

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

- Call to Order:** Chair Denis Hebert called the December 9, 2019 meeting at 6:00 p.m., followed by the pledge of allegiance.
- Present:** Chair Denis Hebert; Vice-Chair Erika Mantz Board Members: Russ Cooke; Christopher Cross; Ben Johnson; and Peter Welch; Alternate Board members, Rick Stern and Jim Weiner; Board of Selectmen's Representative, Mike Marconi; Town Planner, Gerald Coogan and Jane Kendall, Recorder
- Public Guests:** Spencer Tate; Ann Beebe; Jim Teetzle, CEO of Wilcox Industries; John Bernier, with the Bernier Corporation; Bill Gregsak with Gregsak Engineering; Ken Linzman; Tim Colea from Northeast Credit Union; Craig Brad; Ken Latchaw; Mark Fougere, AICP and Professor Clay Mitchell, Esquire

I) Public Hearing: Amendment request for modification of landscaping plan for **Essential Power Newington, LLC** at their site located at **Patterson Lane, Tax Map 19, Lot 10**

Town Planner, Gerald Coogan stated that Spencer Tate had previously appeared before Planning Board and the Conservation Commission to request a modification to Essential Power's previously approved landscape plan before because the trees had grown too tall beneath the power lines. Mr. Tate provided an excerpt from the Conservation Commission meeting.

Mr. Tate stated that there would be no change in grade or drainage patterns, that the stumps would be ground, that they would replant with three new species, and seed below with a native mix.

Mr. Tate said it was thought that they would only cut trees below the power lines when they initially presented the request to the Conservation Commission, but they since realized that they needed to cut trees on the berm to prevent any fall out to the power lines. Mr. Tate said the sound barrier mound would remain.

Ann Beebe, an abutter on Patterson Lane stated that she understood their reasons, and had no problem with it.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

Chair Hebert commented that he was present when they proposed the current trees, and had expressed concern that they would be too tall and eventually need cutting. Chair Hebert said he didn't want to make any assumptions because the trees had been a previous condition of site approval, and asked if Board members had any questions.

Board member, Peter Welch asked how tall the trees would be, and Mr. Tate said the mature height of the grey dogwood would be at 17 to 18 feet.

Board member, Ben Johnson asked how tall the trees would be when planted. Mr. Tate replied that they would plant five-gallon trees in clusters that were anywhere from 18 inches to four feet high, but he expected them to take quickly.

Alternate Board member, Jim Weiner, who was also Vice-Chair of the Conservation Commission stated that the Commission approved the plan, and had suggested three different species, but that he thought the intent of the trees was to act as a screening for Patterson Lane residents, and that he was concerned that immature trees would not be a screen. Chair Hebert replied that the trees were visible from Shattuck Way, not Patterson Lane.

Mr. Tate responded that they couldn't plant mature trees, because five-gallon trees were the largest size that the nursery had. Mr. Tate added that the intent was for more of a naturalized shrub appearance, and but had considered the size of mature trees so they wouldn't have to cut again.

Board member, Russ Cooke said he didn't have a problem with the applicant planting smaller saplings.

Chair Hebert said he had no problem with the species, but was concerned that something this small would not be able to compete well with the surrounding growth, and that he would like to see something twice as large. Chair Hebert said he was certain that they could find trees that were five feet tall.

Mr. Tate asked if the Board would give a condition of approval based on them obtaining taller trees

Chair Hebert announced that Alternate, Jim Weiner would not vote on this item

Chris Cross moved to approve the request to modify the landscaping plan for Essential Power Newington, LLC at their site located at Patterson Lane, Tax Map 19, Lot 10 based on condition that the applicant plant three to five-foot specimen as discussed. Peter Welch seconded the motion, and the motion passed 6-1 with Denis Hebert opposing because of the height.

II) Preliminary Consultation: Proposed Piscataqua Drive developments for property owned by Northeast Credit Union, located at Tax Map 27, Lot 2, property owned by Wilcox Industries, located at Tax Map 27, Lot 2, and a proposed office building by Ken Linzman, located at Tax Map 27, Lot 1-A1 15.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

Mr. Coogan stated that he had met informally with Jim Teetzle, CEO of Wilcox Industries; Ken Linzman, owner of the former Family Buffet, and a representative of Northeast Credit Union that owned development properties on Piscataqua Drive, and that this was a non-binding discussion.

Mr. Coogan commented that new development could add 300-600 new jobs over the next five years, and suggested that it might be nice if they contribute toward a signaled crossing signal from Piscataqua Drive to the other side of Woodbury Avenue. Mr. Teetzle asked how much a crossing signal would cost, and Mr. Linzman replied that it would probably cost a few hundred dollars.

Chair Hebert asked what their thoughts were on parking, and Mr. Teetzle replied that they were in the process of leasing 100 spaces off site from the Fox Run Mall for a period, but it had been made clear that they needed permanent parking. He said they were also considering a waiting station in the mall parking space to shuttle workers back and forth. He said he expected it would take a year or two for parking solution.

Mr. Teetzle said he imagined that there would be adequate parking for Mr. Linzman's property, but was talking to Mr. Linzman regarding a partnership parking garage, so they hired an engineer to determine how much space they would need.

Mr. Teetzle stated that they might be hiring another 200-300 more employees in the next 23 months based on contracts. He said they're almost ready to move into their new addition, and would then tear down the vacant one-story building in front and rebuild. Mr. Teetzle said they were working out the building design, drainage and parking with Bill Gregsak with Gregsak Engineering. He said they would like to combine the current parking with parking spaces in a garage, and would work with the Town on what kind of lighting that was wanted out front.

(Alternate Board member, Rick Stern and Board of Selectmen's representative, Mike Marconi both arrived at 6:37 p.m. at this point in the meeting.)

Mr. Teetzle said they were doing a lot of masonry work in their cafeteria, and the construction was messy, and then it started to snow, so they were waiting until that was done before they proceeded with construction on extending Shattuck Way to Newington Waste Water Treatment with Bell and Flynn in the Spring.

Mr. Teetzle suggested that there be three entrances to Shattuck Way businesses, one from Exit 4 off the Spaulding Turnpike, one from Piscataqua Way, and possibly one from Gosling road so that a standard was established.

Mr. Teetzle stated that they assumed the obligation of extending Shattuck Way when they purchased the property from the former Public Service of New Hampshire (PSNH), but he thought that an extension of Shattuck Way to Gosling Road would benefit all the businesses on Shattuck Way, and that it should be viewed as an industrial park issue. Mr. Teetzle suggested that they consider starting an association, so it wouldn't be settled by the three companies on the corner of Piscataqua Drive.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

Mr. Teetzle suggested coming up with a master plan, and writing a letter to the businesses on Shattuck Way, pointing out that the value of their businesses would be increased with an extension to Gosling Road.

Chair Hebert stated that Newington Energy put in 1.1 million dollars into building the Shattuck Way industrial corridor. Mr. Teetzle responded that he thought anyone using the corridor should contribute. Chair Hebert said some were not as fluid with cash flow. Mr. Teetzle agreed, but said there might be Federal grants available for assistance.

Mr. Weiner asked if he was suggesting that the Town back a floating bond with principal and interest, and Mr. Teetzle replied that he was because he didn't think it was fair to saddle three companies for the cost, and he thought that there might be Federal grants, or State backing. Mr. Teetzle suggested that the association would have to pay dues over 10-20 years to pay off the bond. Chair Hebert said he thought an association could do that easier than a town.

(Ken Latchaw arrived at this point in the meeting at 6:47 p.m.)

Board member, Chris Cross said the original thought was that Shattuck Way would go to Gosling Road, and continue behind Woodbury Avenue on the Portsmouth side to connect to I-95 but the City of Portsmouth had a problem that it would go through housing developments. Mr. Cross went on to say that he still saw a lot of advantages with extending Shattuck Way, but he saw a problem with Piscataqua Drive cutting through the middle, and wondered if traffic exiting and entering Shattuck Way from Gosling Road would reduce traffic on Woodbury Avenue. Mr. Teetzle said it would be helpful for trucks to exit from the Spaulding Turnpike on Gosling Road to the end to connect to Shattuck Way, and that was more justification for completing Shattuck Way. Mr. Cross said might be worthwhile to talk with Key Auto as well.

Tim Colea from Northeast Credit Union said they were not ready to bring in a site plan, but right now Piscataqua Way was what they used to access their property, and a left turn onto Woodbury Avenue was impossible. Mr. Linzman agreed that the light was important.

Craig Brad, building designer for Northeast Credit Union asked if a study had been done before the intersection was widened. Chair Hebert replied that the study was done years ago because a tanker had flipped over at the corner.

Mr. Brad said they were looking at their employee count, and they might need four to five stories to their building. Chair Hebert responded that a request for additional stories would require approval from the Planning Board to be sure that the plan fit in with the surrounding development.

Mr. Teetzle suggested that the Piscataqua Drive could be a driveway instead of a road, and that the light could remain. Mr. Teetzle said there would be a big difference between a road and a driveway because the setbacks would be different so he thought they should do a study, and then present it to the Town before they got into the details

Town of Newington, NH PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

of site plans, and further expenditures. Mr. Teetzle wondered what the cost of decommissioning Piscataqua Way would be.

Chair Hebert said at one time the Board had talked about making Piscataqua Drive one-way so that the tanker trucks would not use it going in and out.

Chair Hebert said it was be a good time to discuss future plans, and suggested they consider a pedestrian overpass to the mall was across Woodbury Avenue. Mr. Teetzle replied that they might be interested in that as a solution because Wilcox was considering the possibility of parking at the mall. Mr. Marconi said the Board of Selectmen concerned with pedestrian safety at the intersection of Piscataqua Drive and Woodbury Avenue because a child was killed at that corner, and he thought this group could do a lot to be sure that safety .

Mr. Teetzle said he was not in favor of crossing signals that stopped traffic, and thought pedestrians should wait for the lights to be in their favor instead. He said Woodbury Avenue was a major corridor, and many were avoiding Woodbury Avenue, in favor of going on the highway, and Gosling Road, so he thought a pedestrian overpass would be prudent to alleviate issues. Mr. Marconi agreed that it was a good idea, and he didn't think it would be unattractive.

Mr. Teetzle said there would be a parking problem no matter what anyone did and asked about putting a parking garage on Piscataqua Drive with a driveway to the parking garage to address the parking issues. Mr. Teetzle said they would need to figure out costs, but Wilcox would be willing to build most of it.

Mr. Weiner asked if he had studied the costs of parking garages. Mr. Teetzle replied that Wilcox had received approval for a four-story parking garage, but determined that it was cheaper to make a parking garage below their business rather than building up.

Mr. Teetzle opened the discussion in regard to converting malls to include affordable housing, pointing out that the malls were losing business to the internet the same way shoe stores had lost business to the internet.

Mr. Teetzle said he thought it would be good to have affordable housing near the industrial and commercial center so they could have a work force nearby. Chair Hebert commented that factories used to build houses around them for their workers, but there was no guarantee that people would work for his company because people changed jobs. Chair Hebert said he was also concerned with giving up prime commercial or industrial land for residential.

Mr. Teetzle responded there was plenty of land in the malls for condominium development, and he thought they should look at that because there weren't many places for young college graduates to live in the Portsmouth area.

Chair Hebert asked how a housing development could be made affordable. Mr. Cross replied that the Board would want to set a condition to prevent housing from being high priced as it was in Portsmouth.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

Chair Hebert said he was also concerned that a new community of residents would change the nature of the town as had happened with Riverwoods in Exeter. Mr. Teetzle responded that Newington had a bedroom community on the other side of the highway that would never change, and the mall was isolated, but the Board should make sure bylaws that prevented unwanted changes.

III) New Business: Discussion on **Mixed Use Study** with consultants, Mark Fougere, AICP and Professor Clay Mitchell, Esquire

Chair Hebert stated that the Planning Board had been working on the Master Plan for last two and a half years, and was interested in knowing more about mixed use and work-force housing for reference. Chair Hebert said the Town had hired Mark Fougere, AICP and Professor Clay Mitchell, Esquire to study the mixed and commercial use in or near the malls, noting that currently all uses were allowed in the mall area except for housing.

Mr. Fougere said he had met with the Board of Selectmen, Chair Hebert, Mr. Coogan, realtors, and contacted the mall manager, police department and schools to gather information. He said they were looking for examples, but were challenged to find a match as every community was different. Mr. Fougere said they had been invited to meet with the Board to hear some of their thoughts.

Chair Hebert commented that he was afraid that mixed residential use would eventually become entirely residential or high-end residential. Mr. Fougere responded that he hadn't seen that where commercial use was already in existence and residential was added on, but there were other cases where an entire mall was coming down and they were starting over.

Mr. Mitchell asked what kinds of things the Board wanted to know so that they could make an informed decision. Chair Hebert said they wanted to know the economic pros and cons of mixed use, economics, how it would affect demographics, infrastructure, services, and traffic.

Mr. Marconi asked if the Town of Greenland had passed an ordinance for mixed residential, multi-unit affordable housing. Mr. Fougere replied that the Greenland Planning Board moved for a public hearing for a mixed use overlay zone from where Target was to the intersection of Route 33 and Post Road.

Mr. Fougere said Greenland didn't have great soils or public sewer, but they were looking at ways to become compliant with the affordable housing statute.

Mr. Fougere stated that the Town of Hollis passed a work-force housing ordinance and they capped rental costs for 30 years. Mr. Fougere said that Amherst also had affordable housing in their zoning for years, but they sold it two years later. Mr. Cooke asked if it was possible to cap rental costs for more than 30 years. Mr. Fougere replied that they could, but he found in his conversations with New Hampshire Housing Finance Authority that the norm was 30 years.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

Mr. Cross commented that New York City and San Francisco had affordable housing problems for centuries. Mr. Cross said the demand for proximity to the industrial corridor and Portsmouth, but it needed to be affordable forever, and it would be up to the Board to make that determination.

Mr. Weiner commented that a lot of property in Newington had been consumed by Pease, the Spaulding Turnpike, and Eversource, which was part of the reason that property was expensive, and a reason it was not possible to have multi-unit, work-force housing on the village side. Mr. Weiner went on to say that Newington village and south Newington was split by Pease Air Force base before McIntyre Road was put in, and that a mall on the other side of Spaulding Turnpike would require an increase in fire, police, and school services further.

Mr. Weiner added that Pease Development Authority was nearly full, and not willing to support work-force housing, but that the Fox Run Mall had more space for a large company, so that was something to consider.

Vice-Chair Mantz noted that taxes had gone up because the power plants wanted abatements, and she thought that they should see if housing was the best use for that property. Vice-Chair Mantz said Brewery Lane in Portsmouth had retail uses on the bottom, and housing on the upper levels, but she wanted to know what else would work to obtain a successful increase in tax revenue for the town.

Mr. Fougere pointed out that meeting the work-force housing was mandated by the State, but it didn't have to be located at the mall. Vice-Chair Mantz responded that the Planning Board had created an accessory dwelling (ADU) regulation to meet the requirement. Mr. Fougere replied that ADU's qualified, but allowing five units per building was also part of the requirement.

Mr. Cross asked what towns had met their work-force housing requirement, and Mr. Fougere replied that Londonderry, Milford, and Nashua all had work-force housing. Vice-Chair Mantz noted that no towns on the Seacoast had met work-force housing requirements yet.

Mr. Fougere said they were still looking for a good case study for comparison, but it was difficult because housing where Macy's had been going on for three years, and the Rockingham Race track hadn't been matured yet. He added that work-force housing in Kingston had also been overwhelmingly approved, and a proposal was coming in. Chair Hebert commented that there were no towns with as small a residential population as Newington. Mr. Fougere replied that no towns were the same, but he was still looking, and more case studies were coming in as malls were going under quickly.

Mr. Johnson asked what the success rate was of residential use in a mall area. Mr. Fougere said a good example was in Lynnfield, Massachusetts that did a community with a community golf course, outdoor center, high-end retail and over-55 housing with restriction on rents.

Mr. Cooke asked what they thought the highest best use for the property would be, but Chair Hebert said it was not the consultant's job to make recommendations. Mr.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

Fougere added that they had consulted with a realtor that said the area would be good for many uses. Mr. Fougere said they could supply data and statistics, but they could not make a recommendation.

Mr. Stern stated that he was concerned that they would lose revenue from a commercial property that had paid taxes for a lot of years, and wondered if a good use might be another auto dealership. Mr. Stern said the police department hadn't grown that much, but the fire department would need a new building for their industrial firefighting equipment, and that increasing the number of residents in town would increase the town's infrastructure costs as well.

Mr. Weiner asked Mr. Marconi what the tax rate was, and Mr. Marconi replied that the rate was \$9.30 per thousand.

Mr. Weiner added that he was a big supporter of the small public elementary school, and that the town paid a to tuition the middle and high school students to Portsmouth schools, and he was concerned that it would cost the town more in tuition if more children were to reside in town.

Mr. Cross said residents had asked for work force housing for their children, their aging parents, and the service people to maintain their homes. He said if the town added another zone for a pocket neighborhood community, they would want it to be a community that would fit, and senior housing would need to be market based.

Mr. Stern asked the reason for the 30-year limitation, and Mr. Fougere said it was to keep it in the marketplace for a period of time, and perhaps because of mortgages. Mr. Fougere said their attorneys had also suggested that there might be issues with Federal law by setting a limit of longer 30 years, and suggested that they discuss it further with their attorneys.

Mr. Cross said he was suspicious that a valued plan would be enhanced with retail, and was also concerned that the town would be saddled with infrastructure and other costs, and left with an apartment complex after 30 years. Mr. Cross said work-force housing was needed, but he thought there were other uses for the mall, and didn't think it should include mixed use.

Mr. Coogan said one of leading CEO's in town said he thought the town needed work-force housing. Mr. Coogan asked how many school age children were typically in 150-unit residences with two-bedroom units. Mr. Fougere replied that he had the same discussion in Greenland, and planning boards were overly concerned with an increase of children, because their data from southern New Hampshire indicated that an increase of six children showed there was only a small increase.

Mr. Weiner said that Newington's small elementary school was highly desirable, and that he thought that more people would move to town for that.

Chair Hebert added that Linda Lacey said the data showed .33 students per unit, which could add up to 33 kids, and he was afraid that the town would need a new school, or to tuition them out. Mr. Fougere replied that children were part of the

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

characteristics of a residential community, but 33 was a high number for multi-family dwelling from their statistics in southern New Hampshire.

Mr. Cross said the school was originally built to handle 190 students, but the room sizes were small, and they had changed one of the rooms to a music room.

Mr. Cross commented that the town had changed from agricultural use and more open rural spaces prior to the 1950's to more commercial and industrial use Pease Air Force base came in and the town developed distinctive zoning. He said the State turnpike, Pease, the port, and utilities all made demands. Mr. Cross said businesses and the State had their needs, but the town needed that tax base to maintain their standards.

Chair Hebert said he was not so worried about the schooling as much as changes in demographics that could come from new residents. He said residents in the mall area would be pavement and concrete based, and the people in the village were either rural or suburban oriented, and he was afraid the new residents wouldn't agree with the existing residents.

Chair Hebert said there would be large pressures to change, but the Master Plan said maintaining the existing character of town was a concern.

Chair Hebert said Newington was one of the first towns to have a planner, and he had once advised the Board that it was good to have plans, but not to be in a hurry to develop space, because it was important to develop in sequence.

Chair Hebert said He said Pease offered a lot of incentives for business that the Town couldn't, but the town had opportunities in the commercial and industrial zones that Pease didn't have. Chair Hebert went on to say that the town the Town worked on putting in the industrial corridor on Shattuck Way to encourage waterfront and industrial development, and he would prefer to see residential development stay away from other zones because he was concerned that residential use couldn't be reversed.

Vice-Chair Mantz, Mr. Marconi, and Mr. Welch said they would like more information to a decision.

Mr. Fougere said he was scheduled to wrap up by the study around Christmas, but he wanted to find a good example with history, which would take time so he might not be done until January 2020.

Chair Hebert stated that they Board had approved a fixed contract, and asked that he not bill on hours. Mr. Fougere said he understood that he was not to exceed the fixed contract, but the contract was still based on hours.

IV) Old Business: Proposed Amendments to Zoning Ordinance, Article VIII, Wetlands Overlay District and Wetlands Mapping

Chair Hebert stated that the map was presented as a tool for clarification of the Wetlands Overlay District Ordinance amendments that were substantially less restrictive

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

than current ordinance despite objections that had been expressed by two or three people in town.

Chair Hebert stated that he had a discussion with Conservation Commission Chair Jane Hislop who suggested that they could keep the current setbacks that were more restrictive if people didn't want to support the change.

Vice-Chair Mantz asked if the Conservation Commission had voted on the decision. Mr. Weiner, who was also Vice-Chair of the Conservation Commission said that Chair Hislop had made decision as chair because a couple of people perceived the changes as land grabbing, so they decided to just provide the Lidar map as a reference for the building inspector, planner, boards, and property owners.

Vice-Chair Mantz said she appreciated the direction that the Conservation Commission wanted to move toward, and that she didn't appreciate bullying behavior from a couple of people that were not willing to make the effort to see the changes, but she would accept tabling the item for this year.

Mr. Welch agreed that the proposal seemed to be too contentious for just a few people, but stated that he was content to have the map.

Mr. Johnson said only a few people thought they would be affected, but he thought the map was a good tool. Chair Hebert responded that the current zoning had greater setbacks.

Mr. Cooke asked if the map would be part of the ordinance. Mr. Coogan replied that the map was only a tool with a disclaimer.

Mr. Cross said the disclaimer should say that it was to be used as a reference until a certified wetlands scientist completed the wetlands delineation mapping. Mr. Cross said it would also be helpful for taxation reference when property owners asked for allowances.

Mr. Cross said many people didn't understand the changes in the first place, but the Conservation Commission did a great job answering questions, his own objections had been clarified, and he liked what the Conservation Commission did. Mr. Cross said the wetlands were where they were, and the intent was to protect the wetlands, and the wetlands that flowed to Great Bay. Mr. Cross said he took all categories and compared to what was there, and again and again he saw no change or 50 feet less on each side.

Chair Hebert agreed that the Ordinance did any harm, and it would help clarify locations and setbacks for a lot of people so he would like to hold off on tabling until the next meeting on Monday, December 16, 2019.

Vice-Chair Mantz said she hated to hear that people thought the mapping was a waste of Conservation Commission funds. Chair Hebert said he thought the mapping was an educational tool, and didn't think it was a waste.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

V) Other Business and Discussions:

A) Fabyan Point Road and Lydia Lane Roads

Mr. Johnson asked about the status of accepting Fabyan Point Road as a Town road. Mr. Coogan said everything seemed complete, and he gave the recommendation to Town Administrator, Martha Roy for the Board of Selectmen to schedule a public hearing, and a vote.

Chair Hebert said he wanted to receive the maintenance bond before the Board of Selectmen accepted the road.

B) Lydia Lane

Chair Hebert asked Mr. Coogan to write a note to the Board of Selectmen that he didn't want the \$15,000 cash bond returned to Joe Calderola until the terms for the completion of Lydia Lane was completed.

C) Planning Board Legal Counsel

Mr. Stern stated that he was not comfortable having the Planning Board use the same legal counsel that the Board of Selectmen used.

Mr. Marconi commented that he had never been aware of any conflicts, and the fire department used the same attorney, as well as others. Mr. Marconi stated that the Board of Selectmen also had a union attorney, but understood concerns with conflict of interest, and it wouldn't be a problem to find someone else if necessary.

Chair Hebert said the Planning Board had used the same attorney for many years, but understood that there could be a conflict if an issue arose between the Board of Selectmen and the Planning Board, and then they could consider using someone else.

Mr. Weiner noted that a single attorney was often used among companies because there were additional costs bringing multiple attorneys up to speed, but they also monitored conflicts of interest.

Mr. Stern said his concern was that the Board of Selectmen wanted work-force housing, and he felt there might be a conflict with the Planning Board. Mr. Marconi responded that the Selectmen send a letter to the Planning Board asking them to discuss, and research work-force housing, and to let towns people to decide for themselves after they had more information.

Mr. Stern commented that Town counsel, Attorney John Ratigan had advised the Boards on work-force housing. Chair Hebert responded that Attorney Ratigan had sent a letter that the Town did not include work-force housing in the Ordinance, and was not in compliance with the State's mandate to allow work-force housing.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, December 9, 2019

D) Capital Improvements Plan (CIP) Budget

Chair Hebert informed the Board that Town Administrator, Martha Roy told him that they couldn't encumber this year's funds for the CIP because they were not starting work until the next year. Chair Hebert said they wouldn't be able to get a budget until March 2020, but the Board of Selectmen agreed to a budget of \$15,000.

Chair Hebert announced that Alternates Rick Stern and Jim Weiner wouldn't vote on this item.

Erika Mantz moved to increase the Planning Board budget request for 2020 in the amount of \$15,000 for the Capital Improvements Plan. Peter Welch seconded the motion, and all were in favor.

Minutes:

Chris Cross moved to approve the Minutes for the November 25, 2019 meeting with corrections as noted. Mike Marconi seconded, and all were in favor.

Chair Hebert passed out the non-public minutes of December 3, 2019.

Mike Marconi moved to accept the non-public minutes of December 3, 2019. Erika Mantz seconded the motion, and all were in favor.

Adjournment: *Mike Marconi moved to adjourn the meeting. Ben Johnson seconded the motion and the meeting adjourned at 9:16 p.m.*

Next Meeting: Monday, December 16, 2019

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

These Minutes were approved and adopted at the January 13, 2020 Planning Board Meeting.