

**NEWTON PLANNING BOARD
MINUTES OF MEETING
November 14, 2017**

Call to Order: Chair Barbara White called the meeting to order at 7:00 PM. In attendance were: Chair Barbara White, Vice Chair James Doggett; Planning Board members: James White, Roger Hamel, Sandra Estabrook, Charlie Melvin and Alternate Paul Szot. Minutes were transcribed by Administrative Assistant Gail LeBlanc.

In attendance: Coleman McDonough, Tom Lekborg, Scott Frankiewicz, Matt Burrill, Chair Newton Board of Selectmen; Lisa Gonyer, Vice Chair Newton Board of Selectmen; Larry Foote, Selectman; and Nancy Wrigley, Town Administrator.

The meeting began with a salute to the flag.

Paul Szot was appointed a voting member tonight in J. Holland's place.

J. White moved that the PB vote its full faith and confidence of Jennifer Rowden, Circuit Rider, RPC. J. White stated that Ms. Rowden does a fine job. C. Melvin second with unanimous vote. Ms. Rowden thanked the PB for their support.

J. Doggett stated that before the public hearing begins, he would like the Planning Board to vote on whether he should recuse himself in light of the pending lawsuit by the applicant against J. Doggett and the PB. C. Melvin stated that if J. Doggett recuses himself from the tonight's meeting, he will recuse himself as well. **R. Hamel motioned that the PB advise J. Doggett that the PB does not believe he should recuse himself from tonight's hearing. J.White second. Motion passes 6-0, J. Doggett abstained.**

1. Continuation Amended Site Plan, Coleman McDonough/125 Development, 27-2 Puzzle Lane (Map 14 Block 1 Lot 27-2) Scott Frankiewicz of Brown Engineering and Surveying spoke on behalf of Coleman McDonough, 125 Development. Mr. Frankiewicz reported that they had filed their A.O.T. application today. Mr. Frankiewicz stated at the PB meeting in September the PB requested a current conditions site plan be prepared. He stated that on page 3 of the plans are the current conditions as of 10/10/17. He said they have gone before the Board of Appeals and received an equitable waiver on the buildings and a variance from the wetlands. He also stated he received the Town Engineer's review today. In response to the J. Rowden, Senior Planner's report, he reported that the first five items on the report have not yet been completed:

1. The applicant must provide information related to the structural renderings, including depicting the height of the structure and the first floor elevations per SPR 7.1.5.C
2. The applicant must provide locational information on all on-site infrastructure, including septic system location (test pit locations and a 4,000 sq. ft. reserve septic area have been indicated) per SPR 7.1.5.H. Any approval of this plan should require that a NHDES Subsurface Permit has been obtained and the permit number noted on the plan.
3. The applicant must provide information relative to the type of lighting (locations show on Sheet 7) along with the cone of illumination per SPR 7.1.5.J.
4. The applicant must indicate the location of snow storage area on the site plan per SPR 7.1.5.M
5. Updated Drainage report. The Town Engineer has recommended that the PB not approve the plan until the drainage report is submitted to ensure that it complies with Newton's drainage requirements (SPR 7.2.3). Any approval of the site plan should contain the condition that all necessary permits, including a NHDES AoT permit, be received and their permit numbers noted on the plan. Note: The AoT application was submitted November 14, 2017. The Town Engineer is waiting on the drainage analysis.

Mr. Frankiewicz said he would forward the drainage analysis results to the Town Engineer and he would like to review the Town Engineer's report before responding to the PB. In regards to J. Rowden's review, Mr. Frankiewicz said that the snow storage would be indicated on the revised plans, the wetland plans will be stamped and the lighting along with the cone of illumination will be shown on the new plans. He said he will be revising the plans. Ms. Rowden reviewed and clarified her notations.

J. Rowden stated that overall the application is close to complete. Ms. Rowden stated that whether or not the PB invokes jurisdiction was solely at the discretion of the PB. But, as of now, they have not provided everything in the site plan regulations, nor have they asked for a waiver. If the PB takes jurisdiction of the amended site plan, then the applicant has a 65 day window to get all required information to the PB.

C. Melvin made a motion not to take jurisdiction tonight with a second by S. Estabrook. B. White asked if there was more discussion.

M. Burrill, Selectman Chair, stated he was not an expert when it comes to planning, but he thought it better to work together with the applicant and accept jurisdiction. He said that as a tax payer he likes it when taxes go down. The finished properties will bring more revenue into Town.

P. Szot asked if they could get all the information to the PB before the next meeting. Mr. Frankiewicz replied yes.

Mr. McDonough spoke. He said in the past he submitted his site plans and they have always been accepted at the first or second meeting. He said that 90% of his approvals have been approved with conditions. He stated that this application has been in process for three months. He's experienced a lot of unforeseen delays. He stated that he's done everything he can to move this along. B. White stated that she wanted to remind everyone that the original site plan expired and that is why they are applying for an amended site plan. S. Estabrook commented that this hearing has been continued twice at the request of the applicant.

L. Gonyer, speaking as a taxpayer, asked why the PB couldn't accept jurisdiction with conditions. The PB responded that yes they could accept jurisdiction with conditions.

B. White asked for a vote on C. Melvin's motion not to take jurisdiction. 3 in favor; 4 opposed: J. Doggett, B. White, J. White, and Paul Szot. Motion does not carry.

P. Szot made a motion to invoke jurisdiction and continue the hearing until November 28, 2017. J. Doggett second. The only way the PB will take jurisdiction is that all the requested information be received by the PB by Wednesday, November 22, 2017.

Mr. Frankiewicz informed the PB that he would have all missing items to the PB office by Wednesday, November 22, 2017. He stated that architectural drawings have been submitted to the Building Department.

Ms. Rowden stated that the PB could accept jurisdiction and issue a conditional approval on the same night.

2. Other Board Business and Correspondence

a. Acceptance of Minutes from 10/24/17 J. Doggett moved to accept the minutes from the 10/24/17 meeting. P. Szot second with unanimous vote.

b. Manifests J. Doggett moved to pay the Operating Budget manifest in the amount of \$74.38. Second by R. Hamel with unanimous vote.

J. Doggett moved to pay the NPREA manifest in the amount of \$889.65. Second by C. Melvin with unanimous vote.

d. Correspondence None

C. Melvin wished everyone a Happy Thanksgiving!

We were informed at the end of the meeting that there was a technical problem with the taping of the meeting for the cable station. The entire meeting may not have been recorded.

3. Adjourn: J. Doggett moved to adjourn at 8:04 PM, second by J. White with unanimous vote.

Meeting adjourned at 8:04 PM.

Respectfully Submitted,

Gail M. LeBlanc, AA
Newton Planning Board