

**NEWTON PLANNING BOARD  
MINUTES OF MEETING  
September 24, 2019**

**Call to Order:** Chairman Barbara White called the meeting to order at 7:02 PM.

In attendance: Chair Barbara White, Planning Board members: James White, Roger Hamel, Sandra Estabrook; Ex Officio Lawrence Foote, and Circuit Rider Planner Jennifer Rowden.

Minutes were taken and transcribed by James Doggett.

The meeting began with a salute to the flag.

**1.MacKenzie Properties, LLC:** MacKenzie Properties, LLC. of Seabrook, NH, request a public hearing for the removal of a condition of approval for their Minor Site Plan approval at 16 Amesbury Road, Newton. The property is referenced as Tax Map 10, Block 07, Lot 20-1.

Mr. John Arnold presented the request to the board and the public concerning this matter. He spoke to the possibility of certain equipment like tractors may be stored there as well as HVAC units. (All replies during the discussion are assumed to come for the applicant or their agent unless specified.)

Ms. Rowden advised the board that this was a Compliance Hearing and only the issue at hand could be discussed or acted upon.

Mr. Foote asked if outside storage might include propane tanks. The answer was that they might be stored on site occasionally while they await delivery to customers or when tanks are not able to be placed during a specific workday.

Ms. Rowden brought up that propane is not a material prohibited in this type of aquifer zone as it becomes a gas and does not leach into the ground.

Ms. Estabrook made a motion to take jurisdiction of the plan, Mr. Hamel second. Unanimous vote.

Mr. Hamel asked if the propane tanks had been removed.

Ms. Estabrook asked if the Town had the power to restrict visible outdoor storage. Ms. Rowden stated that they could but needed to tread lightly in their actions. Ms. Estabrook suggested that the scope of use may be expanding from the original "Office space" of past plans.

A mixed discussion about parking and vehicles thereupon took place.

Ms. White opened the floor for abutter comments:

Abutter Ms. Karen O'Malley commented about her concerns regarding the parking area and its potential impact on the wetlands.

Ms. White asked if there were any further questions.

Ms. Rowden suggested the Board consider using language that no used tanks be allowed. The Applicant stated that no used tanks would be stored.

Mr. Hamel moved to remove condition number 1. Remove stored propane tanks within 90 days of this notice. And, under notes to be added to the plan: 2. No outside storage. Mr. Foote second. Unanimous vote.

Mr. Foote commented about the need for Jersey Barriers to protect any tanks from damage.

Ms. White reminded Mr. MacKenzie that he still need to complete all the other conditions. She further commented that the Town should have rule or regulations to cover outdoor storage, Ms. Rowden said she would look into the possibilities.

### **Board Business and Correspondence**

- a. Acceptance of minutes from 078/23/19 meeting.

Mr. Foote moved to approve the August 13 minutes; second by Mr. Hamel. Unanimous vote.

- b. Manifests –

Mr. Hamel moved to approve the NEPRA manifest in the amount of \$335.39; second by Mr. White with a unanimous vote.

Mr. Hamel moved to approve the Operating Budget manifest in the amount of \$329.44; second by Mr. Foote with a unanimous vote.

- c. Correspondence-

Mr. Doggett passed out a memo from Town Bookkeeper Kim Hughs suggesting that the board discontinue the use of manifests and instead empower their Administrative Assistant to sign-off on operating budget bills. After a discussion the Board came to a conscientious to discontinue using manifests for the operating budget items and asked for a monthly report of bills paid.

Mr. Doggett asked members if they wanted Land Law books, he will order enough for those who do.

Ms. White informed the Board that the Registry of Deeds would not record the site plan from Haffner's Oil. She and Ms. Rowden explained what this means regarding future plans being recorded and how to work around this development.

Ms. Rowden brought up the subject of the Expiration of Variances and Special Exceptions. She explained the change to the RSA's and suggested changes that should be on the March Ballot to limit the life expectancy of these variances. She will also look into language for outdoor storage and possible increases to the wetland buffers.

Mr. Foote moved to adjourn at 8:02; second by Ms. Estabrook with a unanimous vote.