

Town of Newington, NH
PLANNING BOARD
Meeting Minutes, Monday April 11, 2022

Call to Order: Chair Denis Hebert called the April 11, 2022 meeting at 6:00pm, Followed by the pledge of allegiance.

Present: Chair Denis Hebert, Vice-Chair Chris Cross, Board Members; Peter Welch, Jim Weiner, Ben Johnson, Russ Cooke, Alternate Member Rick Stern, Selectmen's Rep Bob Blonigen, Town Planner John Krebs.

Pubic Guests: Bob Finocchairo form SubCom, Peggy Lamson, John Lamson, Joe and Paula Akerley, Steve Haight, Civil Works and Steven Paquin, Building Inspector.

Public Hearing: Joseph and Paula Akerley/Brandon and Lori Arsenault: Lot Line Adjustment. The property is located a 325 Fox Point Road, Tax Map 9, Lots 1 & 2-2. Peggy and John Lamson asked several questions about the lot line adjustment which would change the configuration of Tax Map 9, Lot 1. D. Hebert and J. Krebs answered the questions. B. Johnson asked if the lot met the form factor. It did. **P. Welch moved to approve the lot line adjustment for Tax Map 9, Lots 1 & 2-2. J. Weiner seconded the motion. All were in favor. Although approved by the Planning Board, it was later determined that the applicant needed to go before the Zoning Board of Adjustment. Please see the April 25 and May 12, 2022 Zoning Board minutes.**

Public Hearing: Scott Akerley: Seeking relief of Article VII, Dimensional Requirements to construct a home +-37' where 35' is required. The property is located off Fox Point Road, Tax Mao 9, Lot 2. D. Hebert reviewed the process for granting relief for the height of a house 36' 6" in height where 35' is required. **C. Cross moved to accept the application as complete. J. Weiner seconded the motion. All were in favor. C. Cross moved and to approve the special exception. J. Weiner seconded the motion. All were in favor. Although approved by the Planning Board, it was later determined that the applicant needed to go before the Zoning Board of Adjustment. Please see the April 25 and May 12, 2022 Zoning Board minutes.**

Public Hearing: Andrew Johnson: Seeking relief of Article VII, Dimensional Requirements to construct a home +-40' where 35' is required. The property is located on Fabyan Point Road. D. Hebert and C. Cross asked several questions. J. Weiner said that the height requirements are for a fire fighting safety issue, which this request doesn't interfere with. **C. Cross moved to accept the application as complete. R. Stern seconded the motion. All were in favor. C. Cross moved to approve the special exception. P. Welch seconded the motion. All were in favor.**

Public Hearing: SubCom Cable System, LLC: Site Plan Review to construct a 12' X 60" silo adjacent to the existing manufacturing facility located at 100 Piscataqua Drive, Tax Map 27, Lot

1. Bob Finocchairo represented the project and showed the Board where the silo was proposed to be located. P. Welch asked about the Fire Department's approval for the silo. J. Krebs stated that the Fire Department has no problem with the Site Plan, but would need to sign off on the Building Permit. **C. Cross moved to accept the application as complete. P. Welch seconded the motion. All were in favor. P. Welch moved to approve the Site Plan with the conditions noted on the draft. R. Cooke seconded the motion. All were in favor.**

Public Hearing (continued): Stoneface Brewing Company: Site Plan Review to construct a 23,400 square foot brewery with associated parking; a 4,640 square foot office/warehouse building on a 5.71-acre lot on Shattuck Way-Tax Map 1, Lot 5A.

Steve Haight from Civil Works and the Board reviewed the Draft conditions of approval the Town Planner John Krebs had prepared.

Discussion ensued about the existing culvert and the maintenance of the culvert, the storm water plan, culverts pitched in the wrong direction, water runoff from the property, the demolition plan for the existing building, the parking spaces, snow storage, snow fences, storage areas, landscape maintenance plan, security lighting, HVAC unit location, screening, slope of roof, plans for an additional level.

Jack O'Reilly spoke in favor of this project. He believes that Stoneface represents the Town of Newington well and asked the Board to approve this as soon as you can. Mark Phillips spoke about many people had interest in this piece of land, but he didn't think those projects were a good fit for the Town and was thrilled when Stoneface approached him. M. Phillips had purchased land from Eversource and has been developing it over the last few years. He has turned vacant land into tax producing land. 10 million to date and another 5 million in the future. M. Phillips encouraged the Board to approve this project now because building materials have increased 25% in six months.

Discussion ensued about the seven parking spaces for the North Building and the potential problem if there is a tenant in that building in the future. It was determined to be acceptable after the applicant agreed to remove the adjacent pavement near the wetlands as a tradeoff.

P. Welch moved to approve the Site Plan to construct a 23,400 square foot brewery with associated parking; a 4,640 square foot office/warehouse building on a 5.71-acre lot on Shattuck Way-Tax Map 1, Lot 5A, with the following conditions outlined by Town Planner John Krebs:

1. Site Specific Conditions:

1. Correct technical issues identified by Altus Engineering and the Newington Planning Department in their Final project review Memos;
2. Obtain Final 'Approval' of the Landscape Plan by the Conservation Commission;
3. List all approved Waivers and Variances on the Site Plan;

4. Obtain all State permits such as NHDES Alteration of Terrain and others if needed; and
5. Record Stormwater management maintenance requirements;

2. Administrative Conditions:

1. Provide funds for 3rd Party engineering inspection services;
 2. A PDF of the FINAL approved plans, which reflect any and all changes required as part of the approval process, including technical review comments;
3. A note shall be added to the Final Plan stating that the 4,640 s.f. building located on the north end of the lot was approved by the Planning Board without a defined use. The owner understands and agrees that ANY use of the building will be limited by the parking spaces approved and provided (seven (7)), as well as access to the building for loading trucks in accordance with §18 of the Site Plan Review Regulations. In no case shall parking spaces separated by the wetland to the South be allocated to this building / use;
 4. A note shall be added to the Final Plan stating that the Applicant / Owner has proposed a number of parking spaces for each building that they have deemed adequate for the proposed use(s). In the event that patrons, employees or visitors to either building / business on the lot park vehicles along either Shattuck Way or River Road, the applicant / owner hereby agree to pay the costs associated with purchasing and installing NO PARKING signs along the road as required by the Town of Newington, and that such parking violations could result in the Planning Board's revocation of the Site Plan Approval in accordance with NHRSA §676:4-a;
 5. The plans shall be revised by adding a drainage swale to capture the contaminants on the southerly side of the parking area of the northerly building within the wetland buffer;
 6. A note shall be added to the Site Plan stating that there shall be no storage of any kind under or adjacent to the silos in front of the building;
 7. The Northerly building shall not be expanded upward (including, but not limited to a second story or loft) or outward without Planning Board approval;
 8. The ground-mounted HVAC units at the Northerly building shall be screened from the lot lines with vegetation;
 9. One Hundred percent (100%) of the total cost of landscaping shall be held for a period of two (2) growing seasons to guarantee the survival of the landscaping installation;

10. Ten percent (10%) of the site improvement cost estimate shall be provided as a site improvement and restoration security, a performance guarantee to be held until all site improvements are completed in a satisfactory manner; the applicant shall complete all site improvement work prior to the issuance of a certificate of occupancy;
11. All final approvals by the Planning Board expire within two (2) years from the date the Planning Board approved the site plan, unless the Board grants an extension. See **Section 23 – Site Approval Expiration**, Site Plan Review Regulations;
12. Submit an “As Built” plan in CAD and pdf format prior to the release of security;
13. Site work is not to be started before final plans are approved and the mylar is signed and State Permits have been received;
14. The Applicant and its Agents shall adhere to ALL Planning Board Site Plan Regulations, unless the Planning Board has granted waivers from such regulations.

R. Stern seconded the motion. All were in favor.

Minutes Approval:

P. Welch moved to approve the minutes of March 14, 2022 as amended. B. Johnson seconded the motion. All were in favor.

P. Welch moved to approve the minutes of March 21, 2022 as amended. J. Weiner seconded the motion. All were in favor.

Adjournment:

P. Welch moved to adjourn the meeting. J. Weiner seconded the motion. All were in favor.

**Respectfully Submitted,
Eleanor Boy
Recorder**