

**ATKINSON PLANNING BOARD MEETING  
MINUTES  
WEDNESDAY, JULY 16, 2014**

**Members Present:**

Sue Killam, Chair  
Paul DiMaggio  
Mike Turell, Vice Chairman  
John Wolters  
Tim Dziechowski  
John Feuer, Alternate  
Barbara Brown, Alternate  
Ted Stewart

**Other's Present**

Tim Lavelle, Lavelle Associates  
Mike Leach, Stantec Consulting Services, Inc.  
  
Julie LaBranche, Rockingham Planning  
  
Christine Lewis, Atkinson Farms  
Adam Kurth, Esq.  
John Nestor, AT&T  
Joe Maynard, Benchmark Engineering

**Call to order:**

Chairperson Killam called the regular meeting of the Atkinson Planning Board to order on Wednesday, July 16, 2014 at 7:36 PM.

**Approval of Minutes:** - minutes for June 18, 2014 deferred

**Correspondence:**

- Brochures from Unitil on underground gas line safety
- Memo sent regarding the project at 129 Main Street, sent to someone interested in the property
- Town Counsel, Sumner Kalman regarding a case with Michael Saviano and the ZBA. The Town prevailed. Then the Town filed a suit against Mr. Saviano for occupying an additional dwelling on his property. This case is being appealed to the Supreme Court
- Site walk with Mr. Stacy - letter dated July 8, 2014 from DES to property adjacent to Mr. Stacey on Hall Farm Road regarding fill adjacent to wetland with a list of remediations. DES is requesting a detailed description of the planting plan.
- A list of everyone's name with home phone, work phone, address and email to fill out for the Planning Office.
- Most recent issue of Town and City - an article on preparing a certified land use record. Tells how to put together a certified record for any appeals or lawsuits. Member Tim Dziechowski informed the Board that the information is on NH Municipal.org.
- Magazine "Governing"
- Draft of one page memo on what the Board expects of an applicant written by Chairperson Killam

**Public Hearings:** Chairperson Killam opened the Public Hearings for the Atkinson Planning Board at 7:55 PM.

**1) Continued from June 18, 2014 and April 16, 2014: Application for Amendment to the Site Plan submitted by Clinton Teague on property located at 6 Industrial Way, Map 16 Lot 53 in the Commercial/Industrial Zone. Jurisdiction is from March 19, 2014 extended twice. Representing the applicant tonight is Joe Maynard, Benchmark Engineering.**

Chairperson Killam read the abutters list.

ABUTTERS: North End Blvd. Corp., South Cove Realty Trust, LaVelle Associates, Clinton Teague, William Hogue, Rent Due One LLC, John Kalamaras - none present.

Mr. Maynard, Benchmark Engineering, came before the Board. The project was proposed before the Board in 1995 for a 7,500 square foot warehouse which was approved. Again, in 1999 for a 7800 square foot warehouse which was approved. In 1999 it came before the Board and the area outside was supposed to be loamed and

seeded. Instead, the area was used for outside storage for equipment. The applicant would like to retain that area for equipment and truck storage. In order to retain the area for storage, drainage requirements must be met. At present, there is a small pit that is used for runoff but a retention basin needs to be built. A pond will be built in the Northwest corner of the lot. The pond is about 4 feet deep and for an outlet structure they used a slotted weir which should control the runoff. Stantec requested a Statement of Intent. Mr. Maynard read it to the Board. It is not yet on the plan. All items in the Statement of Intent are taken from Atkinson Zoning Ordinances, 610:1. It states that all previously approved uses from the two previous site plans will remain. The second item is to allow the existing gravel area to remain to be used for truck and trailer parking. Uses for the site, office, warehouse, number of employees, truck and trailer parking are stated as per previously approved. Times of arrival and departure will be between 6:00 am and 9:00 pm. Quantities of goods stored; it is a warehouse about 7000 square feet, and 1200 feet of dedicated office. Proposed activities as previously approved are included and also outside storage of equipment. Shipping and receiving, is not part of the business. Notes regarding storage of vehicles and outside use will be added. A note stating that no storage of regulated materials is proposed will be added. Regarding the Stantec question about the height of the building, the ridge height of the building is 20 feet. A snow storage area will be added in the back. There is a small berm to capture runoff. The detail is on the plan as Stantec requested. Mr. Maynard asked if all sheets needed to be recorded or just the first sheet. If just the cover sheet needs to be recorded, he will put all the notes on it. Chairperson Killam replied that the detail on the second page of the plan should be included. Mr. Maynard stated that he will attempt to make as much of the plan recordable is possible. Chairperson Killam asked for input. Mr. Turell asked if it were a seven day a week operation. Mr. Maynard replied that typical hours would be 6 days a week, with an occasional truck dropped off on Sunday. Chairperson Killam gave the letter from Stantec to the Board to review.

Mr. Leach, Stantec Engineering, came before the Board and informed the Board that he looked over the drainage that Mr. Maynard submitted and it is satisfactory. He suggested that the Statement of Intent be put on the plan as long as it is satisfactory to the Board. The height of the building is labeled (2A) and should be put on the plan. Snow storage is shown (2B). The plan shows the limits of the gravel drive and the proposed loam and seed area (2C). A detail for the berm is provided. The first and second sheet should be recorded with the Registry of Deeds. The signature block is on the plan.

Julie LaBranche, Rockingham Planning Commission, asked about storm water retention. Mr. Maynard responded that the original plan of 1999 shows the drainage plan. Mr. Maynard took the last approved site plan and what currently exists on the plan and calculated the drainage from that. Mr. DiMaggio commented that the original statement of intent should be added. Mr. Maynard replied that he could not find the original statement of intent. He refers to plans already recorded at the Registry. There never was a statement of intent on any of the plans. They identified the uses of the building, parking and so forth, but there was no statement of intent. The majority of the site should be warehousing and parking, with some offices. Mr. Turell requested that Mr. Maynard state what will be warehoused and what will be parked on the site. Chairperson Killam explained that the Board originally approved a warehouse facility in 1997 and uses have developed over time.. Mr. Maynard explained that he has amended the original plan to include outside storage and parking. Mr. Turell stated again that Mr. Maynard should be more specific about what type of vehicles will be parked and what will be stored at the site. Chairperson Killam explained that uses have been added since the original approval of the plan. The original plan needs to be amended to include current uses, specifically, areas that were to be loamed and seeded that are currently used for parking. Mr. Maynard informed the Board that the front parking is paved and the rear parking is gravel. The Board requested that Note 1A be amended to state specifically that the site will be used for warehouse, office and parking and outside storage, instead of previous uses as the note currently states. Mr. Stewart asked about the difference between graveled storage and graveled parking. Mr. Maynard replied that it should state "graveled storage/parking area".

Mr. Stewart asked about the 6 inch loamed berm. Mr. Maynard explained that a small amount of water would overflow the pond and the berm is to act as a trench to divert the water. Mr. Stewart explained that if he were plowing, the berm would not last a winter. Mr. Leach replied that as long as the berm can be maintained and agreed that loam and seed might be difficult to maintain. Mr. Stewart stated that a Cape Cod berm would work for a paved parking lot. Mr. Maynard explained that there is about 75 to 180 feet that bypasses the pond and it would be difficult to enforce. Mr. Leach asked if it were possible to redirect the water in the parking lot by grading the parking lot so that the water would be directed from the parking lot. Mr. Maynard suggested a swale rather than a berm, starting about 6 inches deep to about 10 inches deep at the pond. He will revise the plans. Instead of a

raised berm, a shallow swale. The Board agreed. Chairperson Killam recommended a bond and provisions for inspection by the Town Engineer to ensure that the amendments to the site are completed.

**Vice Chairman Mike Turell made a motion for conditional approval of the Application for an Amendment to a Site Plan submitted for Clinton Teague on property located at 6 Industrial Way, Map 16 Lot 59 in the Commercial/Industrial Zone to include: notes on the plan marked gravel be changed to graveled parking and graveled storage; the owner's signature and the land surveyor's signature are applied to the plan; the statement of intent is put as Item 1A on the plan; a swale is to be marked and constructed to replace what is noted as a berm; and that bonding and inspection for erosion control be satisfied. Member Ted Stewart seconded the motion. Chairperson Killam asked for further questions. Mr. Maynard asked about the bonding procedure. Chairperson Killam replied that Mr. Maynard would develop a bond estimate, Stantec would concur and the Planning Office would recommend it to the Selectmen. The Atkinson Planning Board voted all in favor with six members voting. Vote: 6/0.**

**2) Continued from June 18, 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 twice.**

**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, LCC, Lavelle Associates, and Norris Lemay.

Member John Wolters stepped off the Board.

Mr. Tim Lavelle appeared before the Board with an update. He explained that he is before the Board for an amended site plan. The issue is a wetland that should be in the back that was filled in by the previous owner. Mr. Lewis of the State of New Hampshire Wetlands Board has met with Lavelle Associates' soil scientists from Meridian Land Services. A dredge and fill application has been filled out and will be submitted by Meridian Land Services. The original proposal was for a small detention area; however the Board requested that a new site plan be submitted. Lavelle Associates should have a final plan within a week or two. Stantec has to review a couple of issues and the plan will be complete. Mr. Lavelle is requesting a continuance. Mr. Stewart asked about the fill on the southerly side of the property. Mr. Lavelle replied that no remedy is proposed and that the statute of limitations has passed. Chairperson Killam asked for the reference. Mr. Lavelle has been in contact with the property owner to the East. A better storm water management system will be implemented that will capture the water before it flows to the neighboring property. Mr. Lavelle stated that the wetlands on the neighboring property was not created by the drainage pipe; it has always been there. Mr. Lavelle requested extension of 30 days and continuance.

Vice Chairman Turell asked about the building footprints on the plan; they do not match the aerial view. He also asked why handicapped parking is so far from the building.

**Vice Chairman Turell made a motion to continue jurisdiction of 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 for 35 days to August 20, 2014. Member Paul DiMaggio seconded the motion. Five members including one alternate, Barbara Brown, voted in favor. Vote: 6/0/1 with member John Wolters abstaining.**

Mr. Dziechowski asked about the status of the property across the street. Mr. Lavelle responded that the dumpsters and other stuff will be scrapped after the 30 days are up.

**3) Continued from June 18, 2014: Application for a Site Plan submitted by Daniel Stacey to allow a tree service / lumber harvesting facility on his property located at 26 Hall Farm Road, Map 16 Lot 8 in the Commercial/Industrial Zone. Jurisdiction from May 21, 2014 extended once.**

ABUTTERS: Daniel Stacey, Brenda and Sheryl Malley, Trustees and Laurie Marcovitz, Trustees of the Malley Family Realty Trust; 2 Industrial Way Realty Trust, Gary and Carla Russell, Trustees; Ruby Holdings, LLC; Bernard Campbell, Esquire, Beaumont and Campbell Professional Association; Town of Atkinson - present, Consultants are Christopher Danforth, Hans Morch, Surveyor and Robert Duval of TF Moran.

Today, the Board received a standard dredge and fill application for the parcel and a letter from Attorney Campbell on behalf of the applicant. Chairperson Killam read the letter to the Board. It stated that there was a delay in filing the wetland permit application to the State Wetlands Board. The application has been signed and submitted to the state. The applicant is requesting that the matter be continued to August 20, 2014 meeting of the Atkinson Planning Board and jurisdiction be extended through the August 20, 2014 meeting.. Reference RSA

**Member Paul DiMaggio made a motion to extend jurisdiction of the Application for a Site Plan submitted by Daniel Stacey to allow a tree service / lumber harvesting facility on his property located at 26 Hall Farm Road, Map 16 Lot 8 in the Commercial/Industrial Zone to August 20, 2014. Member Mike Turell seconded the motion. All members of the Atkinson Planning Board voted in favor to extend jurisdiction of the Application for a Site Plan submitted by Daniel Stacey to allow a tree service / lumber harvesting facility on his property located at 26 Hall Farm Road, Map 16 Lot 8 in the Commercial/Industrial Zone to August 20, 2014. Vote: 6/0 with one member absent.**

**4) An application for a site plan submitted by AT&T Mobility, c/o Nanepashemet Project Management, Inc. for a proposed 150 foot tall AGL (Above Ground Level) Monopole with twelve panel antennas and associated equipment and equipment shelter, and diesel generator and fencing to be located on property owned by Atkinson Farm, Inc. at 85 Country Club Lane, Map 1 Lot 12 in the RR2/SCR Zone. Jurisdiction from May 21, 2014 extended once.**

ABUTTERS: none present. The list is on file in the Town Planning Office, and anyone can come and read it.

**Vice Chair Mike Turell made a motion to waive reading the abutters list. Member John Wolters seconded the motion. Chairperson Killam asked Attorney Kurth if the applicant was agreeable. . All regular members of the Atkinson Planning Board voted in favor. Vote: 6/0. Attorney Kurth responded that the applicant had no objections.**

Attorney Kurth came before the Board to submit an original set of revised plans attached as Exhibit 1 and a letter in response to the report by the Town Engineer. Attorney Kurth reviewed the letter for the Board. Stantec Engineering has not had a chance to review the letter from the applicant.

Item 1 - an agreement between the owner / operator of the waste water facility. The parties have agreed to a final form of the consent, it has not been executed, the Board has been provided with an unsigned copy. A signed copy will be provided before filing the building application.

Item 2 - a statement of intent which is on sheet T1 of the revised plan. A waiver is no longer required.

Item 3 - attached as Exhibit 3 is a storm water report which includes storm water runoff calculations. The proposed development will not impact current drainage. It will conform to 620:C of the Atkinson Site Plan regulations. A waiver request is not necessary, as previously requested.

Item 4 - proposed bollards along the aeration pond. The proposed bollards have been added to Sheet C3 of and a detail is on Sheet C7 of the revised plans. Regarding impacts to the liner of the aeration pond, the Board can refer to Note 6 on Sheet C3. Mr. Nestor, AT&T site consultant has received verbal confirmation from both the Salem Planning Department and Salem Public Works that they have no concerns with the proposed bollards and the Town of Salem does not require formal approval of the bollards.

Item 5 - a number of specific plan requirements. In response to comment 5A, property line dimensions on Sheet C3 have been updated and a note regarding site boundary are included on Sheet C1 and Sheet C1B of the revised plans. In response to 5B to note the driveway, Sheet C3 and Sheet C4 are included, no waiver request is required. For 5C, total parking spaces are added on Sheet C5 as Item 9 of the revised plans. For 5D, Section

6180, minimum landscaping requirements, AT&T is still requesting a waiver. For 5E, snow removal and storage, see Note 8 on Sheet C3.

Item 6 - light requirement. Mr. Kurth has attached the TOW air report which is a preliminary indication that no registration is required because of the size of the tower and it is more than 8 miles from an airport. It is included as Exhibit 4.

Item 7 - proposed fire suppression Sheets FS1 and FS2 detail a proposed FM200 fire suppression system inside the facility as recommended by the Fire Chief. As yet, there has been nothing in writing from the Chief.

Finally, the form of waiver requests and the letter submitted by the applicant at the last meeting. First, based on the revised plans and additional information submitted, three of the four waivers requested are no longer necessary. But, as clarification, the waiver request by AT&T of the June 18 2014 meeting to 6180:1-2 and 6180:4-7 of the site development regulations for landscaping requirements is still requested. 6180-2D states the Board may grant a waiver of the landscape requirements. Member DiMaggio stated that he feels the Board understands and he agrees that landscaping is not needed. Mr. Turell agreed. Mr. Kurth went on to explain that the site is remotely sited near a wastewater treatment plant, the Salem Town Line and a gravel pit. There is extensive tree cover. Based on the remote siting of the facility, the scale of the facility in relation to the overall size of the overall property on which it is located, and the extensive tree cover, landscaping and existing vegetation; a grant of waiver by the Board to requirements to Section 6180 to the Atkinson Regulations would carry out the spirit and intent of the Town of Atkinson Site Plan Regulations.

**Member Paul DiMaggio made a motion to grant a waiver to the Town of Atkinson Site Plan Regulation Section 6180 as evidence presented by the applicant proves that the specific circumstances relative to the site plan indicate that the waiver will properly carry out the spirit and intent of the regulations. Vice Chairman Mike Turell seconded the motion. All regular members of the Atkinson Planning Board present voted in favor. Vote: 6/0.**

Chairperson Killam requested a recess to allow the Board and Town Engineer to review the letter and revised plans submitted by Attorney Kurth.

Chairperson Killam reopened the hearing at 9:19 PM and requested input from the Board. Mr. DiMaggio responded that he had asked that the abutters left out of the original notification be notified. Chairperson Killam responded that they were notified. Chairperson Killam asked the Town Engineer for comments. He responded that the Board should get an executed copy of the agreement, that the Board look at the Statement of Intent, as to recording the plan at the Registry of Deeds, the Board should consider which plans and sheets would be recorded, the notes should be relocated to a sheet that will be recorded, and recommended Sheet C1 as well as Sheet C3 and C4 be recorded. Also, topographic information is required by the Board, and that for the purposes of recording, the topographic information recorded be changed so that the topographic lines be changed to 10 feet to make the plans more legible. Chairperson Killam agreed and suggested that the site outline, the location of the equipment and the roadway be added as it relates to the constructed wetlands. Mr. Leach also recommended showing the bollards. The Statement of Intent is located on the cover sheet, and could be added to Sheet C1. The note on parking is on Sheet C5 can be moved to one of the sheets that will be recorded. Mr. Dziechowski remarked that the soils are not shown. Mr. Leach pointed out that the wetlands are shown on Sheet C3 and Sheet 4. The sheet that shows designated wetlands should have the stamp by the wetlands scientist. The Board agreed that Sheet C1 should be recorded, the statement of intent and notes be moved to Sheet C1 and Sheets C3 and C4 be made recordable by the Rockingham Registry of Deeds. Chairperson Killam suggested that Attorney Kurth send someone to the Registry for a preview so that when she goes to the Registry to record it, they will approve it.

**Member Paul DiMaggio made a motion to approve the application for a site plan submitted by AT&T Mobility, c/o Nanepashemet Project Management, Inc. for a proposed 150 foot tall AGL Monopole with twelve panel antennas and associated equipment and equipment shelter, and diesel generator and fencing to be located on property owned by Atkinson Farm, Inc. at 85 Country Club Lane, Map 1 Lot 12 in the RR2/SCR Zone conditioned upon one, Town Engineer acknowledge the storm water report is acceptable; two, the Town Attorney approve the consent and acknowledgement without objections, and**

the document is properly executed by all parties; three plans to be recorded be approved by the Planning Chair; four, a letter from the Fire Chief acknowledging that he accepts the fire suppression system. Member Mike Turell seconded the Motion.

Attorney Kurth stated that it is not clear to him why the agreement between the parties is required. Member DiMaggio stated he would rephrase the motion. Town Counsel to review the consent and acknowledgment without objections. Julie LaBranche informed Attorney Kurth that wetlands scientist stamp needs to be on Sheet C3.

Member Paul DiMaggio made an Amended Motion to approve the application for a site plan submitted by AT&T Mobility, c/o Nanepashemet Project Management, Inc. for a proposed 150 foot tall AGL Monopole with twelve panel antennas and associated equipment and equipment shelter, and diesel generator and fencing to be located on property owned by Atkinson Farm, Inc. at 85 Country Club Lane, Map 1 Lot 12 in the RR2/SCR Zone conditioned upon: One, the Town Engineer acknowledge the storm water report is acceptable; Two, the Town Attorney approve the consent and acknowledgement of the parties without objections; Three, plans to be recorded be approved by the Planning Chair; Four, a letter from the Fire Chief acknowledging that he accepts the fire suppression system; and five, a stamp by the wetlands scientist is added to Sheet C3. Member Mike Turell seconded the Motion.

All regular members of the Atkinson Planning Board present voted in favor of the motion as amended. Vote: 6/0.

**5) New Application for Site Plan Amendment, submitted by John Feuer to allow expansion of an existing storage building on property located at 138 Main Street, Map 13 Lot 25 in the RR 2 Zone.**

Mr. Feuer stepped off the Board.

Chairperson Killam read the abutters list.

**ABUTTERS: Gordon Brown Revocable Trust - present; Feuer Realty Trust; Jesse Paige Estates, Woody Wood President; Richard Broderick, Jr. and Melody Haven, Joanne Consentino, Trustee for J. M. Consentino Family Realty Trust - present; Daniel and Monica Carmine; and 138 Realty Trust, John Feuer, Trustee -present. Josh Manning, Engineer.**

Chairperson Killam explained that Mr. Manning appeared before the Zoning Board of Adjustment and got a special exception for a nonconforming use to replace an existing structure. Mr. Josh Manning came before the Board with an amended site plan for Feuer Lumber for a 40 by 75 proposed storage building. There is an existing office and barn next to the road. Also, the Zoning Board allowed the building to be constructed 41 feet from the right of way line on Stone Pond Lane. The existing storage building will be removed, a small paved loading area will be built on the length of the building. No additional changes to the site or operations are planned. The existing building is approximately 1700 square feet. Some graveled area will be paved over. The slab is 50 feet by 25 feet. Everything else on the plan has been previously approved, the only thing needing approval is the new storage building. The 1995 plan that was approved had 12% site covered by building, but some of the buildings on the original plan were never constructed. With the proposed new building coverage will be only 9% because some of the proposed buildings on the 1995 plan were never constructed.

The Board reviewed the letter dated July 16, 2014 with recommendations by Stantec Engineering and the memo dated July 16, 2014 submitted by Julie LaBranche of Rockingham Planning Commissions with recommendations.

Mr. Manning explained that he has not had a chance to review the memo from Rockingham Planning, but he will give his response to the letter from Stantec Engineering.

Item 1 - Statement of Intent: The Statement of Intent appears at the top of the sheet of the plan revised July 16, 2014, as recommended. Mr. Manning read the Statement of Intent to the Board.

Item 2 - 2A - the height, number of stories be shown on the plan. It is specified in the statement of Intent and the slab is indicated in the plan. 2B - proposed grading; spot elevations and drainage be shown. The grading, drainage and spot elevations have been shown at the 348 and 346 contour, a cut was made into the hill and spot elevations have been shown on the plan. 2C - indicate an access driveway around the building including the proposed cover type - a 20 foot proposed paved strip on the east side of the building has been added to the plan, the south side of the building will remain gravel. There is no access on the north and west side of the building. The pavement at the loading area is existing. There are 1400 square feet of impervious surface. 2D - utility service to the building - the revised plan shows a proposed overhead electric line from the existing pole next to the generator to the northeast corner of the building. 2E - proposed landscaping and screening requirements per Section 6180 - there is an existing woodland buffer between the stone wall to the west of the building and Stone Pound Lane which will be maintained in its current state. A waiver to Section 6180:1 is requested. 2F - review for conformance to Rockingham County Registry of Deeds - the final plan will be reviewed before submission to the Planning Board for signatures; 2G - the owner's signature has been added above the title block to the plan indicating approval of proposed improvements.

Item 3 - A waiver to Section 640:1 of the Atkinson regulations will be requested for an erosion and runoff plan. There is actually a decrease in lot coverage from the original plan, so a drainage study should not be needed. If the extra 1250 feet of impervious pavement were added, it would be about 10%, which is less than what was requested in the 1995 plans. The total site is 6.4 acres.

Item 4 - Confirm adequate access is acceptable to Fire Department. Access around 3 sides is shown. Additional review will take place upon building permit application. Chairperson Killam has not shown the plan to the Fire Chief.

Julie LaBranche, Rockingham Planning Commission reviewed her recommendations. Ms. LaBranche responded that Mr. Manning has already answered quite a few of her recommendations as follows.

Item 1 - a recommendation to move the note; the applicant has no objection; Item 2, the statement of intent is done; Item 3, a note stating the area of disturbance proposed be added to the plan;

Item 4 - storm drainage is required without information in writing stating that there is no negligible impact. It is a small building, so negligible building drainage could be directed. Mr. Manning explained that there is a hill there so the water would be diverted around and flow into the gravel area. Mr. Manning went on to explain that any drainage would have been approved in the 1995 plans. Mr. Leach agreed with Ms. LaBranche that a statement that the square footage is actually less than what was originally approved be put in the plans to answer storm drainage requirements. The off street loading area is the 20 foot strip additional to the existing loading area.

Item 5 - Section 690:1B Screening and Buffering requires a 15 foot buffer. There is a 41 foot wooded area on one side, and the building is over 100 feet from Main Street. The Board discussed screening. Julie LaBranche recommended that the applicant put in writing that the view of the proposed expanded building is blocked by existing woods or existing buildings in both directions.

Item 6 - Height of the building. The height has been noted on the plan that it will be no higher than 18 feet.

Item 7 - Sound. The building is only used for storage so there is negligible sound and will be satisfied by the new Statement of Intent.

Item 8 - Landscaping. Section 6180 has already reviewed and has been satisfied.

Item 9 - 600 and 700 of Subdivision Regulations - This is a minor site plan amendment and the requirements under Sections 600 and 700 of subdivision regulations will not be needed, so just a statement stating such should be enough.

Item 10 - Section 340 of Zoning Regulation Z34 regarding new signs. There are no new signs. Z36 regarding storage of vehicles in a residential area. The plan does not propose storage of vehicles.

**Vice Chairman Turell made a motion to take the New Application for Site Plan Amendment, submitted by John Feuer to allow expansion of an existing storage building on property located at 138 Main Street, Map 13 Lot 25 in the RR 2 Zone under jurisdiction. Member Ted Stewart seconded the motion. Chairperson**

**Killam asked for comments. There were none. All regular members of the Atkinson Planning Board voted in favor. Vote: 6/0.**

Chairperson Killam asked the applicant for a waiver request. With regards to the drainage waiver, a narrative stating the calculations either as a square foot and percentage, on the plan should be enough. Calculations for disturbance of less than 100,000 square feet for alteration of terrain will also be added to the plan. Mr. Manning asked about landscaping. The Board agreed that a waiver based on existing conditions and specific circumstances of the site would be appropriate.

The applicant requests a waiver as a requirement of a landscape design plan be required for the proposed site per Section 6180:1 as the proposed plan will maintain the existing natural wooded buffer between the proposed building and Stone Pound Lane; the proposed plan is only a minor revision to an already approved site plan; granting the waiver will not be detrimental to public safety, health and public welfare or injurious to other property or the public interest.

Chairperson Killam informed the Board that Town of Atkinson Regulation Section 550:2 allows the Board to permit waivers for specific requirements of the plan with supporting data.

**Vice Chairman Mike Turell made a motion relative to Section 550:2 which states that the Board is permitted to grant a waiver to Section 6180:1; that the specific information presented and the specific conditions of the site plan, based on the fact that the a wooded buffer already exists and the applicant agrees to maintain it; indicate that the waiver will carry out the spirit and intent of the regulations. Member Paul DiMaggio seconded the motion. All regular members of the Atkinson Planning Board voted in favor. Vote: 6/0.**

A previously requested waiver to Section 640:1 in regards to a drainage and runoff plan will be addressed with a note. A waiver to Section 640:3 is not applicable as applicant will not be disturbing over 100,000 square feet will also be addressed with a note. Mr. Leach requested that Mr. Manning clarify how the runoff will go around the building. Mr. Manning explained that there will be a small ditch line, the contour does not show on the plan. There will be a one foot wall concrete wall in the back to control the drainage.

**Vice Chairman Mike Turell made a motion to classify this application as a minor site plan revision, and to approve the site plan amendment submitted by John Feuer to allow expansion of an existing storage building on property located at 138 Main Street, Map 13 Lot 25 in the RR 2 Zone conditional upon a note on the plan explaining the storm water impervious area reduction, a note listing the area of disturbance and that an alteration of terrain permit is not required. Member Ted Stewart seconded the motion. Chairperson Killam asked for comments. There were none. All regular members of the Atkinson Planning Board voted in favor. Vote: 6/0.**

**Other:** A potential buyer wants to buy a property and add a 20,000 gallon storage tank for fuel oil to the site. Expanding use. It is in the commercial zone. Nothing in permitted use chart talks about fuel oil as a conforming use. Chairperson Killam read Z2:1, anything not specifically permitted should be deemed to be prohibited. Fuel oil businesses are not mentioned. The Board discussed the issue. Chairperson Killam will review the file.

Chairperson Killam requested a motion to adjourn.

**Member Paul DiMaggio made a motion to adjourn the July 15, 2014 meeting of the Atkinson Planning Board at 10:00 PM. Vice Chairman Mike Turell seconded the motion. The Atkinson Planning Board voted all present in favor. Vote: 6/0.**

**Next Planning Board meeting Wednesday August 20, 2014 (no workshops July, August, September.)**