

**ATKINSON PLANNING BOARD MEETING  
MINUTES  
WEDNESDAY, JULY 17, 2013**

**Members Present:**

Sue Killam, Chairperson  
Tim Dziechowski  
Mike Turell  
John Wolters  
Ted Stewart  
Scott Simons

**Other's Present**

Julie LaBranche, Rockingham County Planning Commission  
Aaron LaChance, Stantec Consulting Services, Inc.  
Millennium Construction  
Abutters of the proposed subdivision named The Hamlet at Page Farm

**Call to order:** Chairperson Sue Killam called the regular meeting of the Atkinson Planning Board, Wednesday, June 19, 2013 to order at 7:30 PM.

**PUBLIC HEARING:**

1) Continued from June 19, 2013: Nicole Duquette for property owners of Dearborn Ridge Cluster, Application for Amendment to Site Plan to allow reduction of Buffer area, in conformance with current zoning Section 600:11b, surrounding the subdivision known as Dearborn Ridge, Map 19 Lots 18-110 through 18-120, inclusive, in the RR-2 Zone, by amending Note 14 on Plan D-24190 recorded at the Rockingham County Registry.

Abutters which is abutters and all residents of Dearborn Ridge: Anthony Euly, Ronald and Susan Petratis, John and Winifred McGrath, Nicole and Bradley Duquette, Silvia Butler, Robert and Tammy Dudow, John and Phyllis Hanson, Dearborn Ridge Associates, Lloyd and Judith Swanberg, Neil Hamil and Christina Scarpa, Michael and Donna McKinney, Kathryn and Ryan O'Connor, Kevin and Sylvia Linahan, Adam Sothergill and Kathy Nickerson, Town of Atkinson, Charles and Maureen Mulcahy, Susan Lipins, Trustee of Fernwood Way Revocable Realty Trust, Edward and Michelle Murphy, Caroline Cohen, Susanne Ray. Chairperson Killam read through the list of abutters. **Town of Atkinson is present.**

Chairperson Killam explained that Nicole Duquette went to the Zoning Board and instead of asking for an amendment to the site plan, Ms. Duquette requested a waiver of the front set back variance and reduction in the size of the lot. The Zoning Board granted her request for a front setback variance and a reduction in the size of her lot at 7 Dearborn Ridge, Atkinson, New Hampshire.

Chairperson Killam suggested that since the Zoning Board granted Nicole Duquette's request for a waiver of the front set back variance and a reduction in the size of the above lot, there was no need for the Planning Board to amend the site plan for the Dearborn Ridge subdivision.

**Member Mike Turell made a motion that the application for amendment of the site plan of Dearborn Ridge Cluster to allow reduction of the Buffer area, in conformance with current zoning Section 600:11b, surrounding the subdivision known as Dearborn Ridge, Map 19 Lots 18-110 through 18-120, inclusive, in the RR-2 Zone, by amending Note 14 on Plan D-24190 at the Rockingham County Registry be denied. Member Tim Dziechowski seconded the motion. All present in favor. Vote: 6/0.**

2) Application for Subdivision and Cluster Subdivision presented by Millennium Engineering for Gordon P. Brown Family Revocable Trust, for Subdivision of 15.58 Acre parcel to create a lot of 2 acres with the existing house, and to create an 8 Lot Scenic Cluster Subdivision of the remaining 13.58 acres, located at 129 Main Street, Map 13 Lot 21 in the RR2 Zone.

Abutters list: Norbert Gauren of Gauren Realty Trust; Gordon P. Brown Revocable Trust, c/o Paige Brown - here, Culip and Pinder Paul Baines; Kathleen Sedkowsky – present; Jesse Paige Estates, Woody Wood, President, Lincoln Jackson; Robert and July Weaver 138 Realty Trust, John Feuer, Trustee; West Environmental from Nottingham, Joseph Knowle the soil scientist from Maine; and Millennium Engineering, Inc.

The representative from Millennium Engineering presented the application together with Paige and Barbara Brown, to the Planning Board and those present. The application is called a subdivision and scenic view subdivision because Lot A will be taken out of the development leaving 13.58 acres for the subdivision; 50% of which must be open space. Aaron LaChance from Stantec reviewed the plans and is present. Chairperson Killam requested that Millennium Engineering allow Mr. LaChance and the Board to go through the plans before the discussion. Chairperson Killam passed out the plan sheets.

The Millennium representative started the presentation with Sheet 2 which is the sheet to be recorded at the registry and shows all the lots and the geometry. You can see that the 200 foot line cuts into the subdivision. The plan will be revised to show the most restrictive setback. Millennium Engineering requested clarification on comments on lots 3 and 6. The 125 foot depth is not achieved on lot 3 and lot 6. Sheet 2 shows the lots and monuments to be set. These will be single family, fee ownership homes, it will not be a condo, there is a single septic system sized for all the lots with a sewer system that runs through a series of manholes to a pump station to the septic. Lot A is cut out and shown. Sheet 3 shows the high intensity soils survey and mapping. It shows the soils, types and the topography. The property is mostly clear, there is a tree line on the perimeter. The highest point is to the east of the barn area. Soils test have been done on Lot A and to make sure that the soils support Lot A and the 8 homes. Tests were done for the septic area, the well and the drainage in the back. Sheet 5 shows what the site will look at. Millennium has attempted to tuck the subdivision behind the hill and to create a gentle slope. Millennium Engineering hopes to leave the grading as is. Mr. LaChance had stated that a 125 foot depth is required by zoning, and some of the lots do not meet that requirement at all points, but the average depth of the lots is 125 feet. The same comment is made on Lot 6, it does not have the depth. The Millennium representative stated he would prefer not shifting the road a couple of feet just to get the correct depth, because shifting the road would mean cutting into the hill. The right of way radius for the cul de sac is 70 feet, a large requirement.

Mr. Dziechowski remarked the grading has been changed to hide the house on that lot from the road. The representative from Millennium replied that Mr. Dziechowski is correct, Millennium has tried to tuck the house in to the hill and keep the road flat. Mr. LaChance suggested changing the grading to a steeper slope but Millennium representative prefers a gentler rise and chose to carve it back so it looks rounded and natural. It is very difficult to see the subdivision from the road. The area next to the start of the road into the subdivision is wetland. There is not a 50 foot buffer from lot one and the wetland. The way the subdivision and the road are planned, it is difficult to see either the subdivision or the road from the main road. The subdivision can be seen at one point where there is open field, but it is mostly concealed. The leaching field will back into the grade and will be very imperceptible. The challenge is to get a road that is easy to travel and is also hidden while minimizing the grade. There will be no extreme driveways and the only pitching will be in front of the houses. Run off from the houses would only occur from the garage area into the country swales and should not be a problem. Millennium Engineering has worked with the Town Road Agent, the Planning Board and the Fire Chief to eliminate some problems with the plans. He has worked with the Town Road Agent to connect the cache basins to a central area which is a constructed wetland. It was pointed out that all the effluent from the country club goes through a constructed wetland. It was explained that constructed wetland does not have the strict requirements of wetland permitting as they are not a regular wetland, they allow for groundwater recharge and settlement of solids while providing wildlife habitat. The way Millennium designed the project, all of the runoff from the entire roadway enters into the constructed wetland. Everything in the cul de sac is pitched to the cache basins through a channel to the constructed wetland. The channel will be populated with specific vegetation that will use the nutrients.

Next, the Board discussed the septic system and cache basins. The diameter of the cache basins and the circumference of the pipes were questioned. The Millennium representative pointed out the cache basins and pipes on the map. He stated he believes the pipes are all about the same circumference. The water is pitched at the crown of the road to run into two foot grassy swales that help to clean the water before it reaches the cache basins. Member Scott Simons asked if the plan takes into consideration the latest 100 year flood numbers. Aaron LaChance stated that the rainfall data has not been updated for the last 2 years. Stantec does not have that data to work with. The Planning Board discussed overflow. Millennium pointed that there is a stone bench where the water can overflow and the waste will settle in the septic tanks. Next the Board discussed provisions for a power failure since the water is pumped up. The Millennium representative explained that the solids will settle in the individual lot septic systems and the gray water is what will overflow. The need for a generator was discussed. Chairperson Killam asked if there should be 2 pumps. The Millennium representative stated that DS will review the septic plans. Each house will have a septic tank and there will be one large leach field to

handle the water from all the homes in the septic system. Chairperson Killam remarked that the sewage plans force the subdivision to have a homeowners association.

Mr. Stewart asked if Millennium anticipates doing edge drains for the road. The Millennium representative replied no, but the perimeter drains for the houses would handle runoff from the road. Mr. Wolters asked about planting trees along the field to hide the subdivision.

Chairperson Killam asked the Millennium representative if he had anything else in his overview. He requested to discuss the setbacks and buffers for the nonconforming lots. The Millennium representative stated he had a good argument for the depth of Lot 3 and he can fix the depth of Lot 6. The Millennium representative informed the Board that there is not 50 feet from Lot A to the corner of lot 5 and requested the Board discuss. Right now the buffer is about 35 feet, but he can make it work. The Board discussed the buffer on lot 3. It was pointed out that the Board just discussed if the lots could be in the buffer in another application. Chairperson Killam informed him that the zoning regulation was changed in 2001. The Planning Board discussed whether Millennium Engineering would have to go to the Zoning Board for an adjustment on the setbacks because it would be a variance. The Millennium representative stated that the reason the lots do not have a minimum depth of 125 feet at every point is the bulb of the cul de sac. The Millennium representative reiterated that he could push the road further but it would cut into the hill and that the lot depths average 125 feet.

Chairperson Killam requested that the Board should look at 600:8B – all houses in a single family residential cluster should conform to no less than the minimal lot depth is 125 feet. It is not defined as a 125 foot setback at every point. The Board discussed the average depth of the lot and whether it was 125 feet. The variance is due to the arc of the cul de sac. Scott Simons said the average depth was 124 feet. Ted Stewart pointed out that Lots 3 and 4 were 124 feet at the bulb of the cul de sac but were a little more in other places and the Millennium representative agreed. The Millennium representative stressed that changing the plan so the lot depth would be 125 feet is not an easy fix, the difference is very small and the fix would cause more harm than the current plan.. Chairperson Killam asked Julie LaBranche. She stated that the ordinance is not clear and an average would be a reasonable compromise. Lot 6 also does not conform, but Millennium can bump it back without affecting the size of the open space. The Millennium representative pointed out that the common septic area cannot be in the open space. It is a delicate balance to figure out the number of lots.

Next, the Board discussed the sewer system. Member Ted Stewart pointed out that the sewage portion is in the Town right of way and suggested it would be a simpler sell if it were a private road and private utilities. A public utility has the right to put things in the Town right of way, while if a private utility sewage treatment is put in right of ways, people have to set money aside for maintenance in the future, it skips a lot of the safeguards the Town has put in place. The Board discussed right of ways. Chairperson Killam asked how DDS would view this sewer. The Millennium representative explained that it would not be considered a treatment facility, it conveys grey water. It will be privately maintained, the Town will have a right of way but will have no duty to maintain it. Member Ted Stewart said it was a pump system and asked if it could be taken out of the right of way. Millennium said only the pipes go through the right of way. Member Ted Stewart was concerned that if the system failed and there are repairs, the road would get torn up. Chairperson Killam suggested they maintain a bond. The Millennium representative stated that at a minimum the last manhole and the last part of the pipe would have to run through the cul de sac, it would be too impractical otherwise. Member Ted Stewart suggested putting the pump station on the downhill side of the road and bypass having to go through the cul de sac. The Millennium representative stated that there would still be septic services across the street. Member Ted Stewart wants to move the pump station out of the right of way and have the pipes go around the cul de sac. Ms. LaBranche agreed that if the Town decides to take over the road, then it would be a problem, she suggested one solution would be a usage fee for the homeowners association in the cul de sac. Member Ted Stewart reiterated that if the pump were on the downhill side it would be much better for the Town if the Town takes over the road. The Millennium representative stated that he has not looked at it, but can't see why not, it would mean that 3 homes would be draining across the road. Ms. Julie LaBranche argued that there should be a maintenance use and maintenance requirement for the road and the Town would have no duty. The Millennium representative stated that changing the drainage system would require "a lot of jiggling around" and there would be issues with grading. He could move the pipe to the side of the cul de sac. The Millennium representative said he would look at it.

Chairperson Sue Killam requested Aaron LaChance take the floor. First, Mr. LaChance will verify that the new numbers for storm drainage were used in the plan. Mr. LaChance pointed out that some approvals, notes and professional

signatures are needed. Chairperson Killam asked about HAWC. The Millennium representative informed the Board that he has met with HAWC and they said it wouldn't be a problem and he would secure a letter. Also DOT driveway permits and subdivision permits are needed. The Board requested that Millennium obtain DDS approval. Mr. LaChance that the subsurface bureau will not review until the plan is filed, need to review and make sure the plan shows there recommendations and the Planning Board gets final approval. The other issue is approval from the Fire Department.

Mr. LaChance reviewed the comments contained in his memo to the Atkinson Planning Board dated July 16, 2013 and the Board discussed the following:

Comment 1 - Fire protection system: the fire department must review hydrant locations. Chairperson Killam asked where the hydrants are located. The Millennium representative stated there is one at the end of the road and he believes one was slated to be installed at the beginning. He will get a letter from the fire chief.

Comment 5 - Aaron LaChance informed those present that recent state law has changed allowing municipalities for sprinklers installed in home, and he assumes that sprinklers are being installed. Chairperson Killam informed those present that the new laws say the Planning Board cannot make sprinklers a condition of approval, but the fire chief can make them a requirement if the setback is not enough. If the setback is less than 50 feet he will require sprinkling. The Board continued to discuss setback requirements and sprinkler requirements.

Comment 6 – Section 600:6B of the Zoning Ordinance states the maximum number of lots allowable for the site size and it is not clear on the plan. Julie LaBranche suggested a graphical plan as it is not clear where the lot size numbers came from in the plan. The Millennium representative said he could get the numbers.

Comment 8 talks about the 125 foot lot depth which has been discussed.

Comment 9 discusses the 50 foot buffer. Member Ted Stewart asked about the 50 foot buffer for lot 1. The Millennium representative explained that the lot line for lot 1 will be redrawn and the lot does not go all the way out to the road. The lot will not be 1.77 acres.

Comment 10 - 200 foot setback. Member Ted Stewart remarked there is a 50 foot buffer in lot one near the wetlands edge. The Millennium plan is not drawn properly and the buffer should extend. Julie LaBranche said the buffer has to be along the road. The buffer on lot one cannot be part of lot one. The lot line needs to be changed. Lot one will not be 7.177 acres, it will be significantly smaller.

Comment 11 addresses parcels that extend beyond 100 feet for the wetland delineation. Millennium stated that flagging wetlands on someone else's property is not right. It is private property and he would not let the wetlands scientists go on someone else's property. Mr. LaChance stated that for wetlands on adjacent property, the buffer would extend into the property and affect setbacks. The Millennium representative does not allow his surveyors to go on private property. Mr. Dziechowski pointed out that surveyors can be sued for going on a property. The Millennium representative pointed out that New Hampshire does not have a right to trespass, which makes it difficult to get a good survey.

Julie LaBranche informed the Planning Board that GIS data is available that can be place on a desk, national wetlands data and Rockingham available, can be accepted instead of doing field work. The Millennium representative explained that there is a 50 foot buffer and a 50 foot building set back so it is impossible to build anything within 100 feet of wetland. The buildable areas are nowhere near the wetland except for one, the buffer on lot 1, the house location will have to be moved, and the spring will have to be shown on the site plan. The buildable area should still work.

Comment 13 - the existing structure on Lot 2 will have to be taken down.

Comment 14 - 17 a, b and c – no discussion. The Millennium representative agrees with the comments.

Comment 18 - the Road Agent has requested that the proposed travel lanes be reduced from 12 feet to 10 feet. The regulation says 12feet. Millennium Engineering is submitting a formal waiver.

Comment 19 – there is a potential discrepancy on the drainage pipe material.

Comment 20 – has already been discussed, the slope grading at the end of the site. After hearing the presentation, Mr. LaChance agrees that the setback to some of the lots would be a problem.

Comment 22 – Will talk with Millennium Engineering about the berm grading around the detention basin at a later date.

Comment 23 – recommends a gravel access road for the constructed wetland area in order to maintain it and that the 62 grade is 10 ft wide, instead of a gravel access road, or if a loam road could bear a load. The Road Agent needs access to the constructed wetland. Member Tim Dziechowski remarked that the issue came up last month at the Zoning Board meeting, zoning ordinances do not allow a surface road in buffer. Member Ted Stewart, the Road Agent, is comfortable to be able to access the retention pond and the top edge. It is a constructed wetland and long term maintenance is not a big issue, the worst thing is the wrong type of vegetation growing in it. Mr. Stewart is requesting an easement. The Millennium representative pointed out a 20 foot easement starts at the corner over the top of the pipe, and it could be made a little wider. Chairperson Killam needs to be presented for review of deeds in the homeowner's association, Chairperson Killam stated that the easement document will need to be presented for review. Planning Board also reviews the deeds and they need to be sent to Town Counsel for review.

Comment 24 requests adding roadway set lines. The Millennium representative stated that there is a setline table in the plans.

Comments 25 – 56 address drainage and sewer issues that were already discussed: Comment 25 addressed adding drains in the roadway; Comments 26-30 addressed drainage detail; Comments 31-33 addressed minor plan details. The Millennium representative informed the Board that the rebar trash racks mentioned in Comment 32 are painted. The Millennium representative informed the Planning Board and those present that in Comment 35, the sewer line specification notes, have been revised to add testing requirements. In Comment 36 the pump station should be revised to be HS 20 loaded.

Comment 37 dovetails with the sewer comments – there are requirements for the state, the wastewater bureau regulations need to be adhered to; it is pumping station with a sewer line and collection stations, State regulations need to be followed. It includes issues about whether the pumping station has enough capacity or needs a backup generator, etc. Again, comments 45 – 56 address drainage issues, most of which have already been discussed.

The Millennium representative stated that he has met with the engineer and agrees with the comments. The Millennium representative will meet with the engineer and meet with Mr. LaChance and then get back to the Planning Board

Next, Chairperson Killam requested Julie LaBranche present her comments regarding the site plan to the Atkinson Planning Board.

Ms. LaBranche informed the Board that there were two sections to her comments to be discussed, the first section is zoning and the second is site plan regulations.

Comment 1 addresses the number of buildings; 8 are proposed on sheet 2, comparing a conventional subdivision with the proposed subdivision, Ms. LaBranche had a hard time visualizing an 8 lot subdivision under conventional zoning. The Millennium representative said he would bring in sketch plan. The entire subdivision, including open space is 13.58 acres. The site plan shows that open space is 7.7 acres. Ms. LaBranche asked about the 2 acre zoning requirements. Chairperson Killam explained that the zoning regulations allow scenic subdivisions to use different requirements. Ms. LaBranche stated that the subdivision is in the RR2 zone and the lot size should be a 2 acre minimum. Chairperson Killam pointed to Section C which talks about scenic subdivisions allowing use of soil based lot sizes instead of the grid. She also pointed to another section which allows for preservation of scenic views.

Comment 2 has already been covered.

Comment 3 – At the southwest corner where the constructed wetland is proposed, a portion of the constructed wetland is in the 50 foot buffer, and it is not shown on the sheet, if the description is read, says no construction except an access road is permitted, a constructed wetland is construction. The Millennium representative said he thought the Boards opinion was that it was permissible to have a portion of the constructed wetland in the buffer. Chairperson Killam informed the Board that the last time the Millennium representative appeared before the Board, the buffer lines had not been drawn. The Millennium representative explained that if the buffer line is moved, it will have to be up slope. It is basically a wetland, it's in the buffer, there are native things, loam and plants, everything you'd expect in a buffer zone.

Chairperson Killam read aloud the wording to Zoning Regulation 600:11. Member Tim Dziechowski requested a definition of construction. Ms. LaBranche pointed out that the constructed wetland has permanent pipes, an outflow and rock and stone, like a swimming pool. Member Mike Turell remarked that the spirit of ordinance is no buildings. Zoning Regulation 600:11 is to provide transition for land use. Member Ted Stewart asked if the Planning Board could take a vote and if Millennium Engineering needed to go Zoning Board of Appeals.

Comment 2 – the word marsh should be changed to wetland.

Comment 3 – hydrants - only one is shown on the plan. Chairperson Killam thinks there is a hydrant proximal on Main Street.

Comment 4 –the proposed constructed wetland is close to the property boundary, how close is it to another property? Ms. LaBranche is concerned about house and road runoff being discharged to another property and wants to know how much runoff there would be in a 25 year storm. We are seeing storms of a much larger magnitude quite frequently, calculations for a 50 year storm would be better, the back of the lots run off into other property, too. The runoff from Lots 1, 2 and 3 also runs into the wetland. The Millennium represented responded that there is 100 feet of grassy area and he will have the engineer review. Ms. LaBranche pointed out that if you look at sheet flow, the runoff goes right to the wetland, Millennium Engineering did not change grade, will be in the drainage report.

Comment 5 - There is no reference to the zoning district. The Millennium Engineering replied that there is one in the Zoning Table and on Sheet 2 and it is written out as RR2.

Comment 6 – Member Tim Dziechowski remarked that with the warrant article the Town decided to use the algorithm adopted by the Planning Board; it is legitimate to use the Millennium algorithm. Chairperson Killam pointed out that the table has not been changed yet. Ms. LaBranche stated that she referenced that in zoning and there is a lag.

Comment 7 addressed Zoning Board Regulation 600:1.m – it requires the location in the plan for all the erosion control details, where those methods and practices will be employed during construction and suggested that Millennium add another sheet.

Comment 8 – the sheet grading plan sheet shows 77,000 square feet of disturbance for road construction. Ms. LaBranche asked if there a distinction of road construction disturbance as opposed to lot development and how much of grading shown is for road and how much is for lot development. Chairperson Killam asked about disturbance where the subdivision is cutting into the hill and how much would be due to building the road and how much when building houses. The Millennium representative stated he will add a limit to grading for the road. Chairperson Killam requested that Millennium put in a specific line on the plan for road construction. Mr. LaChance requested that Millennium specify upslope for grading for sewer.

Julie LaBranche stated that the amount distiguous to be disturbed should equal all the disturbance, everything for the site should be included in the number for site disturbance. The Millennium representative replied that the septic system and pump house should be included, but not the leach field. Julie LaBranche replied that the plan can eliminate disturbed areas for individual lots but not for the main septic system and pipes.

Chairperson Killam asked the Planning Board if they could take the site plan under jurisdiction. Chairperson Killam then informed the applicant that he would have 65 days for a final plan if the Planning Board takes the plan under jurisdiction and asked if the applicant wished the Planning Board to take the site plan under jurisdiction on July 17, 2013. The

Millennium representative stated that his company will be done with revisions within a week and he will meet with Aaron LaChance and Julie LaBranche.

**Member Mike Turell made a motion to take the Application for Subdivision and Cluster Subdivision presented by Millennium Engineering for Gordon P. Brown Family Revocable Trust, for Subdivision of 15.58 Acre parcel to create a lot of 2 acres with existing house, and to create an 8 Lot Scenic Cluster Subdivision of the remaining 13.58 acres, located at 129 Main Street, Map 13 Lot 21 in the RR2 Zone under jurisdiction. Member Ted Stewart seconded the motion. Chairperson Killam asked if there was other discussion. There was none. The Planning Board voted all in favor to take the Application for Subdivision and Cluster Subdivision presented by Millennium Engineering for Gordon P. Brown Family Revocable Trust, for Subdivision of 15.58 Acre parcel to create a lot of 2 acres with existing house, and to create an 8 Lot Scenic Cluster Subdivision of the remaining 13.58 acres, located at 129 Main Street, Map 13 Lot 21 in the RR2 Zone. Vote: 6/0.**

Member Ted Stewart had more questions. He pointed out that paving the whole cul de sac instead of having an island would create more impervious surface and more drainage. The Millennium representative replied that he was under the impression that the Fire Chief did not want an island. Mr. Stewart replied that an island would be permitted as long as it meets construction specifications. Mr. Stewart pointed out that an island would minimize the amount of pavement. The Millennium representative agreed, an island would also lessen heat, sanding and salting. Member Ted Stewart pointed out that in the long term it would be a prettier project and a less expensive road for the Town to maintain. The Millennium representative will speak to the Fire Chief. An island should adhere to Town Zoning regulations of a 70 foot radius and an outside radius 60 feet of pavement. Member Tim Dziechowski remarked that 24 feet at the cul de sac for an inside radius would be prudent. A drainage structure and pipe out of the island would be needed but would be worth the effort.

Chairperson Killam asked for discussion. The abutters pointed out that their properties have private wells and are all drawing from the same groundwater. The subdivision will be buying water from HAWC and the abutters asked where the water will be coming from. Chairperson Killam responded that there are existing wells. Chairperson Killam informed the abutters that wells were added in Settlers Ridge area and the subdivision will be drawing from there. The Millennium representative informed the abutters that the water for the homes in the subdivision is not coming from the site. Chairperson Killam asked if there were more questions. The abutter had no more questions.

Chairperson Killam proposed a site walk and the Planning Board members agreed.

The Millennium representative requested guidance on grading, the constructed wetland is near the buffer and he may have to redesign it and shift it away from the buffer. The Planning Board returned to discussing the constructed wetland. Member Mike Turell doesn't think the intent of the article is to create a vegetative piece of buffer. Everything is under ground. Ms. LaBranche pointed out that the stone outfall is above ground and asked how big it is. The Millennium representative replied that one is 14feet x 6 feet, it shows what it will look like on sheet 7, and he thinks it will be beautiful when it's done. There is a limited amount of grade, so if grading is not called construction, it is rip rap, then the only man made structure is pipe which is underground but comes out at the discharge point. It is a controlled outlet pipe. Member Tim Dziechowski will look for guidance on the constructed wetland. Chairperson Killam pointed out that the country club wetland is not in the buffer. Member Ted Stewart remarked that the flow for all the subdivision is planned to come out at one point. Chairperson Killam remarked that it hasn't been reviewed. The Millennium representative remarked that Millennium is not charged with making the abutter situation better, but will not be allowed to harm the abutters. The overall consensus of the Planning Board is approval for what Millennium has shown.

Chairperson asked about lot 3 and taking an average frontage. The Board discussed taking an average frontage rather than having a 125 foot frontage across the entire lot. It was agreed that the rule is unclear, Member Mike Turell stated that Millennium needs to show calculations. Chairperson Killam recommended that Millennium could appeal to the Zoning Board of Adjustment if it doesn't want 125 foot frontage for all the lots. The Planning Board just sent someone to the Zoning Board of Appeals for variance for the same issue. The Planning Board does not have the right to waive zoning, just the subdivision site plan. The Millennium representative stated that it would lengthen the process too much and would rather cut into the hill and move the road than go to the ZBA.

Member Tim Dziechowski asked if Millennium has the average size of the lots. The discharge is about 40k and site specific is 30k, the plan needs to account for disturbed areas and soils. The Millennium representative informed the Board that Millennium would still have the constraint of road construction and wants to retain the beauty of the site. Chairperson Killam remarked that the alternatives are to move the road, go to the Zoning Board of Appeals or lose a lot.

Julie LaBranche remarked that restrictions like throwing leaves and what can go on a lot need to be added. The Town will own it and has already had to deal with one on constructed wetlands. The Millennium represented promised an annual inspection.

Chairman Killam proposed a site walk for next Wednesday, July 24, 2013 at 6:30 and requested a motion to continue review of the site plan to Wednesday, July 24, 2013 for a site walk and to August 21, 2013 to continue the hearing.

**Member Mike Turell made a motion to continue review of the Application for Subdivision and Cluster Subdivision presented by Millennium Engineering for Gordon P. Brown Family Revocable Trust, for Subdivision of 15.58 Acre parcel to create a lot of 2 acres with existing house, and to create an 8 Lot Scenic Cluster Subdivision of the remaining 13.58 acres, located at 129 Main Street, Map 13 Lot 21 in the RR2 Zone. Member Tim Dziechowski seconded the motion. All members of the planning board present voted in favor. Vote: 6/0**

Chairperson Killam informed the audience that it is Planning Board meeting and to schedule 30 to 60 minutes.

**Member Mike Turell made a motion to send the Application for Subdivision and Cluster Subdivision presented by Millennium Engineering for Gordon P. Brown Family Revocable Trust, for Subdivision of 15.58 Acre parcel to create a lot of 2 acres with existing house, and to create an 8 Lot Scenic Cluster Subdivision of the remaining 13.58 acres, located at 129 Main Street, Map 13 Lot 21 in the RR2 Zone to the Town department heads. The Millennium representative requested to send revised plans. Chairperson Killam informed him that she will make sure that revised plans are sent. Member John Wolters seconded the Motion. The Planning Board of the Town of Atkinson voted all in favor of the motion to send the Application for Subdivision and Cluster Subdivision presented by Millennium Engineering for Gordon P. Brown Family Revocable Trust, for Subdivision of 15.58 Acre parcel to create a lot of 2 acres with existing house, and to create an 8 Lot Scenic Cluster Subdivision of the remaining 13.58 acres, located at 129 Main Street, Map 13 Lot 21 in the RR2 Zone after the next submission as amended. Vote 6/0.**

3) Continued from June 19, 2013: AMENDMENTS TO SUBDIVISION and SITE PLAN REVIEW REGULATIONS

Chairperson Killam requested a motion that item 3 on the agenda be continued to the Planning Board meeting of August 21, 2013.

**Member Mike Turell made a motion to continue review of the amendments to subdivision and site plan review regulations until the Town of Atkinson Planning Board Meeting of August 21, 2013. Member Scott Simons seconded the motion. The Planning Board voted all in favor. Vote 6/0.**

Review of the minutes of the June 19, 2013 meeting and review of correspondence will be continued to the next meeting.

The next meeting of the Town of Atkinson Planning Board will be a workshop meeting on Wednesday, August 7, 2013 at 7:30 pm.

**Member Mike Turell made a motion to adjourn. Member Scott Simons seconded the motion. All members present voted in favor. Vote: 5/0/1 with TS in a discussion. The June 19, 2013 meeting of the Atkinson Planning Board was adjourned at 9:15 PM.**