



Newton Planning Board Public Meeting Minutes April 26, 2022



The Newton Planning Board public meeting was called to order at: 7:00PM

Present were members: Mr. Moran, Mr. LaVoie, Mr. Guide, Ms. Collyer, and Ex-Officio Mr. Marchand, also, James Doggett – PB AA

Via Zoom was Member Ms. White and 5 observers.

Chairman Moran led the salute to the Flag.

1. Public Hearing

Chairman Moran called the Public Hearing to order at: 7:05PM and read:

A continuation of 125 Development NH Corp of Plaistow, NH's, request for a public hearing for a 4-building condominium site plan off S. Main Street, in Newton NH. The property is referenced as Tax Map 14, Block 1, Lot 27- 3.

Chairman Moran further stated that the applicant had supplied additional material, delivered to the Planning Board office the previous day, well after the deadline for submissions; that this did not allow time for professional review; nor did it allow the administrative assistant to get it into the Board packets. He stated further that it included a traffic memo a figure that shows the proposed conceptual concept level of the site.

A.A. Doggett stated that he had forwarded it to all the members as soon as he saw it and that he printed paper copies for each member which were at their places.

Mr. Guide asked questions about the "paper street" that the applicant wished to use as an emergency access to his property.

Mr. Moran reminded the Board that Ms. Rowden suggested getting additional legal advice on the matter. He was not sure if the intent was specifically in public right away or not, but he thought that either way the Board should get clarification on the use of that as an emergency access.

A.A. Doggett asked if the Board wished him to get a further opinion from council specific to the documents he provided.

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There was a discussion with the applicant's agent (Mr. Gier) on how the applicant was going to address the issue.

Mr. Gier (agent for the Applicant, principal of Jones & Beach Engineering) stated that as the applicant they would have to go to the Board of Selectmen and seek their authority or their permission to utilize the Right-of-Way.

The Board directed A.A. Doggett to seek a further legal opinion on the issue.

Mr. Gier stated he did not think that item should prevent the Board for taking Jurisdiction of the application.

The Board discussed taking jurisdiction and how the waiver requests might be handled.

Mr. Moran stated that he spoke to the fire chief briefly and in his opinion and the length of the roadway at this point of time is not a significant concern of his but that they are still reviewing the drawings. He further opined that he thinks the Board should wait for the fire chief's written comments or for him to attend the meeting to relay his specific comments.

Mr. Moran mentioned that additional applications and permits would be required for this project and asked if the applicant had, at this point in time, submitted anything to NHDES (either wetlands bureau or alteration of terrain.)

Mr. Gier stated that when the project was before the Planning Board for a previous iteration, they had submitted for the wetland permit and that now they would be updating that application. He further stated that the applicant is working with the NHDOT on the traffic study

Mr. Moran stated that from his initial review that it appears that the drainage analysis, that has been provided to the Planning Board; is outdated based on the latest updates to the drawings that had been provided; and he thinks it is something that should be taken care of and that the traffic study is something he feels the Board would definitely be very interested in reviewing prior to moving forward.

Mr. Moran talked about the traffic study and its usefulness to the Board for much needed information and that it was recommended by the Circuit Rider that it needed to be completed prior to accepting jurisdiction.

(Mr. Marchand joined the Board)

Ms. White commented that she would like it if the Board received some sort of report or answer in writing from the fire chief as with some specifics of why he feels that it is not going to be a problem to have a road that is going to be twice as long as the ordinance says that a road should be.

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Mr. Marchand said that he had been looking at this plan and concluded that as much as Newton needs and wants to have more business that he feels that it is slightly too congested. He has concerns about the aquifer and the number of variances needed to make this project fit.

Mr. Gier stated that the applicant believes that this plan fits the site even though the Board may feel it's congested. The plan does meet the requirements though there are some buffer impacts. However, the only wetland impacts are for the road construction. That they were not impacting the wetland for any building or what would be called site development, only the road work, septic systems, and wells. As for the stormwater and the aquifer the applicant feels that they are recharging it; most of the stormwater treatment is through infiltration basins which will recharge the aquifer. He stated that industrial / commercial use is a very light user of septic systems and if this plan was for houses, you would typically see much more septic and well usage.

Mr. Gier stated that they had received the updated review letters from the Circuit Rider and Town Engineer and a that there are a few additional items which they had covered; that the majority of them have been addressed and any remaining items would be easily resolved. He updated the Board that the applicant was still waiting on the ZBA for input on some of the items including the wetland buffer impacts and some of the location of items such as septic locations and light poles. He went on to say that they would be seeking a meeting with the Selectmen regarding the Right-of-Way issue and with that he was hoping the Board would approve the plan at this meeting.

There was a brief exchange about taking jurisdiction and time limits.

Mr. Marchand **MOVED** to take Jurisdiction; Mr. LaVoie seconded the motion.

Mr. Moran asked Administrative Assistant Doggett to call the roll:

Mr. Moran - Aye	Ms. White - Aye	Mr. LaVoie - Aye	Ms. Collyer - Aye
Mr. Guide - Aye	Mr. Marchand - Aye	The VOTE was UNANIMIOUS	

Mr. Gier gave particulars on each waiver as enumerated in his request letter.

Mr. Moran asked why the roadway was not being completed at this time

Mr. Gier stated it was due to costs. As for the emergency access the intent of the applicant is to obviously construct it and to maintain it; and that includes snow removal.

The Board discussed the requests and decided to wait to take up the waivers until they had a chance to review the fire departments comments and the traffic study.

Chairman Moran opened the floor for public comment.

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Mr. Steven Becht (abutter - 20 Ridgewood Road, Plaistow) had comments about the water, its uses and protection.

Ms. Lynn Jeffries (Abutter - 12 Ridgewood Road, Plaistow) had comments about the road to nowhere, she felt that the roadway shown as a continuation of Puzzle Lane was premature.

Mr. McDonough (the applicant) made comments on the traffic study and that most of the new traffic would be from Massachusetts. He further stated that at one time (possibly 14 years ago) he had received a waiver on the road length which he felt was still applicable.

Ms. Collyer **MOVED** to continue the public hearing to May 10th, 2022. Ms. White seconded the motion.

Mr. Moran asked Administrative Assistant Doggett to call the roll:

Mr. Moran - Aye	Ms. White - Aye	Mr. LaVoie - Aye	Ms. Collyer - Aye
Mr. Guide - Aye	Mr. Marchand - Aye	The VOTE was UNANIMIOUS	

Chairman Moran recessed the public hearing at 7:57PM

Board Business

a. Acceptance of minutes of the 4/12/22 meeting

Mr. Marchand **MOVED** to accept the minutes of 4/12/22 as printed; Mr. Guide seconded.

Chairman Moran asked A.A. Doggett to call the roll.

Mr. Moran - Aye	Ms. White - Aye	Mr. LaVoie - Aye	Ms. Collyer - Abstained
Mr. Guide - Abstained	Mr. Marchand - Aye	The VOTE was UNANIMIOUS	

b. NPREA Manifest

Mr. Guide **MOVED** to pay the manifest dated 4/26/2022 in the amount of \$ 1688.53
Ms. White seconded the motion.

Chairman Moran asked A.A. Doggett to call the roll.

Mr. Moran - Aye	Ms. White - Aye	Mr. LaVoie - Aye	Ms. Collyer - Aye
Mr. Guide - Aye	Mr. Marchand - Aye	The VOTE was UNANIMIOUS	

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3. Adjourn.

Chairman Moran adjourned the meeting at 8:06PM

Respectfully Submitted,

James L. Doggett, AA
Newton Planning Board

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