

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, February 28, 2022

- Call to Order:** Chair Denis Hebert called the February 28, 2022, meeting at 6:00 p.m., followed by the pledge of allegiance.
- Present:** Chair Denis Hebert; Vice-Chair Christopher Cross; Board Members: Ben Johnson; Jim Weiner and Peter Welch; Board of Selectmen's Representative, Bob Blonigan; Town Planner, John Krebs and Jane Kendall, Recorder
- Absent:** Board Member, Russ Cooke; and Alternate, Rick Stern
- Public Guests:** Damien Callahan, owner of Cars and Coffee

I) Preliminary Discussion: Seacoast Cars and Coffee proposal to store automobiles in the former Buffalo Wild Wings restaurant at the Fox Run Mall, Tax Map 27, Lot 11.

Damien Callahan, owner of Cars and Coffee returned to the Board to present his request for a change of use for the former Buffalo Wild Wings restaurant at the Fox Run Mall for year-round car storage. Mr. Callahan said this use would be an additional use to his existing operation that was staying in the current location at the mall.

Mr. Callahan said the advantage of the site was that there were two garage doors, and it was separated by a fireproof wall from the mall entrance, and had an air evacuation system.

Mr. Callahan said there would be minimal changes moving the dividers, and replacing the gates with fireproof walls, and removing some shrubbery by the front doors. Mr. Callahan said Buffalo Wild Wings had gutted the restaurant, but they would not be removing the existing kitchen or the walls so the site could easily go back to a restaurant.

Mr. Callahan said that the Morgan Stanley, the new owner of the mall was only allowing 13-month leases, which challenged the mall as many businesses didn't want to invest into a business without a longer-term lease.

Town Planner, John Krebs said the building inspector and fire chief wanted to be sure they followed code requirements, including no battery chargers, direct connection, no public access to storage, or outside vehicle storage.

Mr. Callahan said they would have doors open for events only.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, February 28, 2022

Chair Hebert asked that they return to the Planning Board if there were any changes.

Mr. Krebs suggested that the Planning Board approve the use for 27 months. Mr. Callahan said they were looking to partner with someone else eventually because they expected the mall would want to get another restaurant in there eventually when the economy comes back.

Board member, Jim Weiner asked if they would do shrubbery enhancements, and Mr. Callahan said they would cut the shrubbery back for the entrance, and fill in with river stone. Mr. Callahan added that they were planning to paint the outside and inside with their black, grey, and red color scheme.

Peter Welch moved to approve the use of Seacoast Cars and Coffee proposal to store automobiles in the former Buffalo Wild Wings restaurant at the Fox Run Mall, Tax Map 27, Lot 11 with the condition that car storage would not extend outside beyond the former restaurant, that they would meet all State and Town regulations, and that they would return to the Board by May 30, 2024 for a review. Jim Weiner seconded the motion, and all were in favor.

II) Public Hearing: Continuation with Stoneface Brewing Company on proposal to construct a 23,400 square foot brewery, consisting of a 4,640 square foot office, and warehouse building with associated parking on a 5.71-acre lot on Shattuck Way, Tax Map 13, Lot 5A.

Mr. Krebs passed out a letter from the applicant requesting a continuation of their hearing to Monday, March 14, 2022

Mr. Krebs said the applicant, Town engineering consultant, Eric Weinrieb, P.E. with Altus Engineering and he met with the Department of Environmental Services (DES) on the previous Wednesday, and explained that the Newington Conservation Commission and the Planning Board were comfortable with the applicant filling in the wetland swale on Shattuck way to allow gravity flow of stormwater runoff rather than installing underwater stormwater drainage.

Mr. Krebs said that the Alteration of Terrain Department (AoT) kicked the question back to the Wetlands Bureau, so it might be allowed. Mr. Krebs said a site walk showed that the small roadside swale wetland was full of trash and beer cans, and of low quality.

Mr. Krebs noted that one of Stoneface's original variance request was to allow paving in the front setback from Shattuck Way, but they hadn't requested a for side setback variance, and later passed out a contradictory opinion from their legal counsel that asphalt was not a structure that didn't have to meet setbacks. Mr. Krebs said Town legal counsel, John Ratigan confirmed that it was considered a structure, and needed to meet the 30-foot setback. Mr. Krebs said the applicant's legal counsel, Alec MacEachern asked his opinion, and he said he didn't think the Zoning Board of

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, February 28, 2022

Adjustment (ZBA) would be happy to see them return after they had already granted them ten variances.

Peter Welch moved to continue the public hearing for Stoneface Brewing Company proposal to construct a 23,400 square foot brewery to Monday, March 14, 2022. Chris Cross seconded the motion, and all were in favor.

III) Other Business and Discussions:

Mr. Krebs passed out his draft of the 2022 Capital Improvements Program (CIP). Chair Hebert asked Board members to review the draft.

Mr. Krebs said he had made several attempts to obtain information from every department in town, but only had nine projects, and hadn't received anything from the Board of Selectmen or the Highway Department.

Mr. Krebs said he set the threshold high, but even a one-time replacement could put the budget over the threshold.

Mr. Blonigan said he thought they probably had a plan in their heads, but he had asked the police and road agent for more information on paper.

Chair Hebert said they needed two pavement schedules for Shattuck Way and Woodbury Avenue to collect funds on an annual basis for paving road sections, and suggested meeting with the Board of Selectmen.

Chair Hebert said the purpose of the CIP was to set aside funds for major projects such as a crusher for the transfer station, or roof maintenance on Town buildings in order to maintain an even tax base.

Mr. Weiner said he thought that the fire and police departments had done a good job, and Mr. Krebs agreed that they put a lot of thought into their CIP requests.

Mr. Krebs the last page of his report asked several financial questions for consideration, such as the use and cost of heating the Old Town Hall in the winter when the Kent Auditorium was often available for gatherings, and whether it made sense to keep Newington Public School open, or tuition elementary students to surrounding towns.

Mr. Krebs said he had also heard criticisms of the Conservation Commission contributing to the purchase of conservation easements instead of keeping them open for development. Mr. Weiner responded that he thought there was a good balance of conservation easements and developable property in town.

Mr. Krebs recommended that the Board adopt the CIP as drafted, and then ask the Board of Selectmen and road agent for more information on projects for an amendment.

Mr. Krebs commented that he had discovered that repairing some equipment and vehicles after multiple breakdowns was more costly than buying new equipment.

Town of Newington, NH
PLANNING BOARD

Meeting Minutes, Monday, February 28, 2022

Chair Hebert suggested that they continue discussion on the CIP on Monday, March 21, 2022.

Adjournment: *Chris Cross moved to adjourn the meeting. Ben Johnson seconded the motion and the meeting adjourned at 7:05 p.m.*

Next Meeting: Monday, March 14, 2022, at 6:00 p.m.

Respectfully
Submitted by: Jane K. Kendall, Recording Secretary

These Minutes were approved and adopted at the March 14, 2022 Planning Board Meeting.