

Town of Newington, NH
PLANNING BOARD

Meeting Minutes, Monday, January 23, 2017

Call to Order: Chair Denis Hebert called the January 23, 2017 meeting at 5:06 p.m., followed by the pledge of allegiance.

Present: Chair Denis Hebert; Vice-Chair Christopher Cross; Board Members: Bernie Christopher; Jack Pare; Mark Phillips; Alternate Members: Ken Latchaw (arrived late) and Peter Welch; Board of Selectmen's Representative, Cosmas Iocovozzi; Planner, Gerald Coogan and Jane Kendall, Recorder

Absent: Jim Weiner

1) **Public Hearing:** Proposed Zoning Amendment in Article #3 Zoning District Section 2- Office District "O", Part B (1 ADD "...hotels not to exceed 45 feet in height"

Chair Hebert said he had previously discussed moving hotels to the Commercial Zone, but the Board decided to delay making that change this year.

Chair Hebert said he was surprised that there was a minimum height listed in the regulations, but not a maximum height, which may have been an editorial oversight. He went on to say that he wanted to address the issue of height restriction for safety and aesthetic reasons.

Vice-Chair Cross said safety concern with the current Town Fire Department, but the Board could reconsider if a developer wanted to buy a new fire truck.

Board member, Jack Pare said the proximity to the air field could also be an issue. Chair Hebert added that proximity to the Industrial Zone was the initial consideration. He said even though most guests would have their own vehicles in case of evacuation, he still might consider moving hotels to the Commercial district in the future because everyone would crowd the elevators, stairwells and parking lots in the event of an industrial accident.

Chair Hebert opened the discussion to the public and asked that the record show that no members of the public were present and returned the discussion back to the Board.

Mr. Pare asked when they might address moving hotel use from the Office Zone to the Commercial Zone. Chair Hebert said he thought they might make an amendment

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, January 23, 2017

next year, but this was the last day to address any changes for the current year so he thought they should fix the height oversight now.

Chris Cross recommended the proposed adding "...hotels not to exceed 45 feet in height" to Zoning Amendment in Article #3 Zoning District Section 2- Office District "O", Part B (1. Mark Phillips seconded the motion and all were in favor.

2) Preliminary Consultation: Conceptual proposal by Mark Phillips for a storage facility regarding property off Woodbury Avenue, Tax Map 19, Lot 9.

Board member, Mark Phillips recused himself to present his proposal.

Mr. Phillips said both proposed lots were owned by Northeast Medical Services, one of which was rectangular and the other was more narrow, non-conforming and grandfathered.

Mr. Phillips said the narrow lot had no frontage on Shattuck Way so he thought it would be better to combine the two lots to improve traffic flow so a large tractor trailer could come in on the right and exit from the private lane onto River Road.

Mr. Phillips said he anticipated having to request a variance from the Zoning Board of Adjustment (ZBA) to allow more than one principle building per lot. Chair Hebert replied that he didn't think a variance would be necessary because it was the same use with one principal building and the other an accessory like Haugh Storage next door.

Mr. Phillips said Town Building Inspector, John Stowell referenced the Office District Regulation that only allowed one principle building and one dwelling per lot. Town Planner, Gerald Coogan said he thought the proposed larger building could be the principle building and the smaller building could be the accessory unit. Vice-Chair Cross said he recalled discussions among the previous planner and the former building inspector regarding lots with several buildings under the same ownership, but an issue came up when someone wanted to sublet the second building for another business so a memo was written in February 2001 that said implied that accessory building could not be owned by separate businesses and by implication, accessory buildings were allowed if owned by the same business.

Vice-Chair Cross asked Mr. Phillips if the deed would include a restriction that the use of both buildings had to remain under the same business as it had been precedence and didn't require variance. Mr. Phillips agreed that it would.

Mr. Phillips said his next hurdle was that there was a manager's apartment, like caretakers accessory dwelling, which was allowed in the Waterfront Industrial Zone, but he didn't see any guidance in the Zoning Ordinance for the Office. Chair Hebert said he thought a caretaker's dwelling was listed under the Marine Waterfront District too. Mr. Coogan agreed and Mr. Pare suggested that the Board could add a caretaker to the Office Zone during the following year.

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, January 23, 2017

Chair Hebert asked why the caretaker's unit was in the front instead of the back and Mr. Phillips replied that the front building had water, storage and gas.

Mr. Pare noted that somewhere in the definition of accessory dwelling unit there was a requirement that the caretaker had to be an employee of the business. Chair Hebert said his concern with caretaker units was that they could turn into permanent dwellings after the business went away.

Chair Hebert added that dwellings would also require access for school buses. Mr. Phillips said that there was a through way. Chair Hebert replied that school buses usually wanted to stay on public ways to avoid liability. Vice-Chair Cross suggested that students walk over to Old Dover Road to get on the bus. Mr. Phillips said he would agree on a condition of approval that there would be no pick up beyond existing nearest bus pickup up.

Chair Hebert said the Board had previously denied curb cuts off Woodbury Avenue. Mr. Phillips said it was brought to the attention of the Department of Transportation (DOT) that they had placed a curb cut on one of the property lines when they had allowed three curb cuts in 1971 so they agreed to make a correction. He said 13,000 cars traveled that section of Woodbury Avenue per day, but the traffic was divided by a median. He went on to say that traffic heading south from the business would have to go down the private road on to River Road.

Chair Hebert said Woodbury Avenue was very busy, especially during the evening commute and he expected it to get busier. He said the hill on Woodbury Avenue could be very slippery on a snowy day and asked if he would consider exiting on Shattuck Way. Mr. Phillips replied that while locals were familiar with Shattuck Way, he was concerned that others would get lost. He added that the traffic in and out was limited.

Board member, Bernie Christopher asked if the entrances would be gated and Mr. Phillips said he would prefer not, but there would be cameras and someone on site.

(Board of Selectmen's representative, Cosmas Iocovazzi came in at 5:41p at this point in the meeting.)

Vice-Chair Cross commented that the common access appeared to be 18-20 feet wide and he thought it should be 24' wide for larger trucks and servicing multiple lots. Mr. Phillips replied that the Master Plan allowed 18 feet and discussion ensued. Chair Hebert suggested they discuss it further with the Town's engineering consultant.

Mr. Phillips said the Ordinance required an impervious restriction of 30% of the lot, but the engineers found that it would be 40% and recommended he seek a waiver. Chair Hebert commented that he would want to see storm water plan.

Chair Hebert said he wouldn't want stormwater to drain to sewer line. Mr. Iocovazzi said he thought there might be a problem with drainage below the parking lot because of the clay. Chair Hebert said there was a storm water collection there and

Town of Newington, NH

PLANNING BOARD

Meeting Minutes, Monday, January 23, 2017

Town engineering consultant, Altus Engineering would review their stormwater design before approval.

Discussion ensued regarding the removal of the non-conforming sign on the parcel that advertised other businesses. Vice-Chair Cross said the sign was part of the purchase. Chair Hebert said he was not in agreement of non-conformities. Mr. Phillips agreed that it was a very large sign.

Mr. Christopher, Mr. Pare, Mr. Iocovozzi and Mr. Welch all agreed that it would be better to remove the sign for a clean purchase.

3) **Correspondence and Status Report** by Town Planner

Mr. Coogan informed the Board that Thermo-Fisher Scientific on Nimble Hill Road was currently only using a small portion of their facility and they wanted install six garage doors that would face the Spaulding Turnpike for their tenant, New England Parts Warehouse. Mr. Coogan said he advised them to present a plan that might require an amendment to the original plan.

5) **Other Business and Discussions:**

Mr. Iocovazzi informed the Board that Pease Development Authority (PDA) had another meeting with the Town and the PDA had agreed with the proposal that PDA Board members, Peter Loughlin and Newington representative, Margaret Lamson presented to replant with slow growing, low growth. Mr. Iocovazzi said the PDA wanted the Town to contribute to the replanting costs, but the Town didn't agree. Chair Hebert suggested requesting mitigation funds for replanting.

(Alternate Board member, Ken Latchaw arrived at 6:27 p.m. at this point in the meeting.)

Mr. Iocovazzi expressed an interest by the Board of Selectmen to eventually continue the connection from Shattuck Way to Gosling Road to encourage development on the extension.

Mr. Iocovazzi said the Selectmen got a price break down of three-quarters of a million to finish the road.

Chair Hebert replied that the backside of Wilcox Way to Newington Wastewater Treatment would be accessible once Wilcox Way was finished and he didn't think tax payers should pay for the road in its entirety. He said he thought the Town should wait until property became available and an interested developer came in to contribute to the cost. Mr. Iocovazzi replied that those days were over.

Vice-Chair Cross commented that the original agreement with Portsmouth had been that the road would connect to I-95 to relieve some of the traffic on Woodbury

Town of Newington, NH
PLANNING BOARD

Meeting Minutes, Monday, January 23, 2017

Avenue, but Portsmouth rejected the idea because they didn't want the road along the railroad tracks behind the Atlantic Heights development. Vice-Chair Cross went on to say that connecting Shattuck Way to Gosling Road alone would increase traffic coming in from the Portsmouth area, but would not lessen traffic in Newington.

Mr. Iocovazzi stated that the former fire chief didn't want propane trucks going down Woodbury Avenue. Chair Hebert said he also didn't want them going down Gosling Road within proximity to Gosling Meadows housing project.

Mr. Latchaw agreed with Chair Hebert and said he thought they should wait until the Spaulding Turnpike expansion project was finished.

Mr. Iocovazzi said there were companies on Pease that were leasing, but wanted to own and Newington needed to be prepared for them when Eversource sold their property.

Minutes: *Mark Phillips moved to approve the Minutes for the January 9, 2017 meeting with corrections as noted. Bernie Christopher seconded, and all were in favor.*

Adjournment: *Cosmas Iocovozzi moved to adjourn the meeting. Bernie Christopher seconded the motion and the meeting adjourned at 6:43 p.m.*

Next Meeting: Monday, February 13, 2017

Respectfully Submitted by: Jane K. Kendall, Recording Secretary

These Minutes were approved and adopted at the Tuesday, February 14, 2017 Planning Board Meeting.