

ATKINSON PLANNING BOARD  
Atkinson, New Hampshire  
**Public Hearing**  
Wednesday January 4, 2011

**Present:** Sue Killam, Chairman; Paul DiMaggio, Vice Chairman; Regular Members: Tim Dziechowski, Ted Stewart, John Wolters, Alternate Member: Harold Morse

Ms. Killam has laryngitis and Paul called the meeting to order at:7:40 p.m.

**PUBLIC HEARING**

The proposed amendment to the Atkinson Zoning Ordinance:

#1) Proposed Zoning Warrant Article to amend Article IV Section 510 Permitted Uses so that trucking is restricted between 9 PM and 6 AM. Text to read: "Add section nn: Any use where commercial trucking activity exceeds occasional (defined as more than one trip, one way, every 2 hours on a regular basis) truck traffic between the hours of 9:00 PM and 6:00 AM and 'N' to be placed in every zone indicating this is not a permitted use in any zone."

Sue asked to have Board members to check in book to assure that there are no other corrections. Paul states that this amendment is to be added to page Z40

Paul asked where the definition would go. Sue made a note that it would be in the front of the book. John Wolters asked if it would go at the end of the book under #7 under Z40. Sue also stated that you could leave it as is and add a definition next year. Harold made mention that a footnote could be added to Z40 #7.

Sue tried to define what this is to industries in the town and how it would affect them. Ted Stewart stated that he could only think of two business that proposal would affect; Palmer Gas and the Post Office. Ted doesn't feel that this would future business. Paul stated that it takes at least 1 hour to unload. Sue wanted to let everyone know the reason for this discussion is that PJ Murphy's neighbors had complained. This discussion went into changing the hours from 9PM to 6AM to 9PM to 5AM. Board discussed the Town is a bedroom community. Paul took a vote with 3 at 5AM (Ted, Harold, Sue) and 2 at 6AM (Tim, John) Sue stated that the was not "stuck" at 5AM. The Board decided to keep the hours 9PM to 6AM. Paul agreed with Harold and moved the parentheses to #7

Paul read the article as it is to be written as the following:

Any use where commercial trucking activity exceeds occasional truck traffic between the hours of 9:00 PM and 6:00 AM and footnote 7 and each of the districts would have an "n" in it for "not permitted" and footnote 7 would read "defined as more than one trip, one way, every 2 hours on a regular basis"

**Sue made a motioned to move the amendment Zoning Warrant Article to ballot as defined. John Wolters seconded the motion. The Planning Board voted 4 in favor to 2 object**

#2) Amendment to Site Plan Regulations Section 520: "Uses not permitted" Add "excessive night time truck traffic" after "waste discharges."

Paul read from the Site Plan section 520 and stated that after the wording "waste discharge" to add the wording "excessive night time truck traffic" Harold stated that this is redundant and open ended and if the ballot passed it would be unnecessary and if the ballot doesn't pass the Board could revisit it.

The Board made the decision to table this and depending on the ballot question as to if the Board would even need to review this amendment.

#3) Amendment to Site Plan Regulations Section 650:2 "Paving/drainage/sidewalks" Add "All areas where commercial trucks are to be parked must be paved with impermeable concrete and may be required to have berms and drainage to collect and separate oil and water runoff."

Sue stated the this was a concern of Board member Paul during the PJ Murphy era. Paul reviewed the Atkinson Land Use book

The Board had a discussion parking of large equipment on gravel surface. Ted would like to see a site by site basis. Ted also stated that the person(s) for the spills would be liable for the expense of the clean up. Paul asked Tim what the Conservations' outlook was. Tim stated he'd have to agree with Ted. Tim also stated that the clean up would be contained and that the EPA is heading on the subject is to minimize the amount of permeable surfaces. John stated his concern is over a period of time and how it seeps into to the water, especially drinking water. Ted stated that there should be retention ponds and the water should be treated as well. Harold feels the same as Ted. Sue feels that the Board should hold off on this. Sue also feels that that if a company is storing large quantities and that there would be a secure area with retention ponds. Paul ask what the Town Engineer and or

**Tim made a motion to table item #2 and item #3. Harold seconded the motion and the Board voted unanimously to table items # 2 & 3**

4)Amendment to Site Plan Regulations Section 6160, "Traffic" Add 6160:3 to read: "Commercial truck traffic will be limited between the hours of 9:00 PM and 6:00 AM to only occasional/incidental commercial traffic, to protect abutters and the residential quality of the surrounding neighborhoods."

The Board discussed the issues as to the fact that this is similar to the other items and that the Board should wait on the Ballot question as to revised this issue.

**Harold made the motion to Table item #4 . Sue seconded the motion and the Board voted unanimously item #4**

Paul noted that the next regular meeting of the Planning Board is January 19, 2011  
Paul asked if there was any new/old business: none

**Member Ted made a motion to adjourn the meeting. The motion was seconded by Harold and the Board voted unanimously to adjourn. The Planning Board meeting was adjourned at 8:30p.m.**

respectfully submitted by Patty Power