

# Town of Newington, NH

## PLANNING BOARD

### Work Session

Meeting Minutes, Monday, February 27, 2017

- Call to Order:** Vice-Chair Christopher Cross called the February 27, 2017 meeting at 3:40 p.m.
- Present:** Board Member, Jack Pare; Alternate Members: Ken Latchaw and Peter Welch; Board of Selectmen's Representative, Mike Marconi; Planner, Gerald Coogan and Jane Kendall, Recorder
- Absent:** Chair Denis Hebert; Bernie Christopher; Mark Phillips; Jim Weiner; Board of Selectmen's Representative, Cosmas Iocovozzi

Vice-Chair Cross opened the work session to discuss upcoming changes to the Master Plan, roads, and subdivision specifications, but not they would not discuss specific properties.

#### 1) Zoning and Ordinances

Town Planner, Gerald Coogan commented that his sense was that the town was satisfied with the Zoning Ordinances and weren't in favor of too many changes. He noted that there had been ten changes during the 2015 Town Meeting, which were mostly housekeeping items and could have been consolidated to one, but the Board and Town counsel, Attorney John Ratigan felt it necessary to break the changes down for the residents' information.

Mr. Coogan said that some items still needed to be fine-tuned next year because the language had become antiquated.

Mr. Coogan went on to say that it made sense to retain one single-family dwelling per lot in the Residential Zone, but clarification needed to be done in regards to the regulation of one principle building per lot because there were redevelopment problems in the commercial mall area, which required a variance from the Zoning Board of Adjustment (ZBA). Vice-Chair Cross clarified that adjustments for multiple buildings on a lot could be done based on the size of the lot.

Vice-Chair Cross commented that the Board had consulted Attorney Peter Loughlin about removing the ordinance, but there had been some issues fifteen years ago, when the building inspector questioned mixed uses among various buildings on the

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same lot, so it was decided that use approval would be for one owner per lot and that various businesses could lease space in the buildings. Mr. Coogan commented that there would be one property owner, but there could be separate owners of business buildings on the mall lot.

Board member, Jack Pare agreed that it could be an issue if mixed use was allowed and hazardous industrial use occurred in the Office Zone if uses were not explicitly addressed for the building inspector. He suggested that the Board consider a flex-overlay space for light manufacturing. Board of Selectmen's representative, Mike Marconi agreed that the Town wanted to encourage business growth, but needed to be careful.

*(Alternate Board member, Ken Latchaw appeared at 3:46 p.m.)*

Vice-Chair Cross also discussed a proposal for a transportation overlay district along the Spaulding Turnpike to allow expansion of development like convenience stores, gas stations and small restaurants without drive-up windows that would still cater to travelers near the highway exits.

Mr. Pare went on to suggest readjusting the Office Zone to allow restaurants with evening entertainment and transition a higher value use of commercial and light industrial development along Shattuck Way. He suggested putting office use closer to Portsmouth to adjust to the glut in office space that was currently abutting the industrial corridor.

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**2) Newington the Master Plan Process**

*(This item was deterred as the next item was discussed next.)*

**3) Town Developments:**

*(This item was taken out of order.)*

Discussion ensued regarding two-family condominiums and duplexes, requiring three acres per dwelling rather than the two acres required for single-family dwellings. As a side note, Vice-Chair Cross mentioned that a minimum of two-acre lots were currently required for single-family dwellings, but that could change in fifty years if public sewers became a State requirement.

Mr. Welch asked if there was an established ratio between single-family and multi-family residents. Mr. Coogan replied that established ratios might be seen in larger urban areas of 20,000 residents, but multi-family dwellings consisted of three or more families and were not permitted in Newington's Ordinance.

Mr. Marconi asked if what was commonly known as Planned Unit Developments (PUDs) were allowed if they were not mentioned as not being allowed. Vice-Chair Cross replied that the Rockingham Planning Commission had proposed PUD's in the 1990's, but just like multi-family Work Force Housing, it would have required public sewage.

Mr. Marconi commented that it would also be problematic for the Town's infrastructure to allow too many condominium developments at once. Vice-Chair Cross agreed that he didn't think a large subdivision would be very likely because of the restrictive regulations.

Mr. Pare commented that State overlay regulations did not allow discrimination against a development that wanted to condominiumize, so they would have to consider what was allowed without overrunning good sense. He added that a principle building per lot with the condominium association as a single owner, otherwise ownership splitting could occur causing a doubling of density. Mr. Marconi added that the specifics of approval had to be spelled out in the deed process as well.

Mr. Pare went on to say that the owner of an accessory dwelling had to occupy the primary dwelling, otherwise it would be treated like an apartment building. Vice-Chair Cross noted that there were a couple of exceptions in town and Mr. Pare replied that most of them predated the Town's zoning.

Mr. Welch opened a discussion regarding the gradual development of frontage on larger parcels, causing multiple driveways in succession on public roads and leaving no access to the back lots. Vice-Chair Cross stated that it was up to the Planning Board to approve curb cuts with consideration to safety and impacts to wetlands and abutters to maintain the integrity of the rural character of the town first and foremost. He stated

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that the Planning Board could set precedence as support of their decisions and that the Board needed to be more diligent early on to avoid issues a decade later.

Mr. Pare added that it was important for the Planning Department and the Board to forewarn an applicant that developing front parcels without planning for development in the back could be said to artificially create their own hardship for further development. Vice-Chair Cross said families had the right to subdivide and sell parcels of property, but the Board could require a full build out plan for the entire development even if the owner only wanted to develop one lot at a time.

Mr. Coogan asked what the Board thought of cluster development with limited frontage. Mr. Pare replied that the consensus had been that a cluster development could work in a town with a larger community, but the increased complexity wouldn't work very well in a smaller community like Newington.

Mr. Coogan noted that a developer also needed to look at the rate of return when building roads considering the cost of engineering, or to consider putting the parcel into a conservation easement. Vice-Chair Cross commented that it cost \$1,000 per foot to build a public road with utilities, possibly adding up to a million dollars, which could be questionable for any lot that sold for less than \$700,000. Mr. Coogan agreed that a developer's profit would go up by selling more lots.

Mr. Coogan suggested the establishment of a bond in case of bankruptcy. Mr. Welch commented that a bond established at the beginning of a project was not always enough to complete the road years later. Discussion ensued development bonds and the possibility of extensions on the two-year time limits to build roads.

Vice-Chair Cross expressed concern over phased developments with unfinished roads that prevented public services such as mail delivery, plowing, school bus and trash pickup on an unfinished private road. He suggested they might consider requiring that the condominium association contract services until the road was finished.

Discussion ensued regarding the possibility of requiring incremental cul-de-sacs for phased developments until the Town accepted the road. Mr. Welch commented that would work fine in the south where there was no snow, but plowing around multiple cul-de-sacs would be a hardship for the plows. He suggested they might want to consider removing the cul-de-sacs as the next section of road was complete.

Mr. Welch went on to say that it would also be a hardship for a bus to travel a mile down a road before coming to a cul-de-sac for a turn around. Mr. Latchaw requiring a certain distance of completion and limiting the distance of each cul-de-sac to half a mile.

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**2) Newington Master Plan Process**

*(This item was taken out of order)*

Mr. Pare stated that the point of adjusting the Master Plan was to stay ahead of the economic curve.

Discussions ensued regarding transportation around and through town and ways to control cut throughs along scenic south Newington and Nimble Hill because of the Spaulding Turnpike and the use of GPS systems. In addition to traffic density, speed was also discussed as a concern, especially past the school and for walkers.

Mr. Welch asked about the possibility of tying McIntyre Road to Arboretum Drive to reduce the amount of traffic. Mr. Pare noted that would bypass the main portion of town, but wouldn't solve traffic through south Newington.

Vice-Chair Cross commented that Pease Development Authority (PDA) didn't want extra traffic on Arboretum Drive. He said they didn't even want the gate at the end of Nimble Hill Road open, but allowed it to be opened during the air shows and it was then locked in place.

Vice-Chair Cross went on to say that the only thing that could be done for south Newington, would be to widen the road with multi-use biking and walking lane, and that would need to be done sooner than later before more homes were built closer to the road.

Enforcing a rural speed limit from 35 miles per hour to 30 miles per hour was also mentioned.

Vice-Chair Cross suggested the implementation of a transportation corridor steering committee as well as a Master Plan steering committee that would work with Rockingham Planning Commission and Mr. Coogan.

Vice-Chair Cross stated that the Master Plan steering committee needed to look closely at the industrial corridor first. Mr. Coogan suggested including reuse of Eversource's lot on Shattuck Way into the Master Plan. Vice-Chair Cross added that it would be beneficial to transition light industrial into the Office Zone because office space could go anywhere, but Shattuck Way was uniquely placed to support industrial transportation.

Mr. Welch opened a discussion regarding the eventual connection of Shattuck and Wilcox Ways and whether it was best to build the road out before development arrived or to wait for another ten years for a developer to contribute. Mr. Pare replied that building ahead would cost less than if they waited, but building ahead without development would be entirely at the Town's expense without any tax revenue to cover the construction and maintenance. Mr. Pare added that there was also a likelihood that extending Shattuck and Wilcox Ways would increase traffic from Gosling Road, but it could cut down traffic on Woodbury Avenue. Mr. Welch added that the Department of

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Transportation (DOT) would also be turning Woodbury Avenue and Newington Roads over to the Town that would be an added maintenance expense, along with Shattuck Way.

Discussion continued regarding the need for turning traffic and pedestrian safety along Woodbury Avenue as well.

The Board also discussed bicycle and pedestrian travel across Little Bay to Hilton Park. Mr. Pare commented that DOT eventually planned on replacing the General Sullivan Bridge since they realized that restoration costs had gone up. Mr. Pare said they planned on overbuilding the bridge so that it could support repair vehicles, have clearance for taller masts and would be good for thirty years.

**Adjournment:** *Mr. Pare moved to adjourn the meeting. Peter Welch seconded the motion and the meeting adjourned at 5:25 p.m.*

**Next Planning  
Board Meeting:** Monday, March 14, 2017

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

*These Minutes were approved and adopted at the March 13, 2017 Planning Board Meeting.*