

# Town of Newington, NH

## PLANNING BOARD

Meeting Minutes – November 7, 2011

- Call to Order:** Chair Denis Hebert called the November 7, 2011 meeting at 6:30 PM.
- Present:** Mike Marconi, Vice Chair; Patty Borkland; Bernie Christopher; Jack Pare; Alternate Member, Peggy Lamson; Jane Kendall, Recorder; and Thomas Morgan, Town Planner
- Absent:** Cosmas Iocovazzi; Alternate Member, Clifford Abbott
- Public Guests:** John Bernier, Wilcox Industries

**1) Old Business:** Proposal by Wilcox Industries to amend site plan approval for a guardhouse at 25 Piscataqua Way

John Bernier with Wilcox Industries came before the Board with changes to their original 2007 site plan for a 12'x12' guard shack to accommodate their growing business and Federal regulation changes. The new plan would include a bathroom. Mr. Bernier said they eventually plan on putting up a two story parking garage with another story above for expansion, and will build another guard shack. Mr. Bernier said their requirement for an able bodied guard would eliminate the need for handicapped access.

Board Chair, Denis Hebert said that sticker requirements for any disabled people coming through would require ADA accessibility.

Board member, Jack Pare asked if they plan on expanding the width of the pavement, and Mr. Bernier said they plan on doing so in the spring. Pare then asked if they would need to create a slope adjustment over the gas lines, and Bernier said probably not. Denis Hebert asked if there would be an additional passing lane for employees to avoid congestion when someone was stopped at the guardhouse. Mr. Bernier said they currently have 120 employees working in two shifts that swipe their security cards to get into the building, and they didn't anticipate much traffic or congestion requiring two lanes. Hebert said he would be concerned with congestion if the business expands as anticipated in the future. Jack Pare said he thought there would be enough room for a truck and a car to fit through, but said he was concerned there wouldn't be enough room for the gas lines. Hebert suggested they come back later if they were to consider putting a new driveway with a guardhouse in the new curb cut. Mr. Bernier said he would discuss it further with the contractors.

Town Planner, Tom Morgan pointed out that the Planning Board took no jurisdiction in their previous plan for a guard shack.

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Board member, Mike Marconi motioned to approve the building permit to construct a 14'x29' guardhouse at 25 Piscataqua Drive, Tax Map 27, Lott 22. Patty Borkland seconded the motion, and all were in favor.

### **2) Public Hearings:**

A) Regarding previous Public Hearing on Thursday, November 3, 2011, building proposal for a pavilion on Fox Point with Capital Reserve Funds as voted on during March 2011 Town Meeting.

A brief discussion ensued regarding the Planning Board's role at the meeting and on the subject. Board member, Patty Borkland said the Planning Board was to take comments regarding land use and zoning regulations for the Board of Selectmen's building proposal, and not regarding the cost or style, which was out of their jurisdiction.

Town Planner, Tom Morgan said the Board of Selectmen's proposal would still be subject to state permit regulations.

Board Chair, Denis Hebert said there is a petition going around Town to put the proposal on a Warrant Article for vote at the Town Meeting in March 2012. Patty Borkland asked if voting would occur at Town Meeting or if it could go on a ballot. Alternate Board member, Peggy Lamson said she felt it would be a good idea to put it on a Warrant Article.

Patty Borkland said she would like the Planning Board to ask the Board of Selectmen to look at the people's comments. Denis Hebert said the Planning Board doesn't have to make any comment, but can make a motion. Tom Morgan said the statute says that the Planning Board may issue a non-binding written proposal, or write a letter of support or not.

Board member, Jack Pare motioned for a vote of non-support of a pavilion being built at Fox Point, and that the Board of Selectmen take no action toward construction. Peggy Lamson seconded the motion, and all were in favor.

Peggy Lamson motioned for a roll call vote on Jack Pare's motion. Mike Marconi seconded. Peggy Lamson voted aye. Mike Marconi voted aye. Patty Borkland voted aye. Bernie Christopher vote aye. And Jack Pare voted aye.

Patty Borkland excused herself to join the Board of Selectmen's meeting during a 5-minute recess. Upon returning, Patty Borkland said it was determined that the Warrant Article was not written properly to give the Board of Selectmen permission to expend Capital Reserve funds, and an understanding had been reached by the BOS not to build any new structures at Fox Point until a plan was presented at Town Meeting for a vote of approval.

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B) Public Hearing: Proposal to amend provisions in the land use regulations regarding parking, letters from utilities, and determinations of road frontage.

### 1) Parking

Board Chair, Denis Hebert said it might be possible to work with applicants and engineers to reduce pavement and parking spaces even further. A recommendation to amend “B – Parking Lot Dimensions” to include a 20 foot minimum in parking lot travel lanes was agreed upon, and the Public Hearing was closed with no further comment.

Jack Pare moved to adopt the addition of “...and a minimum of 20 feet...” to the last sentence of B- Parking Lot Dimensions in the Site Plan Review Regulations, Section 18 – Parking Requirements. Mike Marconi seconded and all were in favor.

### 2) Utilities

No members of the public were present and the Public Hearing was closed.

Bernie Christopher moved to approve proposal #2 to Section 3D of the Subdivision Regulations as written. Mike Marconi seconded and all were in favor.

### 3) Road Frontage

No members of the public were present and the Public Hearing was closed.

Patty Borkland moved to accept proposal #3, adding a new section 19 to the Site Plan Review Regulations as written. Mike Marconi seconded and all were in favor.

Mike Marconi moved to accept an the definition of “Frontage” in Section 2 of the Zoning Ordinance as written in proposal #4, with recommendation to go to Town Meeting for a Town Vote. Peggy Lamson seconded and all were in favor.

## **3) Land Use Regulations: Adult Entertainment Zoning**

Town Planner, Tom Morgan expressed concern that business expansion of the Regal Theatre and a school near the malls have restricted the current Adult Entertainment Zoning to the point where the Town would not be meeting Constitutional rights to run businesses, necessitating the shrinking of some of the current buffer zones that were passed by the Planning Board in June of 2010. Morgan recommended keeping a 1000-foot buffer zone for Residential and School areas, and change the zoning for churches to 400 or 500 feet.

In regards to concerns that the Town might look inviting to adult entertainment business, Chair, Denis Hebert said most adult entertainment businesses target areas near truck stops off highways, and there are few if any locations in Town that would meet that appeal.

Tom Morgan suggested scheduling a Public Hearing on the matter for Monday, December 12, 2011.

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### **4) Budget:** 2012 Planning Board Budget

The Board reviewed the 2011 Budget and Expenditures and proposed to keep all line items the same except for the following:

Computer: \$1,200  
Zoning Ordinance Printing: \$600  
Rockingham Planning: \$700  
Supplies: \$750

A decision to hold off on making changes with larger print on the Town Directory signs until additional business construction was completed was agreed upon.

Mike Marconi motioned to accept the budget totaling \$56,912 plus any encumbrance from the previous year as agreed by the Board. Patty Borkland seconded, and all were in favor.

### **5) Pending Business:** Coast Bus Shelter on Shattuck Way for new Tyco site

Town Planner, Tom Morgan said he has been working on negotiations for the placement of a bus shelter near the new Tyco site on Shattuck way, but has been running into difficulties getting approval for placement on public land with an ADA compliant sidewalk because of objections from the gas and utility companies with right of way easements. Chair, Denis Hebert suggested using crushed stone and pavers instead of digging, and requesting that the Board of Selectmen put something in writing that would allow access to the gas companies.

Morgan said the cost of one shelter purchased directly from the vendor would be \$4,500, but Coast orders them in bulk and would be able to offer a discount.

Bernie Christopher moved to approve the concept placing of bus shelters on Shattuck Way. Mike Marconi seconded the motion, and all were in favor. ....

**Minutes:** Mike Marconi motioned to approve the Planning Board Minutes for October 17, 2011. Bernie Christopher seconded the motion, and all members voted in favor.

**Adjournment:** Mike Marconi motioned to adjourn. Patty Borkland seconded, and all were in favor. The meeting adjourned at 8:15 p.m.

**Next Meeting:** Monday, December 12, 2011

**Respectfully**

**Submitted by:** Jane K. Kendall, Recording Secretary