

**Newington Board of Selectmen  
Meeting Minutes**

---

**June 16, 2003  
Newington Town Hall  
6:30 p.m.**

**In attendance:** Chairman Board of Selectmen Jack O'Reilly, Selectman Cosmas Iocovozzi, Selectman Jan Stuart, AA Cynthia Gillespie, John Didier & Buck Eliot of Sprague Energy

***Pledge of Allegiance***

The meeting was called to order at 6:30 p.m.

**Sprague Energy/ Patterson Lane Residents**

Chairman O'Reilly handed copies of letters of complaint from Peter and Patricia Rose of Dover, NH, Denis Boucher of Dover, NH, and John Grove, Selectmen from the Town of Eliot, to Buck Eliot and John Didier from Sprague.

Mr. Didier, Director of Internal Operations for all Sprague facilities in the Northeast said that last time he discussed the vibration issue with the Town it seemed to be a seasonal problem, primarily because of the fuel being switched between the winter and summer formula. As Sprague's records indicate, there were an increase number of calls to Sprague around May 1<sup>st</sup>, which was the time that the plant switched over. In an effort to adjust the system and in order to find out why there is an increase in vibration and noise, Sprague combined the beginning of May with an annual emissions exam that's mandatory by the Clean Air Act of the Federal Government. The unit in question has been operating about 11 years. Sprague suspects that the changes in the product of the gasoline and the requirements of the Clean Air Act are part of the emissions problems around the unit.

Mr. Didier went on to say that around the second or third week in May, the manufacturer of the unit flew in to investigate the matter. The manufacturer could not determine anything wrong with the unit. However, because of the call volume, Sprague was not satisfied with the manufacturer's results. Sprague Mr. Didier stated that Sprague has an expert in the industry, a competitor, flying in to look at the unit on Wednesday. He will be reviewing the design and design issues of the unit and try to resolve these problems.

From the study and the information compiled, Sprague has been working diligently on testing the unit, trying new products and trying to find answers to the noise problem.

**Newington Board of Selectmen  
Meeting Minutes**

---

**June 16, 2003  
Newington Town Hall  
6:30 p.m.**

Selectman Iocovozzi asked if Sprague was testing for vibrations or noise. Mr. Didier responded that Sprague was testing for the emission mandatory requirements. Selectman Iocovozzi asked if the examiner that came in had found any problems with vibrations. Mr. Didier said that Sprague was hoping that by doing the emission test and finding that the unit was operating properly and within compliance with the Federal Government, that it would lead Sprague to what is causing noise or vibrations. Selectman Iocovozzi asked if the vibrations could be coming from a gas line or the unit. Mr. Didier said Sprague's focus is on that unit, since it is the only piece of machinery that could release in those vibrations and noise.

Selectman Stuart asked if the unit has been there 11 years, how long the residents had been experiencing the noise and vibrations. Sandy Sweeney, resident of Patterson Lane, said that it has been about four years. It took a year to determine that the noise and vibrations were coming from Sprague. Ms. Sweeney was told by a Sprague representative that when the gas prices go down, everyone rushes in to fill their tanks. When there is more than one truck filling up at a time, it causes pressure which leads to the vibrations. Ms. Sweeney's concern is that it rattles the house so much that pictures fall off the wall, the family is woken up in the middle of the night. Mrs. Sweeney also expressed concern about what the vibrations is doing to the ground and septic systems.

Irving Beebe, resident said that he had felt the vibrations for years. Mr. Beebe expressed concerned about his foundation and effect the vibrations have on the houses, as well as the wells. Mr. Beebe asked why the vibrations have gotten worse in the past year.

Mr. Didier responded that the unit is called the vapor recovery unit and is designed and required to meet the standards of the Clean Air Act. The vapors from trucks are recovered at Sprague's facility. The vapors are destroyed to reduce the amount of emissions into the air. The unit is tested annually to make sure this happens.

Mary Lancaster, resident of Dover, said that she hears the noises as far away as Dover, at random times. Ms. Lancaster does not feel the vibrations, just hears the noise.

Selectman Stuart asked about the topography of the area and if the ledge played a part in the noise. Mr. Buck Eliot asked if the noise was continuous or periodically. Mr. Beebe responded that it's daily but intermittent.

**Newington Board of Selectmen  
Meeting Minutes**

---

**June 16, 2003  
Newington Town Hall  
6:30 p.m.**

Ms. Sweeney read her log of phone calls to Sprague to demonstrate the times that there were disturbances due to noise. Mr. Beebe said that every time he has called Sprague the people have been very courteous but he is very concerned that there is still no answer to the problem. Mr. Didier responded that Sprague logs all the calls and has been working since the beginning of the problem, to try and resolve it.

Selectman Iocovozzi asked if the vibrations could be picked up by a geologist or seismologist, to verify that it is Sprague that is causing the noise and where it is coming from. Mr. Eliot said that the problem is seasonal, usually around April/ May and September/ October. The new team of people will be coming in Wednesday to further investigate.

Ms. Sweeney asked if emissions caused a smell. Twice Ms. Sweeney has smelled an awful smell. Mr. Acton, resident of Patterson Lane said that he knew there would be issues with living near industry, but the smell has been really bad and that this year has been the worst.

Mr. Didier asked what the smell is. Mr. Richard Hebbard, resident, responded that the smell is asphalt or methyl methacrylate. He has noticed the smell for about nine years. Mr. Acton added that the smell also corresponds to when the barges are moored at Sprague. Mr. Acton said that if it was Sprague's employees that were getting sick from the smell something would be done about it, and it's unfair for the residents to have to deal with it.

Mr. Eliot said that this is the first time he has had the smell complaint. Mr. Hebbard asked if Sprague received any complaints at the Portland plant site about the smell. Mr. Didier responded that he was not aware of any. Mr. Hebbard asked why there is a difference and why the filtration used in Portland can't be used here. Mr. Didier answered that he is not aware of anything that was different there. Mr. Hebbard said that the other night, the smell was so bad he couldn't sleep and that he feels that telling Sprague has no real results. Mr. Eliot responded that all the asphalt tanks have pipes that run down the sides for ventilation.

Selectman Stuart expressed her concerns about the vibrations and asked how this affects the gas line that runs through there. Selectman Iocovozzi said that gas line is on the ledge and moves around. Selectman Iocovozzi asked if the person Ms. Sweeney talked with at Sprague was an engineer. Ms. Sweeney responded that she did not know, but that it wasn't a person she usually talked with. Mr. Didier answered that burn unit (mixture of

**Newington Board of Selectmen  
Meeting Minutes**

---

**June 16, 2003  
Newington Town Hall  
6:30 p.m.**

fuel and air) is critical to the operation. The emission testing confirms that all the vapors are completely destroyed.

Mr. Beebe asked how many employees are working when the tankers are being filled. Mr. Eliot answered three. Mr. Beebe then asked if the employees could smell the odor. Mr. Eliot responded that when the employees first started they could smell it, but now they are used to it. Selectman Stuart said that she is hearing that the situation is getting worse. Ms. Sweeney said that people with waterfront property don't have anything protecting them from the odor. The vibrations are definitely worse too.

Chairman O'Reilly asked what needs to be done from here. There are issues on noise, vibrations and odors that need to be resolved. Mr. Didier responded that Sprague is having people test the unit and go over the workings of the unit to resolve the issues. As soon as they have determined the problem, the Board will receive feedback.

Selectman Iocovozzi asked if Sprague will bring in a geologist or seismologist to locate the vibration problem. Mr. Didier said that he would like the Town to give the new group of people investigating the problem time to come in and find out what they can, before Sprague takes any further steps.

Selectman Iocovozzi stated that Sprague needs to find where the vibration and noise are coming from and isolate that problem. If the vibration is not on Sprague property, the Town needs to know.

Mr. Eliot said that they should have results in a few days, after the new group examines the unit on Wednesday.

Selectman Stuart interjected that the residents of Patterson Lane have put up with enough and that it's time to get to the bottom of these problems. This has gone on long enough and the Town expects a good answer as soon as possible.

Chairman O'Reilly announced another special public meeting with Sprague on Monday, July 14<sup>th</sup> at 6:30 to review the results of Sprague's investigation.

**Newington Board of Selectmen  
Meeting Minutes**

---

**June 16, 2003  
Newington Town Hall  
6:30 p.m.**

**Building Inspector Correspondence**

A memo from BI Smart was read regarding the decommissioning of the well at Tricky Cove. The potential cost would be \$6000. The Board of Selectmen asked AA Gillespie to check with BI Smart on a breakdown on costs, such as how many trees would need to be removed and how much and to call D.E.S. BI Smart will meet with a Maintenance Engineer from the State on Tuesday for a permit to cross the easement.

**Miscellaneous**

Selectman Stuart made the motion to accept the minutes from June 9, 2003. Seconded by Selectman Iocovozzi. Vote 3-0.

Outback Steakhouse requested that they be allowed to serve alcohol on their porch. This had been referred to the planning board, which approved this proposal. Selectman Iocovozzi made a motion to approve Outback Steakhouse's request. Seconded by Selectman Stuart. Vote 3-0.

An e-mail from Skip Link about a tree situation by the edge of his lawn was read and tabled until additional information was received.

A memo from the Conservation Commission regarding their acceptance of the Landscape Plans and Maintenance Program presented by Long Horn Steak House was read.

A memo from Chris Cross about the sign at Allard's Park was read and referred to the Planning Board.

A letter from Irving Oil regarding a fixed price option for winter oil was read. AA Gillespie was instructed to put a bid out for oil prices as well as find out how many gallons the Town used last year.

Selectman Iocovozzi asked about the road salt that would be used on the roads. The Conservation Commission has asked that the Town use "Ice Be Gone" to save the environment. The city of Portsmouth uses that salt and it is quite expensive. It was decided to let Selectman Iocovozzi look into the prices of road salt.

**Newington Board of Selectmen  
Meeting Minutes**

---

**June 16, 2003  
Newington Town Hall  
6:30 p.m.**

Selectman Stuart brought up the problems of the traffic flow on Shattuck Way. Selectman Iocovozzi talked to the Planning Board about signs. The signs were to deter traffic to Shattuck Way. Selectman Stuart stated she has been receiving calls as early as 6:30 a.m. reporting the noise of the traffic. Even with the signs the traffic is mixed up. A Police cruiser should watch that area. Selectman Iocovozzi noticed tractor trailers over the weight limit on Old Dover Road. The Police Chief called and mentioned that the sign said "Right Turn Only" needs to be removed. Chairman O'Reilly asked if there was a legal document stating regarding the use of Tyco's driveway. Selectman Iocovozzi said no, the Town owns the driveway and there are no legal documents from Tyco. AA Gillespie was asked to tell Road Agent Thomas to take the sign down and meet with Chief Loomis about concerns the Chief has.

AA Gillespie was asked to call Richard Stains and let him know that all the speed limit signs on Shattuck Way were spelled wrong.

Selectman Stuart presented a picture she took of a stop sign on Patterson Lane approaching Shattuck Way. The stop sign is behind the light pole.

Selectman Stuart also presented a picture of the River Road cul-de-sac. Selectman Iocovozzi asked if jersey barriers could be put there. AA Gillespie was instructed to tell Mr. Stains of each of these issues.

**Town Hall Use**

A Town Hall Use Form from Gail Klanchesser for a July 5<sup>th</sup> birthday party in the town grove was approved.

A Town Hall Use Form from Leslie Brock for a July 27<sup>th</sup> birthday party was approved.

A Town Hall Use Form from Krista Low for a June 24<sup>th</sup> birthday party at the Carriage Shed was approved.

**Newington Board of Selectmen  
Meeting Minutes**

---

**June 16, 2003  
Newington Town Hall  
6:30 p.m.**

There being no further business before the Board Public Session was:

Adjourn 8:08 p.m.

Non-Public in accordance with RSA 91A:3 II Legal. No votes were taken.

Adjournment 8:30.

Respectfully Submitted,

Cynthia L. Gillespie  
Administrative Assistant