

**Planning board Members Present:** Denis Hebert, Vincent Frank, Michael Marconi, Tom Bobotas, Cliff Abbott, Cos Iocovazzi

**Also Present:** Town Planner Tom Morgan  
Peter Loughlin, Town Attorney

**Commencement:** Chairman Hebert opened the meeting at 6.31 pm

**Curb Cut Applications:** Marconi recused himself

**Gail Klanchesser 18 Coleman Drive:** Gail Klanchesser presented proposal to move her driveway to the other side of her home. All the old asphalt would be removed. She would like to tie this in with work the Town has planned for the roadway. Ms. Klanchesser stated the proposal meets the required setbacks.

**Abbott made a motion to approve the application as proposed, Frank seconded. All in favor – motion carries.**

**Nat Maness 105 Nimble Hill Road:** Nat Maness stated he currently has a shared driveway. He proposed a new crushed stone driveway. Iocovazzi questioned whether the existing logging road is a curb cut. Morgan suggested a waiver for the 2<sup>nd</sup> curb cut. Attorney Lyons, representing an abutter, Edna Moser, spoke in favor of the application. Marconi stated this is a good plan due to the current water issues in the area.

**Bobotas made a motion to approve the application as proposed, Iocovazzi seconded, Hebert, Abbott in favor, Frank opposed – motion carries.**

**Public Hearings:**

Chairman Hebert recognized Marconi as a voting member for the remainder of the meeting.

**Estate of Barbara Baird – two lot subdivision:**

Erin Baird requested the board address the following waivers requested in her proposal.

- Full Perimeter Survey for Entire Parcel

Erin Baird indicated that the portion of the property relating to the subdivision has been surveyed. She further indicated that entire parcel will be surveyed by the Nature Conservatory at some point in the future.

**Marconi made a motion to grant the requested waiver, Frank seconded. All in favor – waiver granted.**

- Full General Topography for Entire Parcel

Erin Baird stated the partial topography covers the portion of the property relating to the subdivision and a full topography of the entire parcel is not relevant.

**Abbott made a motion to grant the requested waiver, Marconi seconded. All in favor – waiver granted.**

- USGS 1983 North American Datum

Erin Baird stated USGS Datum is not needed as a full survey and topography are not relevant.

**Marconi made a motion to grant the requested waiver, Abbott seconded. All in favor – waiver granted.**

- Septic Test Pit for Existing Residence

The existing system has been inspected and passed and been pumped. Erin Baird indicated that the test pit met the State standards, but not the Town of Newington standards. Attorney Lyons (representing Carrolls) objects to the granting of the waiver as it is an overburden of the lot. Morgan questioned what would happen if the existing system failed.

Public comments – discussion of a clean solution and merits of upgrading the current system now before there is an issue. Ms. Graciano stated there is limited area if the system fails and she is concerned about runoff into the pond.

Hebert commented there is no indication of problems with the current system, and any expansion of the existing structure would require the system to be upgraded.

**Marconi made a motion to grant the requested waiver, Frank seconded. All in favor – waiver granted.**

- Septic Test Pits within 100 ft Wetlands Setback

A septic system can be defined as a structure that requires a 100 ft setback from wetlands. Erin Baird stated they relied on Newington regulations that refer to the state regulations of 50' setbacks. Chairman Hebert stated the applicant should be held to the 100' requirement. Attorney Lyons spoke in objection to granting the waiver indicating that soil types can change within 25'.

**Bobotas made a motion to deny the requested waiver, Iocovazzi seconded. Hebert in favor, Cliff, Marconi, Frank opposed – wavier denied.**

- Utility Hookup

The applicant requests not to be required to connect to the grid as they are trying to provide energy through renewable sources. If they are unable to do so, they would prefer to use above ground lines instead of underground lines due to cost. Attorney Lyons spoke in objection of the requested waiver. He feels Section 42 of the subdivision regulations require the installation of electrical and communication duct system to each residential building in the subdivision. Attorney Lyons stated the fire chief has referred to this as a roadway. Discussion of roadway/driveway and whether this regulation applies.

**Marconi made a motion that the waiver not be required, Frank seconded.**

Further discussion of whether this is a driveway or a roadway and whether the regulation applies to both.

**Marconi withdrew the previous motion, Frank seconded.**

**Marconi made a motion to table the matter until the October 9<sup>th</sup> meeting, Iocovazzi seconded, Bobotas, Abbott, Hebert in favor, Frank opposed – motion carries.**

Chairman Hebert asked Attorney Lyons whether the issues brought up in his recent letter to the board were all addressed. Attorney Lyons stated that he believed so, but was not prepared to discuss the letter and would speak to Tom Morgan if there were any issues in the letter not addressed.

**Rockingham Electric: Ames MSC and Jim Pender**

The revised plan was presented which included a reconfigured parking lot and a storm water maintenance and inspection plan. There is a proposed stone detention area fed by a system of drainage pipes that will tie into the existing catch basin. There is also a hood on the outlet pipe of the catch basin.

Public comments: The applicant was questioned as to the increase in runoff. Andrew Nowaki of Ames indicated that it is actually a decrease as the paved parking area is being decreased.

**Marconi made a motion to approve the plan, Abbott seconded – All in favor – motion carries.**

Chairman Hebert thanked the applicant for his willingness to work with the board and address their concerns.

**Texas Roadhouse 12' x 25' patio:**

No public comments

**Marconi made a motion to approve the proposal, Bobotas seconded – All in favor – motion carries.**

**Fenton Groen – Tyco Telecommunications – 75 room hotel:** Greg Mikolaities, Appledore Engineering, presented the proposal for the hotel. The project requires approvals from both the Conservation Commission and the Zoning Board. The applicant would like to get the Planning Board's comments in order to incorporate any changes in the final plan to be proposed.

The board commented on the following:

**Signage:** Mikolaities indicated the signage would be on the building above the pool area and there will be a free standing directional sign indicating where to turn.

**Lighting:** The applicant was directed to be cautious with uplighting and reflections off the building.

**Crash gate detail:** The plan shows a paved area. Hebert commented it should not be made to look like an entryway and suggested another material.

**Sewer – meet with the sewer commission**

**Utilities – Hebert suggested the applicant look at connecting via Shattuck Way instead of Woodbury.**

**Bldg Elevation and Color – the board would like to see a color rendition**

Chairman Hebert suggested the proposal be continued to the November 13<sup>th</sup> meeting. All in favor.

**Farley White Pease, LLC adjust lease line and construct addition to 100 Arboretum Drive:**

Greg Mikolaities presented the proposal for the addition which is now 38,000 sq. ft less than the original proposal due to the change in proposed tenant. There is an existing detention basin and there is a proposed constructed wetland. The project conforms to PDA requirements and the applicant is looking for an opinion from the Planning Board to be submitted to the PDA.

Chairman Hebert indicated he would like to see an updated traffic study and accident data.

Public comments; The applicant was questioned about the need for a wetlands permit. Mr. Mikolaities referred to a letter from the NH Attorney General's office indicating the area is not a prime wetland. Barbara McDonald commented that the area is a designated wetland and a permit is required. Mr. Mikolaities stated that the application conforms to the PDA requirements and the letter from the Attorney General's office indicates it is not a wetland.

Chairman Hebert suggested the proposal be continued until the October 9<sup>th</sup> meeting. The conservation commission will be invited to a work session on September 24<sup>th</sup> to discuss the issue.

**Marconi made a motion to accept the plan as complete, Abbott seconded – All in favor – motion carries.**

Minutes of August 29<sup>th</sup>. Chairman Hebert made a correction on page 2 relating to the Sprague Bond for oil pipeline.

.... that the bond be updated using the CPI (Consumer Price Index) **plus** 1% each year.

**Marconi made a motion to approve the minutes of August 29<sup>th</sup> with correction, Abbott seconded, all in favor – motion carried.**

**Pending Business:**

- A) Bed & Breakfast Inns (Sept 24)
- B) Signs in the Residential District and Other.
- C) One building per lot in the Office & Industrial Districts
- D) Roadway Frontage Standards.
- E) Restaurants
- F) Shared Driveways
- G) Connecting to utilities
- H) Class VI Roadways (Sept 24)

**Abbott made a motion to adjourn, Frank seconded, all in favor – motion carries.**

Meeting adjourned at 10:08 pm

Respectfully submitted,

Melia Michaud  
Recording Secretary