

Town of Newington, NH

PLANNING BOARD

Meeting Minutes – Monday, December 12, 2011

Call to Order: Chair Denis Hebert called the December 12, 2011 meeting at 6:30 PM.

Present: Bernie Christopher; Jack Pare (arrived at 7 p.m.); Alternate Members, Clifford Abbott (arrived at 6:45 p.m.); and Peggy Lamson; Jane Kendall, Recorder; and Thomas Morgan, Town Planner

Absent: Mike Marconi, Vice Chair; Patty Borkland; Cosmas Iocovazzi

Public Guests: Jim Therriault and Buck Elliott, Sprague Energy; Keith Babcock, Georgia-Pacific, Newington; Greg Haywood, G-P, Atlanta; Todd Adleman; Rick Stern (abutter)

1) New Business: Proposal by Sprague Energy to upgrade the conveyor system at its Bloody Point terminal at 372 Shattuck Way.

Jim Therriault with Sprague Energy presented drawings of proposed upgrades to the dock to accommodate industry changes that use larger ships that have not been able to turn around in the harbor. The plans are for a new conveyor, which will connect to new hoppers on the berthing cells.

Greg Haywood with Georgia-Pacific's corporate office in Atlanta said wallboard industry changes require higher quality gypsum rock for lighter wallboard. Board Chair, Denis Hebert asked about spillage. Mr. Haywood said they use a tongue and groove gasket system as it is in their best interest to prevent material loss. Jim Therriault said the gypsum they will be using is a fine rock, which they must keep dust down and run through an enclosed conveyor so it will make less noise, and not have any sound impact on the neighbors. Therriault added that they have contacted the Army Corp of Engineers and Department of Environmental Services (DES) for approval.

Chair Hebert asked what the anticipated construction time period would be, and Therriault said they anticipate it will take approximately six months starting in late April to early June.

Town Planner, Tom Morgan said a Public Hearing could be scheduled for Monday, January 9, 2012 so abutters could be notified.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes – Monday, December 12, 2011

2) Curb Cut Permit Application for Todd Adelman for 521 Shattuck Way, Tax Map 7, Lot 3.

Todd Adelman came before the Board and said previous owners of his newly acquired property with house and warehouse had a right of way to Nimble Hill Road before the DOT subdivided the lot, and had not applied for a curb cut from Shattuck Way. Board Chair, Denis Hebert said he thought the right-of-way between Adleman's new property and the State owned property was through a wetlands. Town Planner, Tom Morgan said the Town has no record, and has asked DOT to check their records, but thought that they probably made the access road to Nimble Hill Road disappear because it was often under water. Alternate Board member, Peggy Lamson asked Adelman if he could use the Nimble Hill Road access driveway, and Tom Morgan said the Board could not deny a curb cut onto Shattuck Way, but he wasn't sure driveway access to Nimble Hill Road would be okay with DOT. Adleman he believed he owns that driveway property, but said he would like the curb cut to come onto Shattuck Way.

Abutter, Rick Stern who's driveway comes out onto Shattuck Way across the street, said he has issues with the curb cut proposal because of its close proximity to the adjoining property driveway, and its placement on the curve which could limit visibility to vehicles, including large trucks that frequent Shattuck Way and don't always obey the speed limit. Stern said that although Adleman's business proposal for office space in the adjacent property was temporarily postponed, there would eventually be additional traffic in the area. Stern asked if there was any possibility that a single driveway could be used for both properties. Chair Hebert said it would not be legal to combine access to two separate lots. Peggy Lamson asked if the new driveway could be placed further down toward Nimble Hill Road. Adleman said he would have no problem moving the driveway down, but wouldn't be permitted to cut trees on the adjoining State property to improve visibility. Board member, Jack Pare asked Adleman if he would allow a Town police cruiser to sit in the driveway to monitor speed, and Adleman said he would.

Peggy Lamson asked about the cutting and chipping of the trees that had already been done near the front of the house. Adleman said the Fire Department told him the trees had to be removed for the Fire Department to consider a controlled burn of the house. (The Fire Chief later reported that they had declined to do a controlled burn, and permission to cut trees was out of their jurisdiction.) Adleman said they would replant the area with hardwood trees once the curb cut and driveway were created and the building removed.

Bernie Christopher asked Adleman what he intended to do with the property, and Adleman said he plans on tearing down the house, keep the warehouse and renovate the bathroom and office space to lease out for storage. Adleman said a nearby aircraft company expressed interest in using the facility. Christopher asked Adleman when he anticipated the warehouse to be available for use, and Adleman said he hopes to start demolition after the holidays. Hebert asked if he would need to apply for a Change of Use application.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes – Monday, December 12, 2011

Chair Hebert asked where the septic or sewer lines to the building are located. Adleman said he believed the sewer line to the former Flagstone Restaurant ran through the right-of-way through the State property in the back; and the private septic system was somewhere nearby on the property. Hebert said it would be important to know exactly what the right-of-way easement says to be sure all parties are protected; and that there would be no obstruction that would prevent future development when the property is sold again. Hebert said he would like to see the actual measurements of the curb cut on the other abutting site. Jack Pare said they could then determine if the new curb cut should be moved 5-10 feet closer toward Nimble Hill Road.

The Board asked Mr. Adleman to look at his deed to document ownership of the right-of-way of the previous driveway to Nimble Hill Road, placement of the sewage lines, and septic system, as well as the distance between the adjacent driveway, and the proposed curb cut. Tom Morgan said he would also check placement of the sewage lines on GIS mapping. Mr. Adleman could then return to the Board on Monday, January 9, 2011.

3) Other Business Request for extension of proposed office development site plan for KWA, LLC's on former Flagstones Restaurant property off Shattuck Way.

Property owner, Todd Adelman came before the Board with a request to extend the previously approved plan, which has been delayed due to the current economic limitations, as the permit will expire in three weeks.

Jack Pare moved to grant Todd Adleman a two-year extension on an approved plan for his property on Shattuck Way where the former Flagstones Restaurant had been. Peggy Lamson seconded the motion, and all were in favor.

4) Public Hearing: Proposal to amend Adult Entertainment Zoning Map

Town Planner, Tom Morgan presented a revision to the proposed adult enterprise buffer zones for Board consideration.

Peggy Lamson moved to have the Newington Planning Board hold a Public Hearing on Monday, January 9, 2012 for a public vote to amend the zoning map so as to regulate permissible locations for sexually oriented adult entertainment businesses not to be permitted in or within 400 feet of a church, 500 feet of a school, or 1,000 feet of a residence for which such a business has applied for a building permit. Cliff Abbott seconded the motion, and all were in favor.

Correspondence:

Town Planner, Tom Morgan referenced correspondence he received from Charles Blackman, Civil Engineer with the DOT's Highway Design regarding their latest plan for cul-de-sacs at Fox Run Road and Nimble Hill Connector Road, as well as an invitation to consider renaming the road whose ownership would be turned over to the Town. The Board said they could make a recommendation, but the Board of Selectmen would have final say on the renaming. The Board said they could, however recommend installing a rain garden in the cul-de-sac

Town of Newington, NH

PLANNING BOARD

Meeting Minutes – Monday, December 12, 2011

Minutes: Peggy Lamson motioned to approve the Planning Board Minutes for November 7, 2011. Bernie Christopher seconded the motion, and all members voted in favor.

Adjournment: Cliff Abbot motioned to adjourn. Bernie Christopher seconded, and all were in favor and meeting adjourned at 8 p.m.

Next Meeting: Monday, January 9, 2012

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