would be a minimum of 18 feet long. He stated that he was not sure of the diameter. Building Inspector Smart recommended the Board set a condition that the minimum diameter be 12 inches, with a one inch pitch. A motion was made by Mr. Cross to approve the application for a driveway permit with the condition of a set minimum of 12 inches for the culvert. Seconded by Vice Chair Hebert. Motion passed.

A driveway permit request from Grace and Eliza Smith of 236 Little Bay Road was submitted by Fred Smith. There will be 215 feet from either setback, with no drainage problems. The Board saw no issues with this proposal. Mrs. Lamson made a motion to approve the curb cut on Little Bay Road. Seconded by Vice Chair Hebert. Motion passed.

Richard Sullivan stated that after looking at the minutes of the meeting approving the subdivision it was his understanding that the subdivision was subject to a State Wetlands approval. Planner, Tom Morgan stated that there are no wetlands in the area and that this information is an error in the previous minutes. Vice Chair Denis Hebert made a motion to correct the previous minutes, stating that this subdivision is not subject to State Wetlands approval. Seconded by Chris Cross. Motion passed.

### **Preliminary Discussions:**

- A. Proposal by Linda Khalsa for a 2-lot subdivision at 11 Old Post Road (Map 11 Lot 21).** John Frink stepped down from this discussion due to a conflict of interest. Building Inspector Smart suggested that the subdivision should maintain the mother map & lot numbers. So with is subdivision the Map will remain Map 11, the main lot will remain Lot 21. The new Lot will be Lot 21-1. David Hislop presented this subdivision plan. The complete area of this subdivision is 4.58 acres. It would be subdivided to 2.73 acres for 21-1 and 1.85 acres for 21-2. This subdivision will need State Wetlands permit and State septic system design. Mr. Cross mentioned that the soil is poorly drained and the BOA would be involved. Planner Tom Morgan stated that the Zoning requirements on page 32 of the Zoning Ordinance reflect the need of 40,000 square feet provided that the non-wetland area is at least 30,000 contiguous square feet. Mr. Hislop stated that the subdivision meets these requirements. Ms. Khalsa requested a waiver from the exact USGS elevation datum benchmark requirement. A motion was made by Ms. Lamson to waive the USGS requirement. Seconded by Selectman Iocovozzi. Vice Chair Hebert made the motion for the public hearing to be held September 8, 2003. Seconded by Ms. Lamson. Motion passed.
- B. Proposal from Evelyn Ferland for a 2-lot subdivision at 19 Captains Landing (Map 16 Lot7).** Joseph Coronati of Jones & Beach Engineers represented Evelyn Ferland. Mr. Coronati brought septic system designs and laid out where the test pits would be made and how the system would be set up. Vice Chair Hebert asked if there would be an impact on the stream. Mr. Coronati responded that the septic system would be 100 feet from the stream and would have no impact on the stream. A motion was made by Mr. Cross to move this proposal to a public hearing. Seconded by Ms. Lamson. Motion passed.
- C. Proposal by Sea-3 to expand their office at 103 Old Dover Road**  
John Milkey, Operations Manager represented Sea-3. The proposal is to raise the existing roof by 3 feet, to accommodate a new office space and bathroom. Sea3 also plans to add a new sprinkler system throughout the entire building and an emergency stairway on the side of the building. Mr. Milkey presented the Board

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with the builder's proposal from Ricci Construction. Mr. Cross stated concern that the emergency stairway will be expanding the existing foot print of the building. He pointed out that the building will not be back enough from the property line. He suggested that this plan will need to go to the BOA for a variance. Vice Chair Hebert said that this seems to be a non-conforming building to the property lines and that approval must come from the Fire Chief. He pointed out the importance for emergency vehicles to be able to access the rear of the building. Mr. Hebert stated that this proposal can not go to a public hearing until the Board sees how the building conforms to the lot. Ms. Lamson said that the Board needs to see the site plan. Motion to take this proposal the BOA and public hearing was made by Vice Chair Hebert. Seconded by Selectman Iocovozzi. Mr. Cross added that a site plan should be provided to the Town Planner, Tom Morgan 10 days prior to public hearing. Motion passed.

**D. Proposal by Sprague Energy to construct infrastructure for the transport and storage of wood chips at Atlantic Terminal, 142 River Road**

Ted Reed, manager of Operations Support for Sprague Energy presented the proposal to export woodchips from Sprague's River Road facility to the European Union for fuel. The woodchips are hardwood, (red maple) which is in excess in the State. The State of New Hampshire has approved the project. This would entail four ships a year, about 35,000 tons per ship. Most of the wood will be coming out of Henniker, NH. The trucks will come down route 4 to the River Road facility. Mr. Reed explained that Sprague is planning to extend the existing Cargill salt pad and pier, and to add a structure on the existing dock, which will have to go through State approval. The woodchips would come to Newington by truck, 10 hours a day (6am- 4pm) two trucks per hour for 5 days a week. There will be no truck activity on weekends. It will take 3 months to stockpile the chips for shipment. The project will require about one thousand feet of 60" conveyor to be constructed, to move the chips down to the dock area. There will be a sound proof building, housing two 1,000 horse power blowers that will blow the chips through a 30" pipe to the dock structure. There will also be a two hundred foot boom at the dock that swings, enabling the loading of all five bays of the ship without moving the ship. The process of loading the ship will take approximately 1,000 tons per hour, so the ships will be in dock approximately 36 hours. The company has asked for a ten year commitment.

Bruce Acton, Marketing Director of Sprague will be studying other industries on the West Coast that export wood chips, to gather data for a sound study on the operation. The purpose of Sprague attending this meeting is to introduce this proposal to the Planning Board and get the Board's feed back. The company wants to load the first ship in September. Sprague realizes that that time frame will not happen.

Mr. Cross pointed out that there is about 900 foot of road from the end of Shattuck Way to the entrance of the Sprague facility that needs to be brought up to the Shattuck Way standards. He stated that this proposal will bring in approximately 6,000 trucks a year he pointed out that there will be an impact on the road. He asked if Sprague would contribute to the upgrade of the road in front of the Sprague facility. Mr. Reed said Sprague would be interested in talking with the Planning Board about it.

Vice Chair Hebert said that issues with the neighbors should be considered as well as environmental issues. He believes this project would be good use for the water front and for the State as well. He stated that the Board should do a site-walk of the Sprague facility. Vice Chair Hebert also stressed the need for a upgraded traffic study on Shattuck Way, which Mr. Reed agreed Sprague would finance the upgrade of the traffic study by Edwards and Kelcey. The site-walk was set for August 18<sup>th</sup> at 5:30. Town Planner Morgan recommended that the proposal go to public hearing next month. Vice Chair Hebert made a motion to move this proposal to public hearing. Seconded by Mrs. Lamson. Motion passed.

**E. Proposal by David & Susan Philbrick and Mary Jo Haskell for a lot line adjustment at 4-12 Brickyard Way.**

Tom Smith represented the Philbricks and Mary Jo Haskell. The lots in question are lots 7 & 8. The proposal is to make the lot line adjustment to run along with the natural flow of the brook between the two lots. Mary Jo Haskell proposes to sell the Philbricks a small piece of land on the Philbrick's side of the brook This proposal will not create a problem with minimum lot size requirements as the Ms. Haskell's lot is 3.02 acres. Vice Chair Hebert said that there does not seem to be a problem with this proposal as long as the minimum lot size, frontage and set back requirements are met. He stated that the Board needs to have a legal survey mapping out the new lot lines. Tom Smith stated that the surveyors are working on it. Town Planner Morgan asked for the survey to show the wetland on the plans. The survey should be provide to the Town Planner 10 days prior to the public hearing. Selectman Iocovozzi made the motion to send this proposal to public hearing. Seconded by Vice Chair Hebert. Motion passed.

**Amendments to Land Use Regulations**

Vice Chair Hebert mentioned that the land use regulations are difficult to enforce because of the way the regulations are worded (Zoning Ordinance, page 13). He suggested that the Board change the Office District "O" regulations to focus on lite industries. Mr. Hebert feels the need to limit the amount of restaurants and service industries coming into the area. Mr. Hebert said the fastest way to fill commercial property is with tourist and service industries. However, he stressed the importance of a long term plan for the industrial area of Newington. He added that the land should be developed at a slow pace. He also pointed out that once the land is developed, it is gone. Also there are other considerations to be considered such as the need and supply of fresh water. Vice Chair Hebert added that the Planning Board needs to be

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prepared for the future. Ms. Lamson agreed with Vice Chair Hebert and agreed that a long range plan is necessary. She said that Newington is not a tourist, boutique town. She stressed the Board should not look at a quick fix for the economy of Newington, but to look at the long term effects of the Land Use Regulations. Selectman Iocovozzi was concerned about the economy and how it is affecting Newington. He would rather see heavy industry in the area that would utilize the waterfront. BI Smart said that zoning regulations should be looked at and an aggressive economic development plan for that area should be formed. Some money might need to be appropriated to hire someone to form this plan in accordance with the master plan. Vice Chair Hebert stated that the larger Towns and Cities might find it useful to hire someone to form a economic development plan, however Newington is very straight forward and there is no need to hire an outside firm.

Planner Tom Morgan said he would draft a notice and the Board could review the draft at a workshop. A work session was called for August 18<sup>th</sup>.

The Meeting was adjourned at 9:10 on a motion by Selectman Iocovozzi. Seconded by Vice Chair Hebert.