

ATKINSON PLANNING BOARD
Atkinson, New Hampshire
Regular Meeting
Wednesday December 21, 2011

Present: Sue Killam, Chairman; Regular Members: John Wolters, Tim Dziechowski, Mike Turell, Scott Simons - alternates

Ms. Killam called the meeting to order at: 7:33 p.m.

Approval of Minutes

Minutes for December 7, 2011

Mike made the motion to accept the minutes of December 7, 2011. Scott seconded the motion and the Board voted unanimously in favor to accept the minutes

PUBLIC HEARING 7:43 pm

Southern NH Commons, LLC, submission of an Application for Consideration and Approval of an Amended Site Plan to add a truck scale on property located at 2 Route 111, Map 21, Lot 4-1 in the CI Zone.

Sue read the list of abutters:

Present:

Town of Atkinson

Southern NH Commons, LLC

Tetler & Co.

Christine Cornelius

Frank Price

Sue gave an overview of the minor amendment of the site plan. Sue passed out site plans and photos to the Board. Sue asked John Feoli of Winfield Alloy to speak about it.

John Stated that the ramp is;

- 147 ft. long x 13 ft. wide.
- is used for trucks and tractor trailer to weigh the metal within
- the scale itself is portable; the base is made of concrete - 12in. concrete pad with a gravel base
- it's a standard install from Fairbanks scales
- snowplowing is not affected - snow is stored either in front or the side of building
- base is poured concrete reinforced with re-bar
- Fire department is okay with the distance of the scale to the main building
- hours of operation are 8am - 4pm Monday - Friday
- John has the no parking signage and it will be posted by the easement this week
- it takes approximately 4+mins. to "shuffle" trucks on/off (includes dropping trailer/reattaching)

Sue asked if any abutters have any questions/concerns. Mr. Price, Hampstead, NH resident, has no real complaints. He sees more traffic with the Dunkin Donuts and no real increase in traffic on this site. He did not realize that the ramp has been in operation for the past 8-9 months. Christine Cornelius has concerns about residential screening. The power company "came through and cut down the screening" She and her son planted some more and then the State came through and planted and then a road crew cut them down again. Discussion on State right of way on route 111 and on screening requirements. Tim will look into the DOT and planting and the wetlands that are involved. Ms. Cornelius presented photos and letters

she has regarding the plantings. She presented a concern on the outdoor lighting and John to shield the lighting.

Mike made a motion to accept the application for the consideration of the amended site plan to Southern NH Commons, LLC to add a truck scale on property located at 2 Route 111, Map 21, Lot 4-1 in the CI Zone. John seconded the motion and the Board voted unanimously in favor of jurisdiction

Mike made a motion to approve the Southern NH Commons, LLC to submission of application for the consideration of the amended site plan to add a truck scale on property located at 2 Route 111, Map 21, Lot 4-1 in the CI Zone. Scott seconded the motion and the Board voted unanimously in favor

Public hearing closed at 8:10 pm

Discussion

Warrant Articles for the 2012 ballot

1) Town of Atkinson – Zoning Ordinance

an amendment to Zoning Article IV Section 400:3 by Amending "Section 400:3 a" to read: "Any building or use otherwise permitted in the district shall be permitted on a substandard lot, provided that such substandard lot is legally buildable in all other respects as of the effective date of this ordinance and amendments, or at any time thereafter."

And by deleting "Section 400:3 b"

And by amending "Section 400:3 c" to read: "The Board of Adjustment may grant a special exception to the requirements of subparagraph "a" above"

add to change the title of 400:3 to read "Sub-Standard Lots" instead of "Contiguous Lots"

Mike read the ordinance. Discussion and that the Town ordinance to comply with the State law. Julie asked if the heading should stay as is or be changed.

Tim made motion to move the amendment to the ballot. Mike seconded the motion and the Board voted unanimously in favor

2) Site Development Plan Regulations - can enact as Public Hearing

Section 300 Duties of the Planning Board

310.1 Insert the following after the existing paragraph, which shall be amended as (a):

(b) The Planning Board may require a professional engineering review or other type of technical review deemed necessary for preliminary consultation submissions and formal application submissions under the Site Development Plan Regulations. The cost of such review shall be borne by the applicant.

Add the following new section:

(c) The Planning Board reserves the right to request establishment at the time of application by the applicant of an escrow account to cover the estimated costs of the 30 day completeness review (per the Federal Communications Commission and Telecommunications Act, as amended) for any application involving establishment of new or expansion of existing wireless communication facilities. Any funds not expended for the purposes of the 30-day completeness review and subsequent professional and/or technical review of such applications as part of the Site Plan Review process shall be returned to the applicant following final decision on the application by the Planning Board.

Discussion on should be ":1" and insert "b" and "c" below. Sue will re-word "**shall be amended as "a" and insert "b" and "c" as follows**"

Section 550 Compliance

550:2 Insert the following after the existing paragraph, which shall be amended as (a):
(b) Any request for waiver to the requirements of these regulations shall be submitted in writing to the planning board. The basis for any waiver granted by the planning board shall be recorded in the minutes of the board. The planning board may only grant a waiver if the board finds, by majority vote, that:

- (1) Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or
- (2) Specific circumstances relative to the site plan, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

Discussion on adding and "a" to existing paragraph and to add the remaining wording to the requirement

Section 620 Pollution and Flood Hazard Control

620:1 Replace the term "Water Supply and Pollution Control Commission" with "the New Hampshire Department of Environmental Services".

Discussion on replacing the States new name to comply with new terminology

Tim made a motion to amend the site plan as discussed. Mike seconded the motion and the Board voted in favor of the amendments

Tim made the motion to amend the Site Plan Regulations as amended. Mike seconded the motion and the Board voted in favor of the amendments

Water Supply and Sewerage Disposal Regulation - Board of Selectmen need to enact

Section 310 General Regulations: Replace the terms "New Hampshire Water Supply and Pollution Control Commission and the abbreviations "NHWSPCD" and "WSPCD" with "New Hampshire Department of Environmental Services" in all subparagraphs of the Section.

Sue read the memo to be sent to the Board of Selectmen on Thursday. The Board was okay with the memo.

Land Subdivision Control Regulations -

Section 320 Adequacy of Land

320:3 Replace the term "Office of State Planning" with the "Office of Energy and Planning".

Section 370 Compliance

370:1 Add the following text after the existing paragraph, which shall be amended as (a):
(b) Any request for a waiver to the requirements of these regulations shall be submitted in writing to the planning board. The basis for any waiver granted by the planning board shall be recorded in the minutes of the board. The planning board may only grant a waiver if the board finds, by majority vote, that:

- (1) Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or
- (2) Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

note - This is pursuant to RSA 674:36 sub-paragraph n

Section 500 Procedure for Subdivision

Add the following new section (page SD-8):

510:2 The Planning Board may require a professional engineering review or other type of technical review deemed necessary for preliminary consultation submissions and formal application submissions under the Land Subdivision Control Regulations. The cost of such review shall be borne by the applicant.

Mike made the motion to approve the Land Sub-division Control Regulation amendments as written here in section 320, section 370 and section 500. John seconded the motion and the Board voted in favor

Building Code Ordinance - will be moved to the ballot if Board approves

Add the following new paragraph to Section 400

440: The Building Inspector may require a professional engineering review or other type of technical review deemed necessary. The cost of such review shall be borne by the applicant.

Discussion on the Building Code Ordinance.

Mike made the motion to move to ballot as written. Scott seconded the motion and the Board voted unanimously in favor

Discussion

Tim brought up Mobile homes and Pre-Fab homes and what the Town and the State. Under the State you cannot disallow them.(RSA 674:24 and 674:31 definition area) There is a 2 year limitation for temporary housing. Discussion on Section 510 under z-39 and the clusters

Meeting

The Board voted unanimously to defer the next meeting which would be a Workshop meeting on January 4, 2012

Mike made the motion to dispense with the workshop meeting on January 4, 2012. Tim seconded the motion and the Board voted unanimously in favor

RPC

Julie gave update version of the Community Facilities chapter. Julie would like to add to page 16 a picture of the Town Common and would like to document the monument to put in the chapter. Scott is volunteering to document. Julie is waiting on Town owned properties and Conservation land from Tim for appendix 1. The Existing Land Use Chapter Julie only needs to fix on section low-moderate subdivision. Sue suggest that the Board review the chapters one last time and hold a Public Hearing in February to finalize the chapters.

New Business

Sue went over the budgeting and that Sue requested the monies to complete the Master Plan to comply with the State. Sue is asking for help at the next Budget Committee as well as the Board of Selectmen for a CIP committee. Discussion on CTAP and the budget. DOT is no longer funding the bike path, etc. and the Rt.125 project is to stop after the section is complete.

Discussion on the Transportation bus service is being discontinued. CART has a part-time route in Hampstead. Coach bus takes to Copley. Pick-up is at the Plaistow Park & Ride. Julie suggested to go to the DOT website to get the schedule and routes provided. Julie suggests that a survey be taken to see the need for transportation in the Vision chapter.

Tim made a motion to adjourn the meeting. The motion was seconded by Mike and the Board voted unanimously to adjourn.

The Planning Board meeting was adjourned at 9:23 p.m.

Respectfully submitted by Patty Power