

ATKINSON PLANNING BOARD

Atkinson, New Hampshire

Public Hearing/ Workshop Meeting

Wednesday, April 1, 2009

Present: Sue Killam, Chairman; Paul DiMaggio; Michael Fletcher; Ted Stewart

Alternate: Harold Morse

Selectman Ex-Officio: William Bennett

Chairman Killam read the correspondence into the minutes then called the meeting to order at 8:00 p.m. once a quorum of selectmen was present.

Correspondence

Incoming

City of Haverhill, Legal Notice for meeting of 4/7/09, 4/8 & 4/18/09.

Selectmen Legal Notice for Public Hearing of 4/21/09.

PB Budget Printouts dated 3/31/09.

E-mail from chief Murphy re: Atkinson Golf Plan review.

NH DES Wetland Bureau Dredge & Fill Application, William Grimes, 2 Lisheen Drive, Map 15, Lot 5.

ZBA Legal Notice for meeting of 4/15/09.

Building Department Legal Notice for Small Wind Energy System application,

Outgoing

MHF Design Consultants, Inc. dated 3/18/09 re: P.J. Murphy Transportation Amended Site Plan Approval for 16 Industrial Way, Map 16, Lot 59.

Department Heads Memo dated 3/19/09 re: Site Plan Review- 9 Hole Executive Par 3 Course and Minor site Revision on Willowcreek Golf Plan.

SFC Engineering Partnership dated 3/19/09 re: Antonio Quadros Site Plan Conditional Approval for NH Route #111, Map 21, Lot 4-2.

After calling the meeting to order, Chairman Killam requested that approval of minutes for the Planning Board Meetings of November 18, December 3, 2008, January 7, February 18, March 4, 18, 2009 be moved until the end of the meeting in order to allow the three scheduled public hearings to commence.

Harold Morse stepped off the Board.

Continued from March 18th

Atkinson Farm, Inc. continued review of Site Plan for proposed 9 Hole Executive, Par 3 Golf Course adjacent to Clubhouse Drive, Atkinson Resort & Country Club, Map 1, Lot 12, RR2/SCR Zone.

Chairman Killam read the abutters list into the minutes. No abutters were present.

Chairman Killam asked if the application had been taken into jurisdiction. Joshua Manning of Lewis Builders replied that the application had not. Mr. Manning then proceeded to update the Board on the plans and the history of the application. He informed the Board that the applicant had presented the plans and requested permission for a 3 par, 9 hole golf course at the Board meeting of November 18, 2008. Since then, the applicant had included a drainage plan and applied for an alteration of terrain permit. He stated that the alteration of terrain permit had been submitted to New Hampshire DES and that it should be approved within the next few weeks. He then showed the Board the plans for the golf course, which would run along the road to the Club House.

Aaron LaChance, Stantec Engineering then presented the Board with a letter from Stantec regarding the application and requested that it be entered into the minutes. He briefly reviewed the comments from the letter.

Comment 1: he has stopped review until drainage issues are resolved by DES. He stated that it was a tough plan due to the adjacent plan for condominiums and that he was awaiting comments from Steve Cummings of DES regarding changes to the plan.

Comment 2: Culverts – the size of the culverts on the plan differs from the actual size of the culverts at the site

Comment 3: Traffic study – a traffic study had been made for the condominiums but none for the new golf course, the plan needed to be revised to show any increased traffic due to the new golf course.

Comment 4: The wetlands were delineated after the proposed construction and he needed to check to see if the wetlands were impacted by the new golf course. Mr. LaChance also stated that he was not familiar with the wetlands in that area.

Vice Chairman DiMaggio asked if the State was looking at possible impact to wetlands. Mr. Manning replied in the affirmative. Vice Chairman DiMaggio asked where the wetlands were located and Mr. Manning stated that they were shown on pages 10, 11 and 12 of the site plan. He stated that the wetlands consisted of a brook along the side of the road and past hole #8 of the golf course. He also stated that the plan included a bridge over the brook.

Chairman Killam asked about the treatment plant. Mr. Manning stated that the second sheet shows where the wetlands, the golf course and the treatment plant are located on the site. Chairman Killam then asked if the treatment plant and wetland concerns were addressed in the DES review. Mr. LaChance stated he was told that the wetlands avoid dam construction and that the original plans did not show it, but he believes that the revised plans do although he has not seen them.

Mr. LaChance then stated that comments 6-12 had been resolved.

Comment 13: Mr. LaChance suggested that Mr. Manning request further information on a design for the bridges, especially the bridge with a drop in elevation. Mr. Manning replied that he had further detail. Chairman Killam stated that the detail needed to be documented on the plan, and Mr. Manning stated that it has been.

Comment 14: Hours of operation – Mr. Manning stated that the hours of operation had been added to the application.

Comment 15: Chairman Killam stated that the wording of Comment 15 was semantics. Mr. Manning stated that the new plan has existing conditions and is the proposed plan. Mr. DiMaggio asked if the new plan show existing vegetation and proposed removal. Mr. Manning stated that it did.

Selectman Bennett asked if the Board was being asked to approve something that had already been built. Chairman Killam replied in the affirmative. Mr. Bennett asked how it had been built and Mr. Manning replied that the proposed golf course had been built one hole at a time and that the applicant did not think that they would need approval from the Board. Chairman Killam stated that the Board requested review and that the applicant submitted documentation. Selectman Bennett then asked if this had happened before. Chairman Killam replied yes, and Vice Chairman Dimaggio stated that this would be the last time. Chairman Killam also stated

that if the plan did not meet approval, the golf course would not be permitted to open. Selectman Bennett asked about alterations to terrain and Mr. Manning replied that the studies had been done.

Comment 16: sound – Mr. Manning stated that a note had been added to Sheet 10.

Comment 17 and comment 18 have been resolved.

Chairman Killam then inquired about the DES memo. Mr. LaChance then requested that the DES memo of April 13, 2009 be entered into the minutes stating that the major issues were regarding drainage. Chairman Killam inquired about the drainage in pipes Comment #6 stating that an 18 inch drain pipe was modeled but the actual size of the pipe on the course was 15". Mr. LaChance then asked Mr. Manning if the manhole cover in Comment 6 was approved and Mr. Manning replied yes. Mr. LaChance then asked if comments 7 through 11 on the NHDES memo had been resolved and Mr. Manning replied that they had. Chairman Killam asked if Steve Cummings was the engineer and if DES was doing the review and Mr. Manning replied in the affirmative and that he had 60 days to respond.

Chairman Killam then requested that the letter dated 3/18/2009 from Julie LaBranche, Senior Planner for the Rockingham Planning Commission be entered into the minutes for discussion by the Board. She stated that Comment #3 needed discussion and asked if the applicant should be granted a waiver.

Member Ted Stewart stated that the Board could only take the proposed site plan under jurisdiction at the meeting and that the Board could not go forward without approval of the plans by DES. Chairman Killam stated that she was not confident that Mr. LaChance had thoroughly reviewed the final version of the plans. It was agreed that the Board had enough time to take the application under jurisdiction.

Member Ted Stewart moved to take the new plan set under jurisdiction. Vice Chairman Paul DiMaggio seconded the Motion. Members Mike Fletcher, Harold Morse, Vice Chairman DiMaggio and Chairman Killam voted in favor of approval to take the plans under jurisdiction Selectman Bill Bennett abstained.

Member Harold Morse asked if there were other issues. Chairman Killam and Vice Chairman DiMaggio both stated that they wished to discuss other issues.

Vice Chairman DiMaggio then asked about parking. Mr. Manning stated that members could use existing parking at the club house for the new golf course. Vice Chairman DiMaggio stated that it had a good sized parking lot and Mr. Manning replied that there were 48 spaces. A discussion then ensued as to how many parking spaces would be needed for golfers using the proposed course and how much traffic it would bring. It was decided that the maximum amount of traffic and parking spaces needed would be 36 at one time, 4 cars for each hole. Vice Chairman DiMaggio stated that since most functions, when the club was busiest were at night while the course would be used during the day so parking would not be a problem. Vice Chairman DiMaggio then asked about traffic stating that the course could potentially generate traffic of 36 cars per hour. Mr. Manning replied that a traffic study had been done for the condominium development and it showed that the existing road was adequate. Vice Chairman DiMaggio asked Member Mike Fletcher's opinion and Mr. Fletcher stated that he had not seen a noticeable increase in traffic in the area. Member Ted Stewart stated that the condominium project had been delayed due to the economy.

The Board concluded that if the applicants needed more parking due to increased volume engendered by the golf course, then they could come back to the Board to request an increase in parking spaces.

Chairman Killam then asked if there were other issues. Selectman Bennett asked about noise and Chairman Killam replied that noise levels were addressed on Sheet 10. Mr. Bennett asked if time restrictions had been added and Chairman Killam stated that he should look at the Town Ordinances.

Chairman Killam requested a waiver request for not providing a timing sequence for the plan as stated in the March memo from Rockingham Planning Commission. Mr. Manning replied that he would bring one to the next meeting.

Chairman Killam then stated that the application needed final approval from Mr. LaChance and a completed analysis by DES. Vice Chairman DiMaggio stated that the applicant also needed to know that they would not wait until the project was finished before requesting permission from the Planning Board. Chairman Killam stated that the golf course could not be opened unless the plan was approved by the Board.

Vice Chairman DiMaggio made a motion to continue until the Planning Board Meeting of May 6, 2009.

Mr. Manning requested a Motion for conditional approval. Chairman Killam and Vice Chairman DiMaggio said that could not be done.

A motion was then made by Mike Fletcher to continue to May 6, 2009, seconded by Vice Chairman DiMaggio. 4 members voted to continue with one abstention by Selectman Bill Bennett.

Chairman Killam then asked for discussion. Selectman Bennett asked about the culverts. Mr. LaChance stated that he did not think that the discrepancies were alarming and were probably due to the fact that Lewis Builders was working through a third party engineer. Mr. Bennett asked if Mr. LaChance was going to measure the culverts. Mr. LaChance replied that he would. Vice Chairman DiMaggio and Member Mike Fletcher stated that it was a good idea and Selectman Bennett agreed. Mr. Manning asked if the Board would like to do a site walk.

The Board then took the next item on the Agenda under review

Atkinson Farm Inc. submission of an Application for Review and Approval of an Amended Site Plan for Willowcreek Golf Academy to include lighting a portion of the existing Driving Range adjacent to the new building on Country Club Drive, Map 1, Lot 12, RR2/SCRZone

Chairman Killam read the abutters list into the minutes. Lewis Real Estate Trust, was present.

Chairman Killam then entered the March 18, 2009 memo from Rockingham Planning Commission into the minutes regarding the site walk. She stated that she was amazed at how little light falls behind the pole because of shielding. She stated that only one neighbor was present at the site walk and he stated that he can see a brilliantly illuminated area but that the light does not fall into his yard.

Vice Chairman DiMaggio stated that that was correct – he drove around the neighborhood, and if he were a neighbor he would not like it but no one complained. Selectman Bennett asked about abutter comments and Vice Chairman DiMaggio stated that there was one comment regarding noise and one regarding light. The applicant stated that she had met with the abutters. Vice Chairman DiMaggio stated that the abutters seemed to have accepted the plan and that the number of nights was the only issue.

Mr. Manning stated that the existing operation was from 6:00 a.m. to 1:00 a.m. and that the applicant was requesting to light the driving range until 11:00 p.m. seven days per week and that golfers wanted to practice.

Vice Chairman DiMaggio stated that he has an issue with the light in the parking lot and if it would bother neighbors. He stated that if he were a neighbor, he would not want it on every night. Mr. Bennett expressed concern about losing darkness and felt that 9:00 p.m. would be a better time to shut off the lights. Vice Chairman DiMaggio agreed that 9:00 p.m. would be a better time to close the driving range, that it could be opened later for a function but 11:00 p.m. was too late. Chairman Killam stated that the applicant had informed her that it would not be open until 11:00 p.m. every night. Selectman Bennett stated that it was a driving range and that golfers would want it open. The applicant stated that she had explained to the neighbors that the driving range is usually open to 8:00 p.m. and that it closes many nights at 6:30 or 7:00 p.m. Mr. Bennett stated that this was another build then ask. Mr. Manning agreed but stated that the applicant had changed the original plan so that there would be less light.

Vice Chairman DiMaggio asked if there were other issues. Chairman Killam stated that it was an amendment to the original site plan. Chairman Killam stated that it does not bother her, that the range would probably not be opened seven days, that three nights would be more likely and geared toward the weekend.

Member Ted Stewart stated that the lighting for the clubhouse was on after 11:00 p.m. and the clubhouse is already open until 1:00 a.m. Chairman Killam stated that the application states 11:00 p.m., seven days per week. Vice Chairman DiMaggio stated that the other changes were in the notes. Chairman Killam asked if another light was coming out and the applicant stated that one of the lights by the parking lot was coming out.

Member Ted Stewart made a motion to approve the amendment to the site plan of Willowcreek Golf Academy. The Motion was seconded by Mike Fletcher. The Board voted in favor of the motion with one abstention by Selectman Bill Bennett. Harold Morse returned to the Board.

The Board next considered the next item on the agenda.

Ted Stewart, Atkinson Road Agent to accept a new Atkinson Road System Action Plan as Capital Improvement Plan for the Atkinson Highway Department.

Chairman Killam stated that she was concerned that the first year of the plan did not get funded. Member Ted Stewart, acting as road agent explained that the Board of Selectmen cut recommended warrant amounts and that 5 roads did not get funded. He further stated that these roads would be built into the plan over the next 9 years.

Ted Stewart explained that he discussed with the Town Engineer what the Town spent per year, approximately \$350,000 and planned for an average of \$300,000 per year to be spent on road maintenance over the next 10 years.

Mr. Stewart explained that he and the consulting engineer drove and prioritized every street and road by its present condition and what was needed to maintain it. Each road has a 20 year life span without repairs and improvements. Most towns wait for the road to wear out then rebuild. In Atkinson Roads typically receive work in the 12-15 year time frame, and the result is a 30 year life.

Mr. Stewart stated that the roads in Atkinson could be divided into three categories: roads that need no work over the next 10 years, roads that need some work over next 10 years and roads that need a lot of work over the next 10 years. Previous plans depended exclusively on reclamation. The majority of this plan is repair. Only sections of roads now need to be reclaimed. A cost of \$85.00 per ton of asphalt was budgeted. He got a price of \$71.00 per ton but surrounding towns paid \$85.00 per ton. Last year he got a price of \$50.00 per ton and surrounding towns paid \$64.00 per ton.

Mr. Stewart stated that one advantage of a ten year plan is that it takes small town politics out of road maintenance, having an approved plan makes town meetings and budgeting much easier.

Chairman Killam stated that one 10 year plan had already been established and worked through. Road Agent Ted Stewart stated that he believes the previous plan worked and that a majority of the roads passed for a 10 year period. Chairman Killam stated that the plan has the flexibility to switch roads in case of unforeseen events such as a flood.

Chairman Killam asked if the Board wished to discuss anything else. Vice Chairman DiMaggio had a question regarding overlay. Road Agent Ted Stewart stated that all roads were measured for length and width. He stated that they have 1/2" shim and one inch top, that the roads are 22 and 24 feet wide. He stated that adding one and a half inch shim to get over 4 inches adds structural integrity. Most roads only needed shim and overlap but sections of some roads needed to be reconstructed. He also stated that a lot of roads are scheduled just to receive crack fill. He stated that crack seal has a big impact on the life of a road. Member Harold Morse asked if he had done any crack seal recently. Ted Stewart stated that crack seal had been budgeted for this year.

Chairman Killam asked about the plans for the Island Pond Road Bridge in the last section. Road Agent Ted Stewart stated that hopefully the Selectmen would approve Stantec's contract. Chairman Killam stated that a warrant article would be needed to fix the bridge and Mr. Stewart stated that the study by Stantec is to determine the cost of repairing the bridge.

Chairman Killam stated that only two places in town had flooded. Mr. Stewart stated that the New Hampshire Department of Transportation did drainage studies for Route 121 and Route 111 giving the town cost benefits by using

that experience.

Mr. Stewart stated that the flooding on West Side Drive can be fixed. The culvert was not considered a bridge because it was too small, it has been topped three times but now the town can make it wider and make it into a bridge.

Mr. Stewart stated that the first step was to have the plan approved. Vice Chairman DiMaggio made a motion to have the plan approved and endorsed. Harold Morse stated that it is called an action plan but should be called a capital improvement plan.

Vice Chairman DiMaggio stated that he would add to the motion. Chairman Killam stated that the motion will be to approve the plan and add to the Capital Improvement Plan. Vice Chairman DiMaggio made the motion. Member Mike Fletcher seconded it. Member Ted Stewart abstained. Vice Chairman DiMaggio, Chairman Killam, Member Mike Fletcher and Ex-officio Selectman Bill Bennett all voted in favor of the motion.

At 9:30 p.m., Chairman Killam dismissed the camera crew, the recorder and Mr. LaChance while the Board stayed to review the minutes.

Minutes of January 7, February 18 & March 4th were reviewed.

Amendments to January 7,2009 minutes were as follows:

Page 11, 11th bullet from bottom – change word ‘sated’ to ‘stated’.

Motion to approve the minutes was made, seconded and approved.

Amendments to minutes of February 18, 2009

Correct minutes date of footer.

Page 7, line 7, add after ‘spirit’ ‘and the letter’.

Motion to approve the minutes of February 18, 2009 as amended was made, seconded and approved.

Amendments to March 4, 2009 minutes are as follows:

Page 4, Height of berm should be 8’.

Page 5, 5th paragraph, correct spelling word ‘fenc’ to ‘fence’.

Page 10, second paragraph, replace name ‘Harold Morse’ to ‘Tim Dziechowski’.

Motion to approve the minutes of March 4, 2009 was made seconded and approved.

The meeting was adjourned at 10:20.

Minutes prepared from notes. Respectfully submitted,

Karen Wemmelmann

APPROVED __4/15/09_____

Minutes of 4/1/09 were reviewed and the following corrections/additions made:

Page 1, end of 1st paragraph, add ‘Harold Morse stepped off the board.

Page 3, delete ‘Selectman Bennett asked about jurisdiction and Chairman Killam stated that it would not be a

problem.’

Page 4, 4th paragraph, replace ‘promise’ with ‘know’.6th paragraph, replace ‘interim’ with ‘conditional’ and add ‘said that could not be done.’ At the end of the paragraph.

Page 4, last paragraph, after abutters, add ‘seemed to’.

Page 5, after 5th paragraph add ‘Harold Morse returned to the board.’ Add after last paragraph, ‘,and the result is a 30 year life.’.

Page 6, 3rd paragraph, replace 28’ with 24’ and delete word ‘collectively. Replace word ‘reconstituted’ with reconstructed’. Third to last paragraph, delete last sentence. Second to last paragraph, replace word ‘budget’ with ‘plan’.

Motion to approve the Minutes as amended was made seconded and approved.