

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, DECEMBER 4, 2013**

Members Present:

Sue Killam, Chairperson
Mike Turell
John Wolters
Ted Stewart

Other's Present

Jim Kirsch, Code Enforcement

Call to order: Chairperson Sue Killam called the workshop meeting of the Atkinson Planning Board, Wednesday, December 4, 2013 to order at 7:30 PM.

Agenda for December 18, 2013

1) Continued from August 21, 2013, 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 J. Gauren of Gauren Realty Trust; Gordon P. Brown Revocable Trust, c/o Page Brown, Kuldip and Pinderpal Baines; Kathleen Sedkowsky; Jesse Page Estates, Woody Wood, President, Lincoln Jackson; Robert and July Weaver ; 138 Realty Trust, John Feuer, Trustee; West Environmental; Joseph Nowell; and Millennium Engineering, Inc.

Issues are with the easement for drainage and an alteration of terrain permit if the state does not approve the easements, the site plan will have to be redesigned.

2) and 3) Code Enforcement Issues - Clinton Teague is crushing stone and storing it on site. Aaron LaChance will review. Ruby Holdings LLC put up a 21 x 68 foot building without amending the site plan. Both sites are by Industrial Drive. Ruby Holdings is also planning on subdividing another lot owned by Gordon Brown. Neither applicant has submitted fees for Stantec to review the plans

4) a request for a lot line adjustment by a property owner with a neighbor to the East to give her more land for pasture - Roxanne Feuer and his property will become smaller and more saleable.

Workshop Topics

Warrants - Mr. Kirsch and Chairperson Killam have been working on some wording in the zoning ordinances.

An example is the site at 16 Industrial Way owned by Bob Allen. Mr. Allen has put up a 26 x 26 Quonset hut building. Mr. Kirsch and Chairperson Killam feel that it should be called an accessory building and fall under letter (g) of the site plan. Letter (v) allows manufacturing and storage.

The Board reviewed Section 510 Permitted Uses, pages Z44 and Z45 of the "Atkinson New Hampshire Zoning Ordinance". Letter g - accessory use of building, should be changed to yes in the CI zone and yes in the CP zone. Letter t, enclosed storage can be changed to yes to allow storage in the CI and in the CP zone. The board discussed whether manufacturing should be allowed in the CP Zone. The board agreed to let Section 510, letter v stand.

The board discussed the cemetery, and where a mortuary or funeral home could be allowed. It is allowed in S, CI and C but not in CP. Next, the board discussed letter "M" - retail enterprise. Retail enterprise currently is not allowed in the Town Center zone. The board decided it should be allowed. Commercial parking is only allowed in the CI and C zones. Private schools are allowed with access on to a state maintained highway. There were two preschools on Maple Avenue at one time. There is also one on East Road. The board discussed the definition of private club and what zone they should be allowed in. There is no definition of private club in the zoning ordinances.

The Board focused on the commercial zone and if more types of business should be allowed specifically light manufacturing and warehousing in the commercial zone. The only commercial zone in Atkinson is on the border of Plaistow and Haverhill and includes the Dive Shop, the Lewis apartments, an office building and the post office. Mr. Stewart suggested that the board look at a soils map. There is a very high water table in that area and have limited development potential.

The board discussed whether an office trailer should be allowed as an accessory building. The trailer owned by Mr. Gagnon is on wheels but if the owner wants to use it as a permanent fence, it should show on the site plan. The board discussed what to do if the trailer were leased to another building. It was agreed that storage trailers should show on the site plan if they are not transitory.

Mr. Stewart asked about Section 510 letter and if nonprofits should be allowed in the "CI" zone. The board agreed that they should be allowed in the "C", "CI" and "CP" zones. The board continued to discuss private schools, not only for children but also adult vocational training. The Board agreed to change Section 510 letter x, private school to be allowed in the C, CI and CP zones.

Secondary, seasonal residences, page Z11, the definition states that a secondary, seasonal residence is any residence that is not the primary residence. There is one family in town that is living in a seasonal residence year round. The Town attorney seems to feel that the definition should change. In order to change the zoning to year round, a septic system would have to be allowed. Ms. Killam read the definition. Once someone starts using the residence as a permanent resident, it is not a secondary, seasonal residence. In order to legally convert to year round, a suitable septic has to be installed. A conversion procedure is spelled out in the zoning laws. Chairperson Killam suggested that the board ask Julie LaBranche and DES for assistance. Z68 of the zoning regulations spells out seasonal conversions of septic systems.

Mr. Stewart explained that the history of this action is that in 1997 the Town of Atkinson sent letters to everyone on the lake stating if they wished to live on the lake year round, they need respond to the letter. People who responded to the letter were allowed to live at the lake year round. Other properties were designated seasonal. This has created an issue with enforcement.

Section 470 Signs, page Z35 of the Atkinson New Hampshire Zoning Ordinances was discussed next. Chairperson Killam requested the Board look at Section 470:10 - every commercial park should be allowed to have a sign. The question is whether Section 470:10 letter A refers to a sign by the entrance to the park. The question is who can have a sign and where they can be put. Another question is where Atkinson has a park. The board discussed the size of the sign at the driveway and on the building. The wording could be changed to take out the word commercial park and put in the word parcel. The property owner would get the master sign permit and the individual business owners would get the building sign permit.

The board discussed temporary signs and how they should be defined. The ice cream shop in the commercial zone has flags up all the time. It was decided they should be allowed. Chairperson Killam will write up the changes for a warrant vote at Town Meeting.

Chairperson Killam requested a motion to adjourn the meeting.

Member Mike Turell made a motion to adjourn the December 4, 2013 meeting of the Atkinson Planning Board at 8:52 PM. Member John Wolters seconded the motion. Vote 4/0 in favor.

Next Planning Board meeting Wednesday December 18, 2013.

Please Note: Planning Board Workshops are public meetings open to all, but are typically not televised.

Member Mike Turell made a motion to adjourn. Vice Chairman Paul DiMaggio seconded the motion. All members present voted in favor. Vote: 6/0. The November 6, 2013 meeting of the Atkinson Planning Board was adjourned at 9:20 PM.

DRAFT