

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 10, 2012

Call to Order: Chair Denis Hebert called the December 10, 2012 meeting At 6:30 PM.

Present: Vice Chair, Mike Marconi; Patty Borkland (left at 8:15p.m.); Bernie Christopher (left at 8:15 p.m.); Jack Pare; Dick Spinney; Alternate Member, Peggy Lamson; Jane Kendall, Recorder; and Thomas Morgan, Town Planner

Absent: Board of Selectmen Rep, Rick Stern

Public Guests: David Vincent, Surveyor for Konstantin & Lilia Routetski; Patrick Crimmins, Civil Engineer for Great Bay Services; Dawn Lewis, Executive Director for Great Bay Services; John Lorden, Engineering Director for MSC Engineers; Library Trustees Chair, Steve Bush; Secretary, Melissa Prefontaine, Treasurer, Lea Lamson; Architect, Ron Lamarre from Lavalle Bresinger Architects, Jeff Parks, Construction Manager with Bauen Corporation, Donald & Beverly Philbrick

1) Public Hearings:

A) Proposal by **Konstantin & Lilia Routetski** for a 2-lot subdivision at 17 Swan Island Road, Tax Map 53, Lot 15

Board Chair, Denis Hebert began the discussion by informing the Board that he had spoken with Town counsel regarding questions raised at the last meeting by former land owner, Nancy (Berounsky) Anderson, sister of abutter Michael Berounsky regarding a covenant in the deed that would prevent subdivision. Chair Hebert said counsel informed him that covenants are a civil matter, and the Board has no jurisdiction in civil matters, which would need to be addressed by attorneys.

David Vincent, Surveyor presented a map of the Routetski's 5-acre parcel, and reviewed the preliminary test pits, and wetlands flagging. Alternate Board member, Peggy Lamson asked about contingency plans for septic failure, and Mr. Vincent said the plan would permit replacing the system in the same area.

Chair Hebert said he would like to see he curb cut on the plan. Town Planner, Tom Morgan said no fee is required, so Mr. Vincent drew in the proposed curb cut 20 feet off the boundary of the proposed subdivided lot, but pointed out that he still doesn't have the driveway on the State's driveway permit request. Chair Hebert continued the public hearing to January 14, 2013, unless more time was needed and would then continue to the February meeting.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 10, 2012

2) New Business:

A) Proposal by **Great Bay Services** to expand their facilities at 2061 Woodbury Avenue, Tax Map 27, Lot 2

Civil Engineer, Patrick Crimmins presented a plan for reconstruction of the existing entrance to improve delivery access to the facility. Board Chair, Denis Hebert asked where rain water runoff goes currently, and Mr. Crimmins said it just sheets off, but their plan includes a rain garden that will mitigate the impact of the new pavement to the entrance by reducing runoff as well as treating it. Vice Chair, Mike Marconi asked about oil separators in the drainage area, and Mr. Crimmins said that would be taken care of by the rain garden.

Chair Hebert asked if it would be possible to make the corner turning into the side less tight, and Mr. Crimmins said he believed he could.

Chair Hebert asked if they had spoken to the Fire Chief, and the consultant said they had, and had also spoken with the Town building inspector.

Chair Hebert asked if they had checked on easements, and they said they had their attorney check into the matter.

Mike Marconi moved that the proposal by Great Bay Services to expand their facilities at 2061 Woodbury Avenue, Tax Map 27, Lot 2 is substantially complete. Patty Borkland seconded the motion, and all were in favor.

Peggy Lamson moved to go to Public Hearing on the proposal on January 14, 2013. Mike Marconi seconded, and all were in favor.

B) Proposal by **MMC Fox Run LLC** for a 4,718 square foot addition to the Planet Fitness building at 30 Fox Run Road, Tax Map 26, Lot 2

John Lorden, Director of Engineering with MSC Engineers came before the Board with their plans for an addition to the Planet Fitness Corporate headquarters, as well as a proposal to remove some of the pavement and replace it with gravel for storm drainage to mitigate the impact of the new addition. Mr. Lorden said they also hoped to improve the traffic flow.

Dick Spinney asked if the cut pavement would be raised, and Mr. Lorden said it would not. Chair, Denis Hebert asked if they had a storm water management plan, and Lorden said they did not. Chair Hebert said they would need to have one prepared. Jack Pare asked what the project size requirements were for a storm water management plan, and Tom Morgan said a storm water management plan is required for 20,000 square feet or more, but the Board still can ask for a plan. Denis Hebert said he wants to be sure the Fire Chief reviews the plan.

Mr. Lorden said they would return after they went before the ZBA for the variances.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 10, 2012

C) Proposal by Library Trustees to expand the **Langdon Library**

Architect, Ron Lamarre, hired for the long range expansion plan showed the plan from four years ago, and the current proposal to meet the needs as determined by the staff, trustees, public survey responses, and public meetings. The plan presented was in keeping with the historical character, continuing the granite foundation, and using batten board siding for a NE barn style addition with a handicapped entrance off the south side so as not to infringe on the appearance of the Old Meeting House. When asked why they wouldn't continue the use of red brick, Jeff Parks, Construction Manager with Bauen Corporation said it would be expensive to match, and would depend on final decisions and funding. Ron Lamarre said they also want to keep the historical character to the interior as well.

The 18-20 parking spaces come from recommendations for one space for every ten users on a regular basis. Alternate Board member, Peggy Lamson complimented the architect and trustees for recommending pavers on the walkway instead of more impervious pavement. Ron Lamarre said the Town could consider parallel parking along the Town road. Board Chair, Denis Hebert expressed concern with getting fire trucks through, and the architect said the parallel parking would be off road. Town Planner, Tom Morgan asked if they had considered parking in the back of the building to improve the aesthetic view of the building, and the architect said they had, but to do so would complicate handicapped access to the entrance on the other side of the building. Chair Hebert said it would also require more trees to be removed, and asked how many would need to be removed with the new addition. Ron Lamarre said they were consulting an arborist who made recommendations as to which trees to cut and which to leave. Trustee Secretary, Melissa Prefontaine said they had done research regarding the nearby Town Forest, and read an excerpt from the 1949 Town Report Warrant 18 that said the Town put 100 feet to the north, east, south and west surrounding the library in the care of the library trustees. Chair Denis Hebert asked what they planned on doing for outside lighting, and the architect said they planned on getting rid of the floodlight, and are hoping to install some period lighting. Chair Hebert asked if the building proposal would be energy efficient, and the architect said the new addition windows would be oriented to take advantage of natural light, and they will be using solar tube lighting with reflective mirrors on the inside, and diffusers on the bottom.

Chair Hebert asked why an architect and building planner had been hired before the proposal had gone to Town Meeting for approval, and Ron Lamarre said it was determined that they needed an inspection of the current building conditions, and recommendations for improvements so they would have enough information to make a concrete proposal at Town Meeting. After inspection, it was found that the building needs structural repairs, including the supporting foundation, and in the attic where the historic collections are stored. They are removing the books, but have no place to house them unless an addition is built. The current building also has no handicapped accessibility to make it ADA compliant. It was also noted that the current septic system

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 10, 2012

is not failing, but is due for an upgrade, and a Presby environmental system is being proposed and is being budgeted for.

Patty Borkland said she has observed space conflicts in the library when some users are there for discussions, and others are there to do research, but there is no place for quiet. Melissa Prefontaine said there was a study done that showed that out of over 200 libraries in the state, Newington's Langdon library was among the top 16 per capita for usage, and many of the others in the group above were new libraries or in college towns.

When asked about funding the project, Melissa Prefontaine said Langdon Library has access to the interest of approximately \$10,000 to \$14,000 a year from their trust fund, but that there was a warrant article passed sometime in the 1940's that would not allow access to the principal, which could pay a large percentage of the project. Melissa said they are not trying to assign blame to Town forefathers, but the trustees are hoping to contest. They have found an attorney who has agreed to work on the case, and has contacted the attorney general on the matter, but there is no way of knowing how soon or if they would be granted access to the trust. Patty Borkland said she had spoken to Scott Campbell, the library director, who said they might take out a loan that would take ten years to pay off. Borkland asked what else they were considering for raising funds. Melissa Prefontaine said they are applying for grants and donations, as well as planning fundraisers. Peggy Lamson said the cemetery committee had the same problem with the cemetery trust funds.

Chair Hebert reminded the Board and the trustees that there is still a process required to approve all Town structures, even though there had been some projects that had not gone through the process in the past.

3) Curb-Cut Application: Donald Philbrick for building site at the corner of Newington Road and Fabyan Point Road

Donald Philbrick came before the Board with a preliminary plan drawing for a new home, garage and curb cut onto Newington Road. Board Chair, Denis Hebert asked if they would consider having their driveway come onto Fabyan Road instead of Newington Road. Town Planner, Tom Morgan said Fabyan Point is a private road, not Town owned. Dick Spinney noted that all houses on Fabyan Point have numbers, and Jack Pare said they had to be assigned numbers for the Post Office and 911. Chair Hebert asked why they couldn't treat Fabyan Point like a recently approved project that had a shared driveway. Mr. Philbrick said they would be concerned with someone coming forward to restrict their use of Fabyan Point sometime in the future because they had Attorney Jim Schalt in Dover do a title search, and no one has been able to determine who owns Fabyan Road, which used to be an old foot and horse path, or if it is government owned. Peggy Lamson asked if they had spoken with the neighbors, and Bev Philbrick said the neighbors have always used the road without question. Lamson asked if the deed stated the property was on Newington Road or Fabyan Point, and Mrs. Philbrick said it said the lot was on the corner of Newington Road and Fabyan Point Road without a street or number assigned.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 10, 2012

Patty Borkland asked for clarification why some applicants would be allowed to have curb cuts on to Newington Road, while others are not. Peggy Lamson said the Board can approve anyone whose property has frontage on Newington Road, but cannot if they have frontage on a Town road coming off Newington Road. Tom Morgan also clarified that Newington Road is not a Town road, so approval has to come from the State, and the State would request comments from the Planning Board. Borkland said she didn't think they should be required to put their curb cut on a road of unknown ownership. Vice Chair, Mike Marconi said it seemed the applicant had no choice but to have the curb cut come onto Newington Road. Chair Hebert said he just wanted to be sure they considered all possibilities for public safety. Bev Philbrick said they have observed that visibility is better coming from their lot directly onto Newington Road than out of Fabyan Point. Chair Hebert said that although he agreed it appeared there was no other choice, the Board needs all applicants to follow the same review requirements, and would like a copy of the title search to be reviewed for by Town counsel. Board members agreed that they could ask the State for a 30-day extension, but hoped they could do the review in less, in hopes of getting the continuation on next month's agenda. (Patty Borkland left the meeting at this point at 8:10 p.m.)

Minutes: *Mike Marconi moved to accept the Meeting Minutes for November 19, 2012. Bernie Christopher seconded, and all were in favor.*

(Bernie Christopher left the meeting at 8:15 p.m.)

Correspondence: A discussion of a December 7, 2012 letter from E.F. Mooney & Associates, Inc. regarding a wholesale Napa Auto Parts moving into a vacant unit on their Shattuck Way building ensued.

Mike Marconi moved to take no jurisdiction on the Napa Auto Parts notification letter sent in by E.F. Mooney & Associates. Peggy Lamson seconded, and all were in favor.

Announcements: Chair Hebert stressed the importance of all Board members to attend the next meeting.

Adjournment: Mike Marconi motioned to adjourn. Peggy Lamson seconded. All were in favor and the meeting adjourned at 8:30 p.m.

Next Meeting: Monday, January 14, 2013

Respectfully

Submitted by: Jane K. Kendall, Recording Secretary