

MEMORANDUM

December 4, 2017

TO: Newington Planning Board (NPB)
FR: Gerald Coogan, AICP, Town Planner
RE: Town Planner Report – November 2017

This Memo is the monthly update on planning and zoning matters in the Town of Newington (TON).

On-going projects

1. Preliminary Site Plan Review – 2061 Woodbury Ave, LLC, Tax Map 27, Lot 2: The Town expects to receive a Site Plan Review application for the proposed hotel in early January 2018 with a public hearing scheduled for Monday January 22, 2018.
2. Mooney Building: Stoneface completed all required site improvements and funds in escrow were returned.
3. Pickering Marine LLC (formerly Frizzell site plan), 34 Patterson Lane: The Town expects to receive a Variance request for the Pickering Marine facility.
4. Pet Smart: The building is currently under construction. Pet Smart has requested zoning relief for an increase in the amount of signage on the building.
5. Convertible Castle (aka Bernie & Phyl's), 30 Fox Run Road: The Planning Board reviewed the Site Plan application a change of use to a furniture store and continued the public hearing to December 11th at 6:30 PM.
6. The Storage Barn of Newington, LLC, 2299 Woodbury Ave: The Planning Board reviewed the Site Plan application for the proposed self-storage facility on November 27th and TRC will review it on December 7th. The Planning Board continued the public hearing to Monday January 8th at 6:30 PM.
7. 65 Nimble Hill Road: The applicant and wetlands scientist addressed the concerns regarding recent encroachment into the 25-foot wetlands buffer and the proposed pond.

New Projects

1. Fox Point shoreline erosion program: The State Conservation Committee did not approve the Town's application for assistance for shoreland stabilization at Fox Point.

Planning projects

1. Master Plan Update: The last day for completing the Master Plan survey is Tuesday December 5th by 4:00 PM. Click on <https://www.surveymonkey.com/r/YBNV3OT> to complete. The Rockingham Planning Commission will meet with the Planning Board on December 11th to update the Board on the progress with the Master Plan Update.
2. C-Rise Project: This is being done as part of the Master Plan Update. With assistance from Julie LaBranche of the Rockingham Planning Commission, Chris Cross, Peter Welch, Julie and I met with three local companies (Great Bay Marina, Sprague Energy and Little Bay Lobster) that could be impacted by extreme weather events. All three were interested in the information presented. Julie is currently drafting climate adaptation and resilience recommendations to include in the Master Plan update, a draft of which should be available around December 18th.
3. Economic Development: The Board of Selectmen has established a Town Economic Development Committee (EDC), which will have an initial meeting in early January 2018. Media Wing (Chris Burke) is preparing a promotional video on the Town as part of the economic development effort. The Board of Selectmen met with representatives of the NH Business and Economic Affairs Department regarding the possible designation of an Economic Revitalization Zone (ERZ) in Town and voted to submit the ERZ application.
4. Workforce Housing (WFH), RSA 674:58-61: At its August 28, 2017 meeting the Newington Planning Board considered Workforce Housing (WFH) issues in Town and noted the following:

Land Uses as a percent of the Town's Area

Use	Acres	Percentage
Great Bay National Refuge	1,088 acres	19%
Pease Tradeport	1,436 acres	25%
Conservation & Municipal lands	553 acres	10%
Spaulding Turnpike	152 acres	3%
Commercial & Industrial development	790 acres	14%
Wetlands in Residential District	116 acres	2 %
Upland Residential	1,540 acres	27%

Based on the Town's current zoning, there is a limited amount of land (1,540 acres) available for residential development. To make WFH economically viable, water and sewer should serve the property in order to have higher densities. Generally, area east of the Spaulding Turnpike has water and sewer and land to the west has water. On the eastside, the Patterson

Lane neighborhood is zoned residential. The Master Plan notes that multifamily housing on Patterson Lane is not appropriate and violates sound land planning principles due to its proximity to existing heavy industrial uses.

Land values in Town are about the highest in the state, at about \$300,000 for a 80,000 SF buildable lot. The high land cost is an impediment to WFH. Adoption of the Accessory Dwelling Unit (ADU) provision in 2016 was a positive step in addressing the WFH needs. The Board will continue its discussion of WFH issues in the future.

5. Proposed 2018 zoning amendments include:

Amendment # 1: NZO Article II – Definitions, Section 2 – List of Definitions

Building Height: The vertical difference between the lowest ground elevation of the predevelopment (or redevelopment) at the foundation of the building, structure or wall and the highest elevation of the roof, parapet wall, or uppermost part. Chimneys, vents or utility service structures shall not be included in the measurement of vertical dimensions. A special exception regarding the building height may be granted by the Planning Board.

Amendment # 2: NZO Article III – Zoning Districts Section 6 – Waterfront Industry and Commerce District W

A - Description and Purpose: The "W" District is established as a zone in which the principal use is for activities which depend upon the ocean for transport or resources. There is a relatively limited amount of deep water frontage in the State of New Hampshire. This prime land is recognized as an invaluable natural resource of the Town of Newington and should be reserved for optimum use so that the economic benefits may be realized to their fullest extent. Any installation on shore or offshore, temporary or permanent which interferes with the purposes of this district is prohibited. In addition, the docking of commercial cruise ships is not an appropriate use due to safety concerns in this existing heavy marine and industrial use in this zoning district.

B - Uses Permitted

- (1) Any Industrial or Commercial activity dependent upon the ocean for transport or resources.
- (2) Marine related activities such as marine transport, marine construction, marine supply and support, vessel repair and the like. Marine Any research laboratory or testing or experimental facility related to the ocean.
- (3) Seafood processing and distribution

- (4) Bulk material storage and distribution
- (5) Energy generation facilities
- (6) Desalination plant
- (7) Business Signs, subject to the provisions of Article IV, Section 6.
- (8) Telecommunication facilities, subject to the provisions of Article XIV.
- (9) Residential uses for a watchman, caretaker or janitor. The industry or business shall annually certify by April 1st that the resident is a bona a fide employee serving as a watchman, caretaker or janitor employee of the business. Failure to do so shall make the residential use Not Permitted.

Amendment # 3: In NZO **Article XVII – Administration, Section 3 – Application for Building Permit**, add the following paragraph after E:

The applicant for a building permit shall complete the building within eighteen (18) months after the issuance of the building permit. An extension for up to one (1) year may be granted for a good cause. This amendment shall apply retrospectively to building permits that have been issued for work that has not been completed.

Purpose: The intent of the amendment is that construction work authorized by a building permit shall be completed within a reasonable eighteen (18) month time frame, so that work undertaken, does not stand partially complete such that the partially completed work fails to come into compliance with the applicable codes, which can be a safety hazard, and so that it does not become an eyesore to neighbors.

Amendment # 4: In NZO **Article IV – General Provisions add a new Section 11: new Section 11.**

Each unit in a duplex shall have its own separate water and septic service and metered gas and electric power. The owner of the duplex unit is responsible for maintenance and repair of all utilities.

Amendment #5: In NZO **Article XVII-Administration, Section 2- Building Permit Required**, add the following sentence:

The Town’s Building Inspector shall have the authority to require a certified foundation plan and a certified plat plan, when in his opinion, such documentation is necessary. The Building Inspector may exercise this authority when there is a concern regarding the building’s proximity to side, rear and front setbacks, wetlands, floodplain, shoreline and other sensitive areas.

Cc: Board of Selectmen
Zoning Board of Adjustment
Conservation Commission