

**TOWN OF NEWINGTON
PLANNING BOARD MEETING
DECEMBER 21, 2005**

Call to Order: Acting Vice Chairman, Denis Hebert called to order the meeting at 6:32 p.m.

Present: Denis Hebert, Jack Pare, Vincent Frank, Gail Klanchesser, Chris Cross, John Frink, and Tom Morgan, Town Planner.

Not Present: Chair Sandy Hislop and Peggy Lamson.

Minutes: December 12th meeting minutes will not be gone over at this time. Denis Hebert made mention of the minutes taken at that meeting were missing words, which were also disassociated. The Secretary made note that he could not hear all of the comments at certain times. Something's that were said did not make it into the Meeting Minutes. Discussion took place to keep all copies of the Meeting minutes that are recorded. As one tape (regarding the October 17th meeting) was thrown away by the acting Secretary because it broke. Denis Hebert asked Tom Morgan if they could get a written statement from that Secretary that the tape did indeed break, and that she threw it away. Tom Morgan agreed to call the Temporary Employment Agency with that request. Another meeting was taped over, and the October 28th Meeting tape went home with that acting Secretary and has not been returned yet. Tom has called the Temporary Employment Agency that the Secretary works for, and asked for the tape to be returned to the Town Hall. Agency agreed to have it delivered shortly. All agreed that the tapes need to be better taken care of.

Correspondence: DOT has provided an application for a driveway for Michael Haberski, on Nimble Hill Road. Letter stated it did not convey any form of approval of that application.

Altus Engineering: Sent a letter regarding the *Shattuck Way Extension*. The letter written by Eric Weinrieb, President of Altus, made note that Exeter Environmental did a Phase I Environmental Site Assessment of the area. Altus is not aware if the proposal was authorized, or if the work was completed. Vincent Frank stated that Eric Weinrieb was at the Meeting when the Planning Board requested information regarding if there was Hazardous Waste on the property. Chris Cross stated that he remembered the Board asking if the specified materials were suitable to build a road on. Motion by Denis Hebert to write a memo to the Board Of Selectman stating that the Planning Board was looking for the environmental aspect to be done. And that it was not addressed by the individual or not followed through. Tom Morgan will send Memo to Board relating the course of action is to make sure the work is done.

Shattuck Way Associates: Letter went out to the Shattuck Way Associates. They have asked to make a minor amendment to their site plan approval regarding a disconnect, and one transformer not two. Tom Morgan stated that he did not think it warranted a public hearing. Denis motioned that the amendment did not need to go to the Public Hearing.

Gail Klanchesser, second the motion. No discussion. All were in Favor. None opposed. Denis Hebert asked to let the record show that the amendment was not significant enough to have a Public Hearing.

Rail Spur to Pease: John Frink asked if the State said it was a lot less expensive if they just had an overpass going over the existing railroad ROW? Denis Hebert thought it was just the opposite. Chris Cross commented on the letter to Mr. Waszczuk, of the Spaulding Turnpike Advisory Committee. He requested a small change, to the second paragraph, to add “we concur with the elevated rail spur to Pease along the existing rail corridor, is an integral part of Option 13; whether it be built concurrently or years later. Denis Hebert suggested the letter be left as it was written. “It states that we support this”, and also leaves it wide open. Tom Morgan stated it was written to keep the comment as direct as possible. Chris Cross did not agree the letter was strong enough. Vincent Frank motioned to accept the letter the way it was written, second by Jack Pare. All were in favor except Chris Cross, who opposed.

BREAK FOR NON MEETING WITH PETER LOUGHLIN AT 7:08 p.m.
BACK TO OPEN MEETING AT 8:20 p.m.

Budget Proposal for 2006: Last years Budget proposals and actual amounts used were passed out, along with a Budget Proposal Worksheet for 2006. Denis Hebert wanted to make sure that all items are on the 2006 Budget, so that there is not any unexpected expenses that may come up that are not accounted for. Denis noted that the Retirement of the Town Planner was not on the Budget Proposal. He stated there would be a one percent (around \$200-\$250.00) penalty that the town would have to pay if the funds were not paid by a certain date. (I believe he said December 16th- Holly Heriot acting Secretary for this meeting) Denis requested it be brought up to the Selectman that this be put under a line item in the amount of \$29,000 +/- . He stated he does not want anyone to question what the Board is doing.

Denis Hebert also requested that the Secretary Salary be increased to \$4,500, due to the cost of hiring one from a Temporary Employment Agency. Tom Morgan will put an ad in for a Secretary to work eight hours per meeting, approximately 20 meetings a year, with a salary of \$15.00 an hour. Denis Hebert requested to raise the Supplies budget to \$1,500, due to increase in transportation and prices. Gail Klanchesser raised a question about the LCD projector item on the new Budget proposal. She asked if this projector would be used only by the Planning Board, or if it would be shared. Tom Morgan commented that Charlie had approached him about splitting the cost of a projector, because he had some money for that. Then when Tom Morgan, Jack Pare, and Denis Hebert were talking after the request, they felt that the projector should not leave the building. Tom Morgan stated if the Epsom 765 Projector was to be purchased, it would cost about \$2,300. All agreed to put the projector fund under the Computer line item, increasing it to \$3,500. Jack Pare commented on the new line item for a Geographical Information System, stating that the board is presently under support. He is expecting a mini version of the software to come out next year for \$1,200, which also buys a year of support as well. Jack Pare also commented on the Flood Plain Mapping and Plano metrics, that they are both used together, so they don't need to be counted twice. Denis Hebert asked Jack what the cost would be for Flood Mapping? Jack Pare answered with

an estimate of \$6,000, which would include a low altitude flight to make the maps needed for the Flood Plains. At this time the Flood Maps are not accurate, and need to be updated. It was agreed that the Flood Mapping and GIS be put as one line item totaling \$17,800. All agreed that Jack Pare and Tom Morgan might adjust that number when the actual prices are determined. Gail Klanchesser motion to propose the 2006 Budget as discussed-

Computer \$3,500

Secretary Salary \$4,500

Supplies \$1,500

FEMA/GIS \$17,800

Second by Jack Pare. All in Favor. None opposed.

Public Hearing: NONE

Home Occupation/ Home Business:

No others attended

Closed Session: Chris Cross motioned to send ordinance from last meeting. Jack Pare second.

Directional Signs: Denis Hebert said signs could become a hazard due to people slowing down to see where they are going. Tom Morgan commented on leaving phrase “subject to Planning Board Approval somewhere in there. Jack Pare mentioned that the language could be changed to “in the Industrial Zone”. That way they are limiting signs to just the Industrial Zones. Tom Morgan commented to jettison #5. Denis Hebert said he would like to see a place to physically pull over, like a parking lot that has information on where you are. Jack Pare mentioned to vote it down and remove article 2. No public discussion, as no one the public was there. Chris Cross motioned that they are not ready to go to Public Hearing this year, in regards to public directional signs. Jack second. All were in favor.

Chris Cross left the meeting at 9:00 p.m.

Sexual Oriented Businesses: Tom Morgan suggested the Board adjust the Porn Ordinance so it would be Constitutionally defensible. There are many restrictions right now. Tom Morgan proposed knocking out section 4 (which requires a 300 foot buffer from buildings or facilities used for commercial purposes) and section 5 (shall not be permitted in any shopping mall or establishment patronized by minors). Tom Morgan felt the shopping malls would not permit this type of use anyway. Vincent Frank stated that we need a place if someone comes into town to do that, that’s within driving distance, not walking distance. Denis Hebert asked what if we do nothing and we wait for someone to approach us. Why don’t we simply leave what we have in place? It basically steers away any potential of someone looking at it saying “You know what? This looks pretty tough to get in. I don’t think I want to try.” Motioned to go forward with the way it is, but replace section 2 from Business Zone to Commercial and Office Zone and cutting out a lot of the wording, and also jettison section 4, keeping the wording of not being allowed where minors patronize. Gail second. All in Favor.

Public Hearing: *Definition of Public Structure-* Discussion over the definition of structure was discussed. Tom Morgan commented on the fact that as it stands now, any

one wanting to put up a detached stairway within a setback around a salt jurisdiction, or dock, would have to go to the State and the BOA. Tom Morgan felt that it seemed like a lot of aggravation with a little benefit to the town. Jack motioned to send to Town Meeting. Vincent Frank second. No public comment. All were in Favor with the exception of John Frink. No discussion.

Closed Session-

Zoning Amendments-

Flood Plains- Flood Maps & National Insurance Program- Tom Morgan asked the Board if they wanted the town to join the flood program. Vincent Frank commented that 42 or 43 people have already received letters to get flood insurance. They are coming to Tom Morgan asking why they shouldn't join FEMA. FEMA is says they will only pay \$750 instead of \$4,200. Vincent Frank then said "Let's join it, it isn't going to cost us a penny. Denis Hebert stated he had no problem with it. Vincent then mentioned that the Board is going to go after the Flood Map, and once they are able to prove that these people are not in a Flood Zone area the Board say "Bye-bye" to FEMA. Vincent Frank motioned to let the Selectman know that they recommend the town to join. Jack Pare second. Vincent Frank also said he would like to have a petition made on this Flood insurance, as a back up. He will take it around to the people and have them sign it. All in Favor, Motion carries.

Flood Insurance Program Regulations- Tom Morgan noted that there are ten pages that would need to be followed to join FEMA. Vincent Frank made a motion to have a Public Hearing on January 9th and send out a letter stating that there will be a public hearing on this flood insurance as well as having Tom Morgan post it. Gail Klanchesser second. All were in Favor.

Other Items of Business-

Sprinkler Amendment- Discussion involved putting the Sprinkler Amendment in the Building Code. Tom Morgan thought it was best to write up a notice and send to the Public Hearing on January 9th. Tom Morgan then stated that the Board will have the opportunity to vote it up or down, but will not have an opportunity to change the wording. Vincent Frank motioned to send the Sprinklers to Public Hearing on January 9th. Jack Pare second. All were in Favor.

Release of Bond to Howie Patten- Contractor was previously told by the Planning Board to go to the Conservation Commission to get his money back. He has gone to them and they have voted to give him all of his money back. Tom Morgan stated that the Planning board must also vote on it. John Frink motioned to release his bond. Gail Klanchesser second. All were in Favor.

No Discussion

Other Business- Tom Morgan was approached by former Fire Chief Wall regarding where the Propane trucks park incase there is some kind of a backlog. Mr. Wall believes that the turn out at the Newington Station (Con Ed) is specifically for that purpose. Gail Klanchesser noted that there are always cars parked there on a daily basis. Denis Hebert stated that as far as he knew if there is a backlog that is where the trucks are supposed to go. That is why Con Ed built it. Mr. Wall asked the Board to hold Con Ed to whatever promises they made. Tom Morgan again asked the Board what he should tell Mr. Wall. Everyone agreed that Tom should tell Larry that Con Ed did promise this. If Mr. Wall wants to pursue the matter he will be directed to the CEO.

Verizon Fiber Optic Connect- Jack Pare requested that everyone spread the word that Verizon is offering free Optical Fiber connection. It is an unadvertised word of mouth thing. He stated that you do need to sign up with Verizon for telephone service if you don't already have it, and they will put in the Optical Fiber free for Internet service.

Pending Business Items-

Bed & Breakfast

Driveways

Signs in Residential District

Permitted uses for Schools

Directory signs

Gail Klanchesser requested to set up a work session. It will be held in February.

Gail Klanchesser motioned to adjourn the meeting at 9:51 p.m. Jack second. All were in Favor.

Next meeting January 9, 2006 at 6:30 p.m.

Respectfully submitted,

Holly Heriot
Office Team

Audio meeting notes to be downloaded to Newington@ttlc.net