

Town of Newington, NH
PLANNING BOARD

Meeting Minutes, Monday, March 13, 2017

- Call to Order:** Chair Denis Hebert called the March 13, 2017 meeting at 6:30 p.m., followed by the pledge of allegiance.
- Present:** Chair Denis Hebert; Vice-Chair Christopher Cross; Board Members: Bernie Christopher; Mark Phillips; and Jim Weiner; Alternate Members: Ken Latchaw and Peter Welch; Planner, Gerald Coogan and Jane Kendall, Recorder
- Absent:** Board Member, Jack Pare
- Public Guests:** Dave Caswell with Portsmouth Sign Company and Brandon Hoben with Hoben Architecture and Design; Ted Connors

1) Preliminary Consultation: Proposal by Portsmouth Sign Company regarding property at 19 Nimble Hill Road, Tax Map #, Lot #.

Dave Caswell, co-owner of Portsmouth Sign Company at 19 Nimble Hill Road appeared before the Board along with Brandon Hoben with Hoben Architecture and Design to present a preliminary proposal to expand to a second parcel next to Mitchells' Gulf.

Mr. Caswell stated that he currently had eleven employees that did design, light manufacturing and installation of signs. Mr. Hoben said they were proposing an older barn-style building for additional storage and light manufacturing.

Board members asked several questions regarding the orientation, size of trucks that would be entering and the size of the garage doors. Mr. Caswell stated that their current garage doors were only twelve feet, but that the new building would face Nimble Hill Road with an entrance off Mitchell Way and would have fourteen foot doors for larger trucks. Mr. Hoben added that this orientation would reduce the pavement on the public side of the building, but would still meet the requirement for four parking spaces.

Chair Hebert asked if they could build out to the front over the existing parking lot. Mr. Caswell replied that they could not as their drainage system was under the parking lot. Chair Hebert said he thought there was a triangle set aside for gravel parking, but they would need to look at the conditions of approval to be certain.

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Vice-Chair Cross added that the garages in the main building were to allow the alignment of traffic and that storage on the unused parking spaces for storage was not allowed.

Vice-Chair Cross also pointed out that there was a serious wetland in the back that they needed to consider and there would be difficulty storing snow.

Chair Hebert asked if there were any plans for landscaping with shrubs against the building and Mr. Hoben replied that they had included trees in their plan. Chair Hebert commented that the trees that were previously planted were not large enough and hadn't survived. Mr. Caswell responded that the State had knocked several of their trees down along Mitchell Lane, but there were still a few trees along front of building. Chair Hebert replied that applicants were supposed to return to the Conservation Commission with a new landscaping plan and an explanation if anything needed to change. He suggested that they make an inquiry with the Department of Transportation (DOT) about replacements if they knocked their trees down.

Commenting as Co-Chair of the Conservation Commission, Jim Weiner stated the landscaping in the front of the nice-looking building on the plan looked good, but nothing had been done to improve the appearance of the entrance to town and it looked as if the building was plopped down on the lot without landscaping. Mr. Weiner went on to say that many residents had commented that the parcel in front of Mitchells' Gulf looked neglected without mowing for long periods.

Vice-Chair Cross added that even more important than the trees, the use of parking lot was also approved for an attractive business sign for the sign company at the entrance of town, rather than the temporary sign that had been placed on the corner. Mr. Hoben noted that the proposal would have the appearance of a New England barn and would screen the view of the gas station, which would be a nice feature for the entrance of town.

Board member, Bernie Christopher asked if money had been held for completion of the landscaping plan. Mr. Caswell replied that it was still being held for them to complete the final paving and stripe the parking lot. Town Planner, Gerald Coogan stated that the Town had received a check in the amount of \$30,000 in August of 2013, with itemizations, of which \$2,500 was listed for landscaping, but there was no record of a draw down as items had been completed.

Chair Hebert stated that the Planning Department met with Mr. Caswell and Mr. Hoben the previous week and discussed the original conditions of approval that included merging the two lots into one, but it appeared that the previous owner never registered the signed Mylar plans at the Rockingham County Registry of Deeds. Mr. Caswell replied that their deed showed that they had purchased two separate parcels and they received two tax bills for the two parcels.

Chair Hebert stated that Mr. Caswell and Mr. Hoben had been shown the approved plan for the merged lots. Mr. Caswell replied that the Town hadn't filed the plan. Chair Hebert stated that the process at that time was that the owner would take

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the plans to the registry for filing and any issues with it would be a civil matter with the previous owner. Mr. Coogan agreed that it was a legal issue and Mr. Caswell's attorney should have gone back further in his research. Chair Hebert added that the the merger was included in the conditions of approval during the public hearing minutes and Mr. Hoben, Mr. Caswell's architect was aware of the merger note on the plan.

Vice-Chair Cross pointed out that there had been changes in the development from the original drawing that had been presented, that included a full road and cul-de-sac and that the applicant would need to present an updated plan that accurately reflected those changes during their site review, including the strip of land that the State owned.

Mr. Coogan announced that Mr. Caswell was going to the ZBA on Monday, April 3, 2017. Discussion ensued regarding setbacks and Mr. Caswell said they needed to go before the Zoning Board of Adjustment (ZBA) for a setback variance. Vice-Chair Cross replied that they could go before the ZBA to request an access setback, but they had to keep in mind that pavement was considered a structure.

Mr. Hoben indicated the buildable area on their plan. Vice-Chair Cross responded that their building proposal would not be for a primary building, but an auxiliary building. He pointed out the only place that was not in the setback, noting that it would be up to the ZBA to decide on whether the auxiliary building could be in the side setback. Vice-Chair Cross went on to say that it was the Board's intent to merge the lots so that the primary and accessory building could not be sold for another use as a separate lot. Chair Hebert added that it was a non-conforming lot with insufficient square footage and the building appeared to be three-quarters into the setback and.

Chair Hebert commented that the cul-de-sac had whether the Town owned Mitchell Lane and if the State just owned the rotary or not, but until the legal ownership was determined, neither the ZBA or the Board would know whether it was the Board or the State that would grant the curb cut.

Chair Hebert went on to say that Vice-Chair Cross, Board of Selectmen's representative, Cosmas Iocovozzi and he were present when the original proposal was presented before it went to the ZBA. Chair Hebert added that they needed to look at the original plan and conditions for approval of the original hotel proposal and New England Pest Control, the subsequent owner. Mr. Coogan commented that the remaining parcel in question did not appear to be usable on the plan. Chair Hebert said the Board would like to accommodate local businesses, but they also needed to be sure that Board's legal actions were followed through and suggested that the applicant have their attorney contact Town counsel to work together.

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2) Newington Master Plan Update: Discussion of Master Plan Steering Committee, Build Out analysis, use of back lots and other land use issues.

Mr. Coogan presented a summary review from the minutes of the February 27, 2017 Work Session Minutes to begin the process of reviewing the Master Plan and starting a Master Plan steering committee.

Chair Hebert commented that there was a need to update information and remove old opinions, but it appeared as if the Master Plan would be done over in a two-year process and he didn't think that was necessary considering it had been done six years before. Chair Hebert went on to say that he would prefer that the Master Plan be treated as a living document with addendums and changes added in sections as a time. He suggested that the Board discuss the matter further before they agreed to sign off on Rockingham Planning Commission (RPC) doing \$17,000 of work, when sufficient changes could be done for less. Mr. Coogan suggested they have an offline meeting to discuss it further.

Chair Hebert replied that it was the Planning Board's document and they would need to establish a subcommittee, but they also needed to include residents, consult with other boards and include their comments in a survey. He also acknowledged that it was common to hear more objections to protective restrictions from people that were most concerned with maximizing their development potential, but the Town needed to consider abutters and the environment and infrastructure as well. Mr. Coogan agreed that the Board had to balance various interests including commercial, industrial and Pease as well as the residential village.

Mr. Coogan said they would also need to consider the cost impact of connecting Shattuck and Wilcox Ways to Gosling Road, and the impact of the State turning ownership of Woodbury Avenue over to the Town.

Chair Hebert stated that he wanted Vice-Chair Cross to spearhead the subcommittee, but they needed to finalize RPC's contract first.

Vice-Chair Cross commented that other Board members requested that they attend the subcommittee meetings as they were able, but still wanted to be informed of the direction taken.

Vice-Chair Cross went on to say that he was comfortable working with RPC and felt they were steerable and willing to follow Board's direction and it could be put in their contract that they could stop at any point before the entire bid was spent.

4) Correspondence and Status Report by Town Planner

Mr. Coogan passed out his memorandum reviewing the status of various agenda items that were pending before the Planning Board, Conservation Commission and Zoning Board of Adjustment.

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5) Other Business and Discussions:

Chair Hebert suggested that the Board consider starting meetings at 5:00 p.m. so that meetings would be more cost effective for having part-time planner, Mr. Coogan so long as that worked for current Board members and that they could adjust the time to accommodate new members in the future if necessary.

Minutes: Ken Latchaw *moved to approve the Minutes for the February 27, 2017 Work Session. Peter Welch seconded the motion and all were in favor.*

Adjournment: *Chris Cross moved to adjourn the meeting. Bernie Christopher seconded the motion and the meeting adjourned at 8:45 p.m.*

Next Meeting: Monday, March 27, 2017

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

These minutes were approved and adopted at the March 27, 2017 Planning Board Meeting.