

**Newington
Planning Board**

Minutes

December 14, 2009

Planning Board Members Present: Jack Pare, Tom Bobotas, Cliff Abbott, Peggy Lamson, Denis Hebert, Chris Cross, Michael Marconi

Also Present: Town Planner Tom Morgan,

Commencement: Chairman Hebert opened the meeting at 6:40 pm

Public Hearing

Proposed Stormwater Regulations

Cross questioned section 14 regarding parking and if it's the board's intent to reduce the amount of parking.

Lamson commented that this can be addressed with the individual applicants. Pare added that it could be waived if the circumstances warrant.

Hebert stated that the regulations reflect the direction the board wants to take, but the board also maintains the right to waive a requirement if necessary.

Pare made a motion to accept Draft #2 of the Stormwater Regulations with the additional language, Marconi seconded, all in favor – motion carried.

Proposal by Todd Adelman and KWA, LLC to construct two office/warehouse buildings at the site of the former Flagstones Restaurant off Shattuck Way, Tax May 7, Lot 2.

Board member Cross stepped down on advice of counsel.

John Chagnon of Ambit Engineering state he received the letter from Civilworks dated December 10, 2009 with their comments. He addressed the comments in a letter to the Planning Board dated December 14, 2009. He provided copies of the letter to the board. Attachments to the letter included a drawing of the retaining wall detail and a grading plan marked "C4".

Chagnon noted a waiver will be required for parking as 167 spaces are required and they are providing 159.

Justin Richardson stated that the Conservation Commission voted to recommend DES approve the wetlands impact.

Regarding Item 12(a) - planting of trees in the setback area -requirement of 1 tree per 7 parking spaces. Chairman Hebert would like the Conservation Commission to comment on this item.

Bobotas stated his concern regarding the lighting and the potential glare on to Shattuck Way. Chagnon replied that the fixtures are designed to throw light out front. The minimum Fc required (0.9) is greater than the minimum Fc (0.8) provided. Chagnon also stated that after 6 pm all but 2 lights in the parking area would be shut off.

Hebert commented that if the lighting is an issue, the board would like the applicant to come back and work with the board.

Chagnon discussed the stormwater comments in the letter and stated that all changes will be made to the model and revised plans will be submitted to the State.

Chagnon noted that a railing is proposed on top of the retaining wall as shown in the attachment to the letter. Chairman Hebert asked that the building inspector have the opportunity to review this change and advise the board.

On item 14, Chagnon feels that the flow are reasonable. He will contact Civilworks to discuss and get back to the board on this item.

Chairman Hebert said if possible, he would like the applicant to get both the State approval and the Conservation Commission approval before requesting approval from the Planning Board.

The hearing is continued to the January 11, 2009 meeting.

Informal Discussions

Cross returned to the board at 7:22 pm.

Proposal by Great Bay Marine to construct a boat shed.

Eric Weinrieb of Altus Engineering presented the proposal to construct an 84' x 240' storage building which will be 32' high and will be 77' from the property line where a setback of 75' is required. The building will not be heated, but will have electricity and a dry fire suppression system.

Marconi asked about fire hydrants. Weinrieb noted that there is a hydrant along the road within 500 ft.

Lamson voiced her concern about the water run off from the building.

Weinrieb stated that the water runoff will be coming off the building and would not be polluted water as with run off from asphalt.

Hebert stated a formal drainage analysis will be needed. He further stated that a work session will be held on January 25, 2009. The next step would be for the applicant to go to public hearing on the 25th.

Weinrieb said he is waiting for the applicant to select a builder and may need more time before going to public hearing, but he would contact Tom Morgan.

Proposal by Philip Ross and Jeff Marple to establish a children's program at the former Sears Warehouse Building at 105 Gosling Road.

Marple stated the children's program would begin at 9:00 am and students would leave between 2:00 – 2:30 pm Monday through Friday. The baseball facility would not be in use at that time so parking would not be an issue.

Philip Ross further explained the program is a real life adult world simulator (Exchange City). They could have between 5,000 – 6,000 students a year, 50-70 days per year. The students would mostly be of middle school age with some high school students attending. There would be 70-80 students a day and 2 to 3 buses.

Bobotas said he has noticed the parking at the old location of Exchange City and questioned whether there is adequate parking here. He also is concerned about the tractor trailer traffic in the area and the overall safety of having students and buses in this location.

Chairman Hebert asked if the buses could pick up and drop off in the rear of the building.

Ross stated they could explore that option.

Attorney John Ratigan stated his son attended this program as a 6th grader and he feels it's a great program.

Cross stated the applicant needs to do some engineering work and propose a specific design so the board has a solid concept to consider.

Chairman Hebert said this is an informal discussion, but the board will need to see a plan for the traffic pattern and the applicant would need to get ZBA approval for the change of use.

Marconi said the ZBA had approved a similar change of use (Birchtree Center). This proposal also had safety and traffic flow concerns.

The applicant will follow up with Tom Morgan regarding when they will come back with a proposal.

Request by Attorney Mulligan to discuss the electrical power supply to the deRochemont House at 100 Shattuck Way.

Attorney John Springer and Jerry Stevenson, General Contractor were present.

Attorney Springer noted that the applicant came before the board in October of 2007 for a temporary utility pole on town land to be able bring power to the site. He explained that the connection shown on the as built drawings of Shattuck Way showed conduit lines that were not present. The temporary pole was allowed and it was stipulated that it would remain until such time as Shattuck was extended and the conduit would be put in.

Hebert questioned what lines were there. Stevenson replied that there are no 5" lines. There are 3" lines stubbed on to the property which Verizon has used.

Hebert stated that if there are communication lines running through the electrical manhole, they need to be removed. He further stated that he had spoken to Mike Coffey at PSNH who said there is a copper cable that will fit into a 3" line. Hebert suggested that the applicant go to the nearest manhole and tap into it.

Stevenson stated he was told that manhole belonged to Tyco. Hebert suggested the applicant work with Morgan and Mike Coffey at PSNH.

Proposal by Granite State Minerals to construct improvements to their storm water drainage system at 325 Gosling Road

Attorney Robert Shaines spoke on behalf of GSM. He stated he hired a stenographer to record the boards questions and comments and he would provide the board with a copy of the record.

Attorney Shaines stated that GSM has applied for three permits, an Alteration of Terrain Permit 485-A:17, a Wetlands permit 482-A, and a Shoreline Protection permit 483-B. He said in order to market the property, the property needs to be cleaned up and the storm water drainage system needs to be addressed.

Jim Spaulding, a civil engineer stated the property used to be a tank farm. The property had been filled in, and that some remnants of the berms are left which has created a ponded area during heavy rains. There is an oil water separator on the property that is currently not being maintained. Spaulding showed the board photos of the existing drainage structure. The proposal would reduce the berm, regrade and fill up to the berm. The oil/water separator would be removed. No impervious surfaces would be added.

Paul Rydel of Sanborn and Associates stated that Exxon Mobil has held the groundwater management permit for the last 15 years. He further stated that the property was filled in the late 1990's with soil from Pease that the soil had been tested.

Pare questioned whether the proposed detention basin is designed to deal with impervious surfaces. Spaulding replied that it is not designed for imperious surfaces and that a buyer would have to redesign to meet those needs.

Bobotas asked why the applicant would spend so much money on a design when a potential buyer would have to spend the money anyway and then redesign.

Attorney Shaines stated that they have had conversations with prospects, but do not have a specific buyer. He said the purpose of tonight's meeting is to get the board's comments relative to the alteration of terrain permit which is needed to approved the drainage and overall appearance of the property.

Greg Wale, also representing GSM, stated that the applicant is trying to do its due diligence up front because of the knowns and unknowns. There are too many unknowns about tolerances and what the property can support and any potential buyer would have to deal with this. Doing the due diligence now will save time later.

Lamson voiced her concern about the drainage basin being close to the wetland.

Dan Geiger from Oak Hill Environmental stated he met with the Conservation Commission on Thursday and the proposal was currently under review.

Justin Richardson stated the Conservation Commission met with Geiger on Thursday and he is concerned that the box culvert is contiguous with surface water. The 100' ft setback needs to be addressed through the variance process. Richardson said the board voted to have Mark West review the wetlands application.

Richardson also voiced concern that the property was formerly a petroleum storage area. The soil used to fill the area came from Pease and he is concerned about now disturbing those soils. He recommended the soils be tested.

Attorney Shaines stated the purpose of meeting with the board was to educate the board on the applicants process.

Minutes of November 23, 2009

Marconi made a motion to approve the minutes of November 23, 2009, Pare seconded, Cross abstained, all others in favor – motion carried.

Marconi made a motion to adjourn, Pare seconded, all in favor – motion carried.

Meeting adjourned at 9:50 pm.

Respectfully submitted,

Melia Perreault
Recording Secretary