

**NEWTON PLANNING BOARD
MINUTES OF MEETING
August 13, 2019**

Call to Order: Chairman Barbara White called the meeting to order at 7:00 PM.

In attendance: Chair Barbara White, Planning Board members: James White, Roger Hamel, Michael Andrews; Ex Officio Lawrence Foote, Alternate Robert Zalenski and Circuit Rider Planner Jennifer Rowden.

Minutes were taken and transcribed by James Doggett.

The meeting began with a salute to the flag.

Mrs. White noted the changes in the Planning Board office and announced that until Gail LeBlanc returned from her leave Mr. Doggett would be assuming her duties. She welcomed Mr. Foote as the new Ex Officio pro tempore for the duration. She then placed Mr. Hamel's name into nomination to serve as Temporary Vice-Chair. Mr. Andrews seconded the nomination and the vote was unanimous.

Mrs. White appointed Mr. Zalenski as a voting member for the absent Mr. Holland.

MacKenzie Properties, LLC: A public hearing for a Minor Site Plan and Change of use approval at 16 Amesbury Road, Newton. The property is referenced as Tax Map 10, Block 07, Lot 20-1

Mr. John Arnold presented the Plan to the board and the public concerning this matter. Mr. Barry Gier responded to the points in the Circuit Rider's comment letter and the Comments from the Town Engineer. They were asked to submit their responses in writing (see attached) (All replies during the discussion are assumed to come for the applicant or their agent unless specified.)

Ms. Rowden asked about waste oil that was mentioned in the presentation. Mr. Gier replied that it was small quantities that repairpersons brought back after house-calls, and it was stored sealed 55-gallon drums that are stored on spill containment pads. Mr. Andrews asked about how these drums would be protected from damage. Mr. Foote stated that would be addressed by the fire inspections.

Mr. Hamel asked if the propane tanks behind the building were new. He was informed that they were and that the building had been converted from oil heat to gas heat.

Ms. Estabrook asked if they had an occupancy permit, she was informed they do not have one, that it was in the hands of Code Enforcement.

Mr. Zalenski asked if there was a fire suppression system installed, he was assured there was a system.

Ms. White asked about note #11 on page 1, concerning the septic criteria, she was informed that this was the criteria used in calculating the septic requirements for the site. Mr. Hamel commented it appeared to be more than required.

Mr. Andrews noted that the propane tanks were labeled as "filling tanks" he was informed that the tanks may, someday be used to fuel the company's propane powered vehicles. He went on to ask if the number of employees mentioned would be the maximum that could be employed by the company. Ms. Rowden informed him that the Planning Board had no jurisdiction in that matter.

Ms. White asked about the snow storage areas, Ms. Rowden informed her the plan shows adequate area for snow storage.

Ms. Estrabrook commented on the large gravel parking lot in the wooded area. Ms. Rowden assured her that this was pre-existing and showed on aerial photographs.

Ms. Rowden suggested the Board take jurisdiction.

Mr. Hamel moved to take jurisdiction with Mr. White seconding the motion. Unanimous vote.

Mrs. White opened the public hearing on the application and asked for input from abutters.

Mr. McElroy commented that had no issues with the plan and supported it.

Mr. Hayden stated that they were great neighbors but was concerned that the site could become a distribution center or used for manufacturing. The Board informed him that a new site plan would be necessary for either of those possibilities.

Ms. Estrabrook asked about tanks being stored on-site. She was told that this was a temporary situation until their new storage facility was built in a neighboring town.

The notes on page #2 were discussed and it was decided that notes 15, 16 & 18 should be removed.

The Board discussed potential conditions for the approval of the plan and agreed to the following conditions:

- 1.Remove stored propane tanks within 90 days of this notice.
- 2.Have all appropriate stamps on the plan.
- 3.Receive their occupancy permit.
- 4.Comply with all state and local permits.
- 5.Comply with all life safety codes and inspections.
- 6.Submit written the details of activities.
- 7.Pay all town fees.
- 8.Mylar of Page C2 supplied for recording.

To be noted on the recorded Plan:

1. The only hazardous materials to be stored on site may be waste fuel oil collected in no more than two steel drums, with lids, not to exceed 55 gallons each

2. No outside storage
3. No oil delivery trucks parked overnight

Mr. Hamel moved to approve the Application with the afore listed conditions. Mr. Foote seconded the motion with a unanimous vote.

Mr. Hamel recused himself from the board and moved to the audience.

125 Development Corp. A completeness determination of an application referencing Map 14, Block 1, Lot 1 and Map 14, Block 1, Lot 27-3.

Mr. McDonough presented his plan to the Board. He also presented other potential site uses. A lively exchange was held.

Ms. Rowden recommended the board deny the application as it was incomplete and met neither site plan nor subdivision regulations.

Mr. Andrews moved to deny the application for being incomplete. Mr. White seconded the motion with a unanimous vote.

Mr. Hamel returned to his board seat.

Board Business and Correspondence

- a. Acceptance of minutes from 07/23/19 meeting.

Mr. Hamel moved to approve the July 23 minutes; second by Mr. White. Unanimous vote.

- b. Manifests –

- Mr. Hamel moved to approve the Operating Budget manifest in the amount of \$6499.95; second by Mr. Andrews with a unanimous vote.
- Mr. Hamel moved to approve the NEPRA manifest in the amount of \$291.77; second by Mr. White with a unanimous vote.

- c. Correspondence-

Mr. Doggett reminded members to contact the office if they wished to attend the NHMA Law Lectures in October.

Ms. Rowen Reminded the members that now would be a good time to work on any Zoning changes the Board considered necessary.

1. Adjourn

Ms. White adjourned the meeting at 8:50.