

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, MARCH 18, 2015**

Members Present:

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

Other's Present

Julie LaBranche, Rockingham Planning Commission
Tim LaVelle, Lavelle Associates
Steven Keach, Keach Nordstrom Associates
Sean Mahoney, MYA Victoria
Josh Manning, Lewis Builders
Harold Morse, Lewis Builders
Steven E. Cummings, Project Engineer
Paul Carideo, the Dubai Group

Call to order:

Chairperson Killam called the regular meeting of the Atkinson Planning Board to order on Wednesday, March 18, 2015 at 7:40 pm.

Correspondence:

- Department of Environmental Services regarding 16 Industrial Way, stating the application was received on March 9, 2015.
- Letter from Steven Keach, Keach Nordstrom Associates regarding the project on 16 Industrial Way
- Keach-Nordstrom bills
- Emails regarding school impact fees on the Sawmill Ridge Project
- Letter from NH Div of Historical Resources regarding an archeological survey stating that there are no archeological sites of significance for the Sawmill Ridge Project
- Letter from the Fire Chief requesting that the names for Littles Lane and Margarets Way be changed since they are in conflict with other place names
- Letter from the Highway Department regarding the pavement width minimal pavement width should be 24 feet, no grades grading than 8% and talking about hydrant locations
- Email from the Conservation Commission requesting an easement for road access to the Conservation area in the back of the property. The Conservation Commission is only requesting an easement to the Conservation property.

Approval of Minutes: - deferred

Other Business:

Tim Dziechowski asked about view easements. Chair Killam gave an example of ownership of a parcel on top of a hill, having an easement from someone blocking the view. Mr. Dziechowski explained that there is a field that the Conservation Commission wants to preserved the view of. The field is owned by Atkinson Farm. Member Ted Stewart agreed that the cost and burden of maintaining an easement should be spelled out. Member Dziechowski stated that an easement should list all permitted uses of the land. The Board continued to discuss permitted uses for open spaces and views.

8:00 PM Public Hearings:

1) Application for Site Plan submitted by Lavelle Associates and MYA Victoria, LLC, for AROD Realty Group, LLC to develop a 2,340 SF Office Building and 4,680 SF Garage on property located at 15 Industrial Way, Map 16 Lot 16 in the CI Zone. Jurisdiction was taken on February 18, 2015.

Abutters: AROD Realty Group, LLC; Brian and Sheryl Castle, Trustees; Gil Gagnon - Trustee of Gagnon Realty Trust; Black Dog Builder Investments Holdings; Ruby Holdings; Atkinson Properties Inc., Town of Atkinson - present; and consultants, James Lavelle Associates - present, Tim Ferwerda, Meridian Land Services, Pat Bauer, Engineer; and MYA Victoria, LLC - present

Mr. Lavelle came before the Board representing the applicant. The plans have not been reviewed by Keach Nordstrom. Mr. Lavelle does not have the revisions from the project engineer regarding drainage. Items on the plan brought up at the last meeting that can be addressed by Mr. Lavelle have been amended. Mr. Lavelle also added a landscape plan. Mr. Lavelle feels he can address all issues in the letter from Keach Nordstrom discussed on the February 18, 2015 meeting. The landscaping has been addressed and landscaping in the front has been added. Mr. Lavelle does not have a response letter for the Town Engineer.

Chair Killam asked Mr. Lavelle what he would like to discuss. Mr. Lavelle stated that Mr. Sean Mahoney from MYA Victoria is present to explain how he conducts his business and handles his trucks. Mr. Mahoney came before the Board and explained that he is in the trash business and does disposal. He handles front load and roll off dumpsters. The trash is brought to a burn center or a recycling center. His company does not handle the trash. He has been at a facility in Methuen Massachusetts for about 9 years which the company has outgrown. It abuts a residential area in Methuen. He has had no complaints.

Ms. Killam informed the applicant that there are many issues on Industrial Way. Trash and abandoned dumpsters on site of a neighbor on Industrial Way has been a problem. She stated that there would have to be a note on the plan stating that there would be no refuse on site.

Vice Chair Turell explained that he wants the applicant to make it clear on the plan what is on the site, what is being stored and for how long. Mr. Mahoney explained that a garage would be on site, with items to maintain trucks. Maintenance items would be stored in the garage. The containers are not washed and the trucks will not be washed on site. Mr. Stewart asked if a truck with trash in it would be brought back to the site if it were broken. Mr. Mahoney responded that it would probably not, if something breaks on the road, the company fixes it on the road, but it could happen. Mr. Stewart responded that he felt it would be impractical not to bring broke down trucks back to the site with trash in them. Mr. Mahoney explained there are 2 types of trash: construction and demo material; and garbage. Vice Chair Turell agreed that a time limit should be placed on the amount of time a truck with trash in it could remain on the site. Mr. Mahoney agreed that it is possible that a truck with garbage or trash could break down and be taken back to the site, but it would not be left there for more than 24 hours.

Mr. Wolters asked the applicant if the trucks would be emptied even if they were not completely filled. Mr. Mahoney responded that the trucks are emptied every night. The garbage goes to Covanta and the other refuse goes to a transfer station and gets recycled. The Board asked about hours of operation. Mr. Mahoney explained that the first truck starts at 5:00 am and the last truck comes back around 5:00 pm at the latest. Mr. Mahoney starts around 4:00 am and closes the office around 6:00 pm. This is his primary location. About 12 to 13 vehicles would be parked on site.

Mr. Stewart asked about the note that says snow storage and asked if the note could be taken off. Snow storage can create a site hazard. Ms. Brown asked how many employees would be at the office building and the applicant responded 6 or 7. Mr. Lavelle informed the Board that there are 8

employees in the office and 5 employees in the garage in the plan for room to grow. There are 12 drivers. Ms. LaBranche asked if the discrepancy in the calculation of the building area was fixed and Mr. Lavelle responded that it was.

2) Application for Site Plan submitted by Lavelle Associates and MYA Victoria, LLC, for AROD Realty Group, LLC to develop a Graveled Storage Area (no buildings) on property located at 17 Industrial Way, Map 16 Lot 55 in the CI Zone. Jurisdiction was taken February 18, 2015.

Abutters: AROD Realty Group, LLC; Brian and Sheryl Castle; Gil Gagnon - Trustee of Gagnon Realty Trust; Black Dog Builder Investments Holdings; Ruby Holdings; Atkinson Properties Inc., Town of Atkinson - present; and consultants, James Lavelle Associates - present, Tim Ferwerda, Meridian Land Services, and Pat Bauer, Engineer, MYA Victoria, LLC - present.

Mr. Lavelle came before the Board to discuss the second application from MYA Victoria, LLC and the changes made to the plan. Landscaping was added in the front. There is a requirement for green space. Because it is in an industrial area and will be used for storage of containers and large vehicles, Mr. Lavelle is requesting a waiver for the interior green space requirement as it would inhibit the function of the parking lot. There were questions regarding drainage and drainage calculations. Mr. Lavelle will have the information by the end of the week.

The Board discussed the dumpsters and asked where they would be stored. Mr. Mahoney explained that there are no dumpsters in spring, summer and fall, dumpsters would be stored in the winter. Mr. Mahoney explained that it depends, there could be about 50 containers in the winter. Mr. Dziechowski asked if it were a permitted use. The lot would also be used to store front load containers. They are bought new and sit until they are delivered and do not come back. Mr. Dziechowski is concerned about dumpsters being abandoned and stated that a parking lot for 50 roll off containers is a bit much. He asked if the applicant was planning on perimeter screening. Mr. Lavelle explained that there would be trees along the front and a gate across the driveway as well as a berm with the detention pond. The office will be next door. Chair Killam stated that a contractor's yard should have a fence and suggested the applicant discuss putting one on the plan.

Mr. Stewart asked about the guard rail on the bottom of the parking lot. Mr. Lavelle explained that it is for protection because of the retention pond, there is a 2:1 slope and a guard rail is required.

Chair Killam requested a drawing showing the layout for the containers. Mr. Dziechowski asked about washing dumpsters. Mr. Mahoney explained that the roll off containers are used for construction material and do not need to be washed. Mr. Dziechowski is concerned about the containers coming back unwashed and about toxic waste. Mr. Mahoney explained that the containers never get washed. Mr. Stewart explained that the applicant has to swear that the dumpsters will not be used for toxic material and the transfer station will not allow it.

Chair Killam asked if the plan presented at the meeting was the plan with the culvert, and Mr. Lavelle informed her that the easement for the culvert is on the plan. Chair Killam informed the applicant that the terms of the easement for the culvert need to be stated on the plan.

Chair Killam asked about the dumpsters left by AROD Realty. Mr. Lavelle explained that he will speak to AROD Realty about getting rid of them. There was a piece of machinery near the Town's access and Mr. Lavelle informed the Board that it was moved. Mr. Dziechowski requested a site walk with Mr. Lavelle and Ted Stewart, the Road Agent and the applicant agreed.

Chair Killam informed the Board that there were 2 things to do; and the first is to continue the first application.

Vice Chair Mike Turell made a motion to continue.

Discussion: Mr. Keach mentioned that regarding the easement, an easement deed should be recorded on the original plan. Mr. Lavelle agreed.

Ms. LaBranche asked about the waiver for the green space and asked about the forested area between the lots and on three sides of the lot that shows on the plan. Chair Killam informed her that there is no longer a forested area between the sites. Ms. LaBranche informed the applicant that the plan needs to be changed to show that the vegetative cover is no longer there.

Ms. LaBranche also asked the Road Agent about the detention basins on the side of the property. There are two next to the pavement and she is concerned about snow going into them. There is a slope to the detention ponds. Mr. Stewart informed her that the slope would make his job easier. He is worried about covering the pipe and having it freeze. Ms. LaBranche asked about the snow water from the parking lot. Mr. Lavelle explained that the outlet is not that close to the road. There is 13 feet between the pavement in the right of way and the detention pond starts there. The outlet of the pond is 20 feet off the road. Ms. LaBranche stated that it is unclear from the plan and she would like some clarification.

Chair Killam explained that she would prefer not to act because she has not seen it and neither have the Town Engineers or the consultant from Rockingham Planning Commission.

Vice Chair Mike Turell continued his motion to continue the Application for Site Plan submitted by Lavelle Associates and MYA Victoria, LLC, for AROD Realty Group, LLC to develop a 2,340 SF Office Building and 4,68 0SF Garage on property located at 15 Industrial Way, Map 16 Lot 16 in the CI Zone to April 15, 2015, the next public meeting of the Atkinson Planning Board. Member Ted Stewart seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

Chair Killam requested a motion to continue the second application.

Vice Chair Mike Turell made a motion to continue the Application for a Site Plan submitted by Lavelle Associates and MYA Victoria, LLC, for AROD Realty Group, LLC to develop a Graveled Storage Area (no buildings) on property located at 17 Industrial Way, Map 16 Lot 55 in the CI Zone. to April 15, 2015, the next public meeting of the Atkinson Planning Board. Member Ted Stewart seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

Mr. Mahoney asked if he should attend the next meeting and Chair Killam requested that he do so.

3) Application for Subdivision and Site Plan (multifamily dwellings) submitted by Lewis Builders, for Centerview Hollow Land Company, LLC to create a 100 unit Rural Residential Cluster subdivision with scenic vista preservation, on property located at 172 Main Street, Map 17 Lots 53 and 54. The lots have been merged and the site is now Lot 53. Jurisdiction was taken on February 18, 2015.

Abutters: ME Wood Realty Trust - present; Charles and Jeannine Kinney, Trustees of the Kinney Living Trust; Victoria McKinney Voreshky; Town of Atkinson - present; Bruce M. Cole, et al; Diane Kinney; James and Mary Yemma; William and Elsie Bob; Centerview Hollow Land Company - present; Barry and Diane Makin; Deborah Lane; Martin and Marie Keane; Town of Hampstead; Joseph Pilla; Michael Segrew; Antonio and Shirley Toscano; Marlin Willey; Kenneth Richards; Steven Castle; Jill Ryan; Scott P. Morrison; Robert A. Clarke; Schauer Environmental; Stage Road Realty, LLC, Ellen

Mulligan, Trustee; Robert A. Clark; Martin and Marie Keene, 4 Huckleberry - present; Josh Manning, - present; Steven E. Cummings, PE - present.

Chair Killam gave a copy of the Keach Nordstrom letter of March 11, 2015 to the Board members present.

Mr. Josh Manning appeared before the Board representing the applicant. Chair Killam explained to the audience that this is the second time the applicant has appeared before the Board. Chair Killam requested Mr. Manning explained what has been accomplished.

Mr. Manning went through the items in the letter from Keach Nordstrom.

Mr. Manning explained that there are still several items that have not been accomplished. The review of the drainage plans has been accomplished and the plans have been submitted. State permits are still pending. The applicant is requesting a waiver for a width of 20 feet for the roads. Mr. Manning submitted a letter from Hampstead Area Water Company stating that it was willing and able to supply water to the subdivision from the Walnut Ridge water system.

The Fire Department comment regarding road names has been addressed and the road names have been updated. The main road way has been renamed Cowbell Crossing instead of Littles Lane and Margarets Way has been changed to Guernsey Drive. Cowbell Crossing will go all the way through the site. The phase lines have been added to Sheet PL1, the 4th sheet in the plan set and they will be added to the engineering plans in the set. Regarding zoning matters, Copies of the condominium documents and language for protection of the open space is still being worked on.

Item #2 under zoning regarding bonding has not been accomplished.

Planning and Design Matters -

The first item is a typographical error on Sheet BC SB 1 and has been taken care of. Limits of clearing on grading will be updated to go around the septic system and are all shown on the plans. Sheet SB 1 shows the grading and also shows the limits of clearing. The outlines on the sheet are the nitrate setbacks. A sixth leach field was added to accommodate the extra flow from condominiums with additional bedrooms.

Comment 3 - regarding lighting, the second to last page of Plan LP 1 has the proposed lighting plan. There are lights at key locations on the project. Mr. Keach is asking for additional lights in his March 11, 2015 letter and the applicant is still considering how to address the request. There will be a lighting pole at the entrance to the site.

Comment 4 regarding the landscape plan - the very last sheet shows a typical landscape design for the 2 unit and 4 unit buildings. The applicant is looking at adding landscaping to the entrance area. Mr. Keach's letter also requests detail on landscaping around the entrance and the common areas. There are lilacs, rhododendrons and other shrubs.

Comment 5 - the detailed design information for the subsurface disposal systems is still being finalized.

Comment 6 - a sign detail has been added to the last sheet, LS1.

Comment 7 - detailed grading and utility service designs for each building. Mr. Cummings has just updated the design and Mr. Keach has not had a chance to look at it. The grading around the buildings and the underground utility plans are shown.

Comment 8 - the horizontal roadway central line control has been added.

Comment 9 - a construction entrance has been added to Sheet GD 1.

Mr. Keach informed the Board that a lot of the remaining revisions, are minor details. He has reviewed about 2/3 of them and should be done by the next set of plans.

Member Dziechowski asked about Item 4 under Planning and Design and asked Mr. Manning where the proposed community building would be on the plan. Mr. Manning explained that it is shown on sheet GD 2 and Sheet PL 1. Mr. Wolters asked about additional parking and if vehicles could be parked at the community building. Mr. Manning explained that some cars could be parked at the community center but most of the units have 2 car garages and the owner vehicles would be parked in the garages, with two spaces in the driveway for guests. Mr. Wolters reiterated that the roadways will only be 20 feet wide and more parking would be needed.

Chair Killam asked Mr. Manning about the meeting with the Fire Chief. Chair Killam read aloud the February 27, 2015 letter from the Fire Chief which states all roads are set at 20 feet of pavement, the minimum road width allowed by the NFPA. The plan should be reviewed by the Highway Safety Committee and the main road should be a minimum of 24 feet width in pavement as referenced in the Planning and Land Use Regulation Section 410:8. All cul de sacs on the plan should be shown to have 70 feet from the center to the outside edge of the right of way, a minimum paved outside radius of 60 feet and 20 feet of pavement width. The hammerhead on Ayreshire Avenue may be acceptable due to the limited number of units proposed, and if a pressurized hydrant is added at the intersection of Jersey Drive and Knightland Road. Mr. Manning explained that a hydrant has been added. Mr. Morse suggested that the hydrant be moved and that Mr. Manning discuss it with the Fire Chief.

The letter went on to state that the project is to be constructed in phases, market driven, and requested that a condition be noted on the plan that no occupancy permits be granted to units beyond the proposed clubhouse unless Ayreshire Ave and Jersey Drive are completed due to life safety concerns. Mr. Manning explained that it will be constructed as part of phase two of the project.

Pressurized hydrants need to be shown on the plan at the intersection of Cowbell Crossing and Guernsey, Cowbell Crossing and Clubhouse, Cowbell Crossing and Stevens Court; and Jersey Drive and Knightland. Waterflow calculations need to be provided to verify water pressure from the utility company. This is a limited review and not to be considered final.

The Fire Chief is requesting 24 feet for Cowbell Crossing, the main road. Mr. Morse explained that 20 feet is the minimum. Mr. Stewart remarked that he would like language added with the condominium documents stating that the Association is responsible that the roads be maintained and that snow removal needs to get done so that the minimum road width is maintained. That way, the Town can say that it asked the condominium association maintain the roads and road width.

Mr. Stewart asked if a 22 foot width from Main Street would be satisfactory to the point that the first phase starts and then is reduced to 20 feet for the rest of the way and all the side roads stay at 20 feet. Mr. Stewart would like to see Jersey made one way coming off of Knightland, that way traffic for the existing subdivision, since a traffic study has not been done for that section by making it one way, there would be no left turns between Knightland and Main. This would be a workable compromise. Mr. Manning explained that at present it is designed as a two lane road so that the residents can use it. Chair Killam asked if the applicant was going to have the traffic study amended. Mr. Manning said no, he did not see the need.

Mr. Keach gave his opinion of the proposed waiver in width and stated he looked at the change and does not think a revisitation of the traffic study is needed. He also stated that Jersey Drive is a private way and the only people using the road are the people living on it. There is ample sight distance to the south. Mr. Keach also suggested that the vegetation along the lot line be cut back to improve the sight line. He stated that making Jersey Drive one way would probably not make a big difference. Mr. Stewart stated the concern is for the current residents of Knightland Road. Mr. Keach responded that he did not believe there would be that much volume leaking out to Knightland. Whether it is two way or one way would not make a difference. Chair Killam responded that it would make a difference to some of the residents on Knightland Road.

The change in width of the main road could start at the intersection of Ayreshire. It would create a hierarchy of streets. Regarding parking, with a 20 foot width where people live, it is a traffic calming measure. Visitor spaces or visitor parking scattered throughout the development would be a good idea.

Chair Killam suggested that the issues be discussed amongst the applicant and engineers. Mr. Manning would like to request the waiver for the road width at the present meeting.

Chair Killam suggested a five minute break.

The meeting was reopened at 9:24 PM

Chair Killam read aloud the request for waiver of site plan regulations dated March 18, 2015. To the Chairman and Members of the Atkinson Planning Board,

As part of my application for Sawmill Ridge Residential Cluster Development I am requesting a waiver from the Sections of the Site Plan Regulations or Subdivision Regulations as noted below for the reasons set forth below I believe it is reasonable for the Board to conclude that strict conformity with these particular provisions would pose an unnecessary hardship and a waiver would not be contrary to the spirit and intent of the regulations. Town of Atkinson Road Specification Regulations, RS2 Section 410:8. The roadway shall be gravel to a minimum width of 30 feet and paved to a minimum width of 24 feet. The applicant is requesting a waiver to allow the width of pavement be reduced from 24 to 20 feet wide for all roads in the development except Cowbell Crossing that will be 22 feet up to the intersection of Northfield and Guernsey Drive. This request meets the spirit and intent of the ordinance because the reduced road width will minimize impact to wetlands and have less overall impervious area (existing site features) and the reduced road width will help maintain the small New England village character of the neighborhood and narrow roads are actually safer because they tend to reduce speed and narrower roads fit the existing topography of the site better and roads will be privately owned and maintained therefore there is no need for them to meet Town specifications and reduced roadway width allows for more open space and the Town Engineer has shown no objection to this proposal and the minimum road width allowed by NFPA is 20 feet and Atkinson Zoning Section 600:18B states "Town Road Requirements may be modified by the Planning Board where deemed applicable". Granting of this waiver will not be detrimental to the public safety, health or welfare or injurious to other property and will promote the public interest. Town of Atkinson Site Plan Regulation Section 550:2 allows the Planning Board to grant waivers for specific requirements of the plan and supporting data.

The Board went over the dimensions of the roadways again. From Main Street in to the first intersection, the pavement width would be 22 feet, the gravel width would be 30 feet. The total roadway width would be 28 feet. Vice Chair Turell asked about the shoulder and Mr. Manning replied that the shoulder width is 3 feet and does not change.

Vice Chair Turell read the State Law. The RSA states that a motion and a vote is required. The Board discussed the waiver request. The Board discussed the request for waiver. Vice Chair Turell stated that the intersection of Cowbell Drive and Guernsey way is a good place to reduce the width of the pavement.

Member Ted Stewart made a motion to grant the waiver request.

Discussion: Ms. LaBranche commented that the applicant has not demonstrated the unwarranted hardship in the waiver request. Vice Chair Turell explained that they are stating that it is due to the site conditions and the waiver would fulfill the spirit of the regulation

Vice Chair Mike Turell continued the motion by Member Ted Stewart to approve the applicant's request for waiver of Section 410:8 674:44 Ille2, that circumstances relative to the site plan as described in this meeting and the conditions of the land in the site plan indicate that the waiver will properly carry out the spirit and intent of the regulations. Member Ted Stewart seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

Ms. Brown asked about making Jersey Drive one way in or out. She stated it was originally intended for fire access, making it one way would make it less impactful on the residents on Knightland Road. Member Ted Stewart agreed it should be one way in because it would be less impactful on residents of Knightland Road. Mr. Morse would prefer to make the road two ways due to the fact that people visiting from Knightland Road would have to go all the way around to go home. Mr. Stewart commented that Knightland Road is a hammerhead open to future development. Currently, it is a cul de sac but there is room for future expansion. Eliminating some impact on the neighborhood would be better. Mr. Dziechowski and Mr. Wolters feel restricting circulation is the wrong thing to do. Mr. Turell is on the fence.

Mr. Morse stated that the applicant would keep an open mind regarding access. Chair Killam asked Mr. Keach if he had any comments. Mr. Keach pointed out that changing the width of the roads will impact drainage.

The other issue is the scenic vista. Ms. LaBranche stated that Pages Lane is a good example. Also, the operations maintenance plan need to specify that the Homeowner's Association will be responsible for maintenance of storm water drainage, road and septic maintenance. The Board discussed how to show the scenic vista on the plans. Mr. Manning stated that it is shown on Sheet PL 1 as a dashed line. The note is at the top. The field is to the west side of the wetland and the proposed open space line is just beyond the wetland. The merger will be filed and recorded. There should be no building in that area. The Board agreed that the scenic vista and the open space need to be treated separately and described by other restrictions such as the field having to be mowed annually. Ms. LaBranche suggested an inset version of the map with the scenic vista and open space. The area being preserved is the field.

Member Stewart asked about the sign. Mr. Manning explained that the sign will be 3x6 feet and will blend in with the stone wall. Mr. Stewart pointed out that signs need maintenance and the sign needs to be referenced as to how it will be maintained. Chair Killam explained that the document describing the and open space and scenic vista needs to state what can and cannot be put in them. The applicant needs to establish what can be put in the open space and scenic vista respectively. Mr. Morse asked if a garden would be acceptable. Vice Chair Turell and Member Dziechowski agreed that it would be allowed in the open space but not in the scenic vista. Member Stewart suggested that if the applicant is planning to beautify the area, the plan should described how.

Mr. Dziechowski asked about the community center. Mr. Manning explained that it is 2000 square feet with a great room for meetings and a kitchen as well as other amenities. There is a plan for it.

Mr. Stewart asked the applicant if they were hoping to have approval at the next meeting. Mr. Stewart also suggested an on-site improvement for a practice field or a park. It would take stumping and clearing. Since there are no age restrictions there could be children in all the units and something should be provided for them and it would be good for the Town. The applicant agreed to take a look at it.

The school impact fees go into a special account and are held for the school district until the school district asks for them.

The Board discussed the trail and easement for the trail. Mr. Dziechowski would like it to connect with the Hampstead trails. Chair Killam requested that the issue be discussed later.

Ms. LaBranche pointed out that there are 7 documents that need to be reviewed and asked if everything can be accomplished by the next meeting.

Chair Killam requested a motion to continue until April 15, 2015.

Member Mike Turell made a motion to continue the hearing on the Application for Subdivision and Site Plan (multifamily dwellings) submitted by Lewis Builders, for Centerview Hollow Land Company, LLC to create a 100 unit Rural Residential Cluster subdivision with scenic vista preservation, on property located at 172 Main Street, Map 17 Lots 53 and 54 to the April 15, 2015 meeting of the Atkinson Planning Board. The motion was seconded by Alternate Barbara Brown. All members of the Atkinson Planning Board present voted in favor. Vote 6/0/0.

4) Application for Site Plan amendment submitted by Lavelle Associates for Milone Living Trust to show the addition of exterior stairs to the building and to add an additional use, specifically Car Sales, on property located at 56 Island Pond Road, Map 20 Lot 2 in the CI and CP Zones.

Abutters: Milone Living Trust; Christine Cornelius; DHT Sports Management Trust; Rockingham Realty LLC, 58 Island Pond Road, Southern New Hampshire Commons LLC, Waterwheel Estates- Frank Leary President, Q&D Realty Trust, Antonio Quadros, Trustee (Dunkin Donuts) , and Lavelle Associates – present.

The consultants have not seen the plan. Mr. Lavelle came before the Board for a quick overview and gave the Board a letter of intent. The property is in the Commercial Professional and Commercial Industrial Zone. The applicant is not proposing any industrial uses. There is a conditionally approved site plan. There will be no business or parking taking place in the 150 foot residential buffer zone.

Some differences on this plan, one, the building is less than 70 feet from the right of way so parking was not allowed by zoning in front of the building. Parking was not allowed by zoning in front of the building. The applicant went to the Zoning Board for variance for parking in front which has been added and is included in the plan. Also, on the back of building is a proposed deck and stairs. There is an existing slider on the east of the property, and the applicant had requested a variance for an egress in the buffer area. This was denied. Instead, a dormer was created through the roof for access and there are some stairs to the parking lot from there. There is a wall where the garage door was which inhibits anything going on in the buffer zone. Most of the equipment has been moved out. The applicant has a proposed tenant for car sales. It is a small operation. The tenant will display 6 cars in front of the building and have 2 employees. About 10 spaces total will be needed for them. The maintenance building will be run out of the building and the applicant would like to rent the remaining

offices. He has no other specific tenants. The applicant is coming to the Board to show the new tenant and changes in the request for variance.

Another issue that did not take place on the previous plan is the proposed row of arborvitaes, they have not yet been planted. There will be an improved site plan. The applicant is not proposing free standing signs. There will be a sign on the side of the building. Ms. Killam pointed out that there are specific requirements for auto retail signage. Mr. Lavelle stated that there is no conflict.

Chair Killam requested that the Board decide on jurisdiction.

Vice Chair Turell made a motion to take jurisdiction.

Discussion: Vice Chair Turell asked if the parking spaces are marked. Mr. Lavelle said no, they have not marked the parking spaces and the buffer line has not been marked either. The Board noted that there is a truck or car parked next to Ms. Cornelius' property every day.

Vice Chair Turell continued the motion to take jurisdiction on the Application for Site Plan amendment submitted by Lavelle Associates for Milone Living Trust to show the addition of exterior stairs to the building and to add an additional use, specifically Car Sales, on property located at 56 Island Pond Road, Map 20 Lot 2 in the CI and CP Zones. Member Ted Stewart seconded the motion.

Discussion: Member Tim Dziechowski asked if car sales were a permitted use in RR2. Mr. Turell explained that the site is in the Commercial Industrial and Commercial Professional Zone. The Board discussed the history of the property.

Chair Killam requested a vote for jurisdiction.

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

Chair Killam pointed out that the plan does not show the building that was shown on the Masone plan and informed Mr. Lavelle that if the building is not shown on the plan, it cannot be built there.

Vice Chair Turell made a motion to continue Application for Site Plan amendment submitted by Lavelle Associates for Milone Living Trust to show the addition of exterior stairs to the building and to add an additional use, specifically Car Sales, on property located at 56 Island Pond Road, Map 20 Lot 2 in the CI and CP Zones to April 15, 2015.

Discussion: Chair Killam stated that the Board needs to figure out if the parking plan works. The existing use does not appear to fit on the site and the applicant is planning another use that requires a lot of parking.

Member John Wolters seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

5) Application for Site Plan amendment submitted by Paul Carideo of DuBay Group, Inc. to show current existing features and an existing canvas building, on property located at 16 Industrial Way, Map 16 Lot 59, in the CI Zone.

Chair Killam explained that this site was on the agenda for an extended period of time but was not completed.

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. No abutters present, Timothy Ferwerda and Douglas Maguire of the Dubai Group, PE

Paul Carideo from the Dubai Group came before the Board on behalf of the applicant. It is an existing condition amended site plan. The applicant put in a temporary canvas building without a proper site plan and some other minor items that need to get cleaned up. The amended site plan shows the existing conditions of the site. Looking through the Town Engineer letter, there is the existing temporary canvas structure on the right hand side of the property which is in violation of the side set back. The intent is to move it into conformance. It is a portable building on dirt, stuck in the ground with tubes. The applicant would like to use the canvas structure with a cement floor. He wants to use the structure for storage of delicate equipment for the millwright portion of his business, stuff that cannot be left out in the weather. There is also trailer storage that comes and goes with projects. There is also a water tower for fire suppression which is not in conformance with the setbacks. Where the existing water tank and existing storage is in the rear on the existing condition plan was woodland and wetland on the original 1997 plan.

A new permit has been filed at DES and is under review. In addition, the applicant has provided in the drainage plans they have taken into consideration the existing conditions based on the 1997 site plan, treating the back of the property as wetland and woodland and now applied the existing gravel surface to it. A storm water detention system has been designed which consists of three 36 inch diameter culverts underneath the gravel parking to store the water and to release it slowly where it always went but at no increased run off volume from the existing treed wetland. In the same process, when that area got filled, a culvert system was installed along the rear portion of the property to take the runoff from the northwest corner of the property and deposit it on the south side of the property where it normally exited.

Chair Killam asked for clarification about the culverting and asked if the applicant were permitting the culverting which had never been permitted in previous plans. Mr. Carideo explained the line that was delineated on the 1997 plan was a graphical representation from the soil map. It was never flagged. The applicant is requesting permitting for the existing drainage system. The applicant is trying to clean up the site plan to bring it into conformance with the current regulations. The applicant did not calculate the drainage capabilities of the culvert. Chair Killam explained that Atkinson Properties LLC, the abutter, is concerned about water runoff to his property. There is a culvert of unknown origin and do not know how much it is carrying. Member Stewart stated that the applicant has to figure out how much area the culvert is catching and draining. Mr. Carideo explained that the drainage submitted with the packet is the area of the existing wetland and the area that was disturbed by the gravel over and above the 1997 plan. Chair Killam explained that it was never explained where the pipe came from and what the drainage is.

Mr. Keach explained that he has a copy of the 1997 plan. Regardless of the graveled area at the back of the site, the contours show that on the current plan there is a wetland delineated in one corner. It can see from the contour of the survey that area drained in a line, whether it was wetland or not is not clearly defined on the plan. The applicant needs to file an application for a permit with DES and leaving the culvert. What the drainage analysis assumes, conservatively that all the water that drained through the site that is now under gravel, he did not use the existing condition, he used the 1997 condition in his drainage model, so that the mitigation corrected the sins of the past. Doug Maguire quantified how much water would have passed through the site prior to the installation of the fill and the culvert. He also did a post development scenario in his drainage report of what is on the site a present and what needs to be done. There was a very small open detention system on the 1997 plan. The applicant is proposing a cache basin on the North and South of the site and subsurface detention in 3 thirty six inch diameter pipes. Mr. Dubay found the culvert on the site and showed it on the current plan. The culvert

system, he is assuming that the culverts are 12 inches, the ones that can be seen are. Doug Maguire's drainage memorandum makes no attempt to retroactively size the pipes. What is left over from his calculations is what is going through the pipes. Mr. Keach explained that the pipes are catching nuisance water from the back of the lot. Mr. Stewart remarked that drainage calculations on the neighbor's property to verify this need to be done. Mr. Keach stated that the drainage calculations assume the 1997 conditions before the unpermitted work occurred. Attached to his drainage calculations and plan, the last two drawings. One is a predevelopment watershed area and the other is the proposed.

Mr. Stewart is still concerned about the pipes draining on the neighbor's lot. Mr. Keach looked at the legacy of the whole file. Mr. Stewart stated he believes that the drainage system will work with the 12 inch pipe removed. Chair Killam stated that the Board needs to be assured that water is not running off on to the abutting property. Mr. Keach responded that according to the drainage calculations, there should be no additional run off and recommended that Mr. Maguire take another look and get some more calculations. Mr. Maguire has attempted to go back to the conditions on the 1997 plan and provide drainage for those. Chair Killam stated that she is concerned about water draining through the 12 inch pipe from the Black Dog back lot. Mr. Keach has a plan of the site from 2010 and the pipe was not on the plan then. The official existing conditions plan given to the Planning Board does not show the pipe. Chair Killam informed Mr. Keach that the Board did see a plan with the pipe. The Board is still concerned about the other abutters. Mr. Keach stated that he felt that the existing pipe was adequate. Pre 1997, there was wetland on the south of the property and there was no point discharge, which creates concentrated discharge.

Chair Killam requested a vote to take the application under jurisdiction. Mr. Keach stated he believed the application was complete.

Vice Chair Mike Turell made a motion to take the Application for Site Plan amendment submitted by Paul Carideo of Dubay Group, Inc. to show current existing features and an existing canvas building, on property located at 16 Industrial Way, Map 16 Lot 59, in the CI Zone under jurisdiction. Member Ted Stewart seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

There was no discussion.

Vice Chair Mike Turell made a motion to continue the Application for Site Plan amendment submitted by Paul Carideo of Dubay Group, Inc. to show current existing features and an existing canvas building, on property located at 16 Industrial Way, Map 16 Lot 59, in the CI Zone to April 15, 2015. Member Ted Stewart seconded the motion. All members of the Atkinson Planning Board voted in favor. Vote: 6/0/0.

Discussion: Chair Killam asked about a variance for the buildings. Mr. Carideo explained that the existing concrete building conforms with regulations. The fabric building and the fire tower do not. The intent is to bring the fabric building into conformance.

Chair Killam requested a motion to adjourn.

Vice Chair Mike Turell made a motion to adjourn the March 18, 2015 meeting of the Atkinson Planning Board at 10:52 PM. Member Barbara Brown seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

The next Planning Board meeting is a workshop on Wednesday, April 1, 2015