

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, OCTOBER 15, 2014**

Members Present:

Sue Killam, Chair
Mike Turell, Vice Chair
John Wolters
Tim Dziechowski
Ted Stewart
Paul DiMaggio

Other's Present

Julie LaBranche, Rockingham Planning

Call to order:

Chairperson Killam called the regular meeting of the Atkinson Planning Board to order on Wednesday, October 15, 2014 at 7:39 PM.

Correspondence:

- Town & City Magazine - article on dates for Planning Boards and notification regulations.
- ABC is borrowing from municipalities in New Hampshire
- Subdivision approval for the two lots owned by Roxanne Feuer
- DOT permit for the driveway
- Governing Magazines
- Outgoing - memo to Selectmen regarding public meeting for the High Hill Tower and concerns about proximity to residences and security.

Public Hearings: Chairperson Killam opened the Public Hearings for the Atkinson Planning Board at 7:51 PM.

1) Continued from September 17, 2014: Application for an Amendment to a Site Plan submitted by Lavelle Associates for Ruby Holdings, LLC (Robert Allen) on property located at 16 Industrial Way, Map 16 Lot 59 in the Commercial/Industrial Zone. (Jurisdiction from March 19, 2014 extended five times.)

Chairperson Killam read the abutters list.

ABUTTERS: Keith and Michelle Wolters, Atkinson Properties, LLC, Positive Start now owned by AROD Corporation, Ruby Holdings, LLC; Telusyuno, LLC, Lavelle Associates, present; and Norris Lemay.

Lavelle Associates has sent a letter for the applicant requesting to continue the application to the Planning Board meeting of November 19, 2014. It is a code enforcement issue and an after the fact wetlands permit issue which has not been finalized. Chairperson Killam read the letter.

Member Ted Dziechowski made a motion to continue the Application for an Amendment to a Site Plan submitted by Lavelle Associates for Ruby Holdings, LLC (Robert Allen) on property located at 16 Industrial Way, Map 16 Lot 59 in the Commercial/Industrial Zone.. Member Mike Turell seconded the motion.

Discussion: Member Mike Turell asked what is causing the delay. Member Ted Dziechowski checked the Department of Environmental Safety website and there are paperwork problems.

Chairperson Killam requested a vote.

All members of the Atkinson Planning Board present voted in favor. Vote: 6/0 with 2 alternates absent.

2) Continued from September 17, 2014: A Site Plan submitted by Lavelle Associates and Aragon Investments, for MJK Realty, LLC, to develop a 5500 square foot office and retail building on property located at 121 Main Street, Map 13 Lot 15 in the Town Center Zone.

ABUTTERS: MJK Realty, LLC, the property owner; Robert and Julie Weaver; John Mercier; Link Mark Realty Trust, Lincoln Jackson Trustee; Gordon Brown Revocable Trust - present; Winslow Drive Realty Group, LLC; Jameson Ridge Homeowners Association - present; Kathleen Ann Sedkowsky Trust, Kathleen Sedkowsky, Trustee; Culdip and Pinder Paul Barnes; James and Sharon Bork; Aragon Investments - present, Pat Bauer; Timothy Ferwerda; and James Lavelle Associates - present.

Chairperson Killam informed the Board that the Peter Mullett of Aragon Investments submitted a letter requesting to withdraw the application.

Vice Chair Mike Turell made a motion to accept the request to withdraw the application for a Site Plan submitted by Lavelle Associates and Aragon Investments, for MJK Realty, LLC, to develop a 5500 square foot office and retail building on property located at 121 Main Street, Map 13 Lot 15 in the Town Center Zone. Member Paul DiMaggio seconded the Motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0 with two alternates absent.

There was no discussion.

Future Land Use Chapter of the Master Plan - Julie LaBranche of Rockingham Planning submitted a few changes to the Future Land Use Chapter of the Master Plan. The Board discussed whether to publish the chapter. Chairperson Killam would like to be ready to post the Chapter on the last day of the month, October 31, 2014.

Mr. Dziechowski asked about FLU 21 and suggested language be included as follows: leasing for income to the Town, sale to reduce the tax rate, use for municipal expansion or convert to conservation. Mr. DiMaggio asked about the tax rate on page 10. There is also a typographical error on the bottom of the page.

Ms. LaBranche agreed to make the changes and review the chapter again.

Chairperson Killam left the meeting.

Approval of Minutes: - minutes for June 6, June 18, July 16, August 20 and September 17, 2014

June 4, 2014

- Bottom of page 2, 4th paragraph - take the sentence regarding Mr. DiMaggio requesting the Board go into executive session out because it is a duplication.

Member Paul DiMaggio made a motion to approve the minutes of the June 4, 2014 as amended. Member Ted Dziechowski seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 4/0 with three members absent and Ted Stewart abstaining.

June 18, 2014

- Page 6, middle of the page - Member DiMaggio ...about the study - add TOW air.
- Page 6 last paragraph - change "were" to "was".
- Page 5, third paragraph, next to last sentence should state, "Mr. Dziechowski mentioned limits within NFP regulations..."
- Page 7 near the bottom - other should state, "Member Tim Dziechowski informed the Board that a variance was approved.... remove was not approved for dumpsters at the end.

Member Tim Dziechowski made a motion to approve the minutes of the June 18, 2014 meeting of the Planning Board as amended. Member John Wolters seconded the motion. All members of the Atkinson Planning Board present voted in favor with Member Ted Stewart abstaining. Vote: 4/0 with one abstaining and three absent.

July 16, 2014

- First paragraph should state,"Wednesday July 16, 2014".
- Bottom of page 2, last sentence should state, " Mr. Maynard suggested a swale rather than a berm, starting about 6 inches deep to about 10 inches deep at the pond."
- Bottom of page 3 - should state, "Mr. Lavelle responded that the dumpsters and other stuff will be scrapped after the 30 days are up."
- Page 5, second paragraph capitalize TOW.
- Page 5, middle of fourth paragraph should state "Member DiMaggio stated that he feels..."
- Page 8 last sentence should state, " Fuel oil businesses are not mentioned"...

Member Tim Dziechowski made a motion to approve the minutes of the July 16, 2014 meeting of the Atkinson Planning Board as amended. Member Paul DiMaggio seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 5/0 with three members absent.

August 20, 2014

- Page 3 - should state, ..." All members of the Atkinson Planning Board present voted in favor with Member John Wolters abstaining. Vote: 6/0/1 with one member abstaining.
- Page 5 should state, " has no issues with the wetlands on the site." and third sentence should say "he is concerned..."
- Page 8, first sentence should state, "...Mr. Mike Leach..." and delete one Mr. Lavelle.

- Page 7 and 8 should state, "Map 19, Lot 1948" throughout.

- Page 8, 2nd to last paragraph third sentence should state, " The Town will give up the existing right of way in return for direct access to the road through the lot line adjustment."

- Page 9, 6th paragraph should state, " Chairperson Killam explained that the Conservation Commission is requesting the lot line adjustment because it will allow easier access to the conservation land in the rear of the parcels."

Member Tim Dziechowski made a motion to approve the August 20, 2014 minutes of the Atkinson Planning Board as amended, Member John Wolters seconded the motion. All members of the Atkinson Planning Board present voted in favor with Member Paul DiMaggio abstaining. Vote: 4/0.

Member Ted Stewart requested to leave the meeting and regarding the application by MJK Realty, asked the Board what can be done about the Town Center description of the Master Plan and if the description should be changed. The members of the Planning Board present agreed that better definition is needed.

Member Tim Dziechowski informed Mr. Stewart that the dock needed to come out of the water and be reconfigured.

September 17, 2014 - deferred

October 1, 2014 - deferred

Vice Chair Mike Turell requested a motion to adjourn.

Member Tim Dziechowski. made a motion to adjourn the October 15, 2014 meeting of the Atkinson Planning Board at 9:20 PM. Member John Wolters seconded the motion. All Members of The Town of Atkinson Planning Board voted in favor. Vote: 4/0 with four members absent.

The next Planning Board meeting is Wednesday, November 4, 2014