

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, MAY 20, 2015**

Members Present:

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

Other's Present

Julie LaBranche, Rockingham Planning Commission
Tim Lavelle, Lavelle Associates
Steven Keach, Keach Nordstrom Associates
Christine Lewis, Lewis Builders
Josh Manning, Lewis Builders
Harold Morse, Lewis Builders
Christine Cornelius

Call to order:

Chairperson Killam called the regular meeting of the Atkinson Planning Board to order on Wednesday, May 20, 2015 at 7:30 pm.

Approval of Minutes: - February 18, 2015, April 1, 2015, May 6, 2015

February 18, 2015

- Bottom of Page 8, 3rd paragraph, Chair Killam informed the audience that due to the density miscalculation should say "due to the available additional density" strike miscalculation

Vice Chair Mike Turell made a motion to approve the minutes of the February 18, 2015 meeting of the Atkinson Planning Board as amended. Member Tim Dziechowski seconded the motion. All members of the Atkinson Planning Board present at the February 18, 2015 meeting voted in favor. Vote: 5/0.

May 6, 2015

Top of Page 2 RSA 477:1 should say RSA 477:45, l and gives a definition of a conservation restriction not a condominium restriction.

Member Tim Dziechowski made a motion to approve the minutes of May 6, 2015 meeting of the Atkinson Planning Board as amended. Member John Wolters seconded the motion. The members present at the May 6, 2015 Planning Board Meeting, Member Paul DiMaggio, Member John Wolters, Member Tim Dziechowski and Alternate John Feuer voted in favor. Chair Sue Killam and Vice Chair Mike Turell abstaining. Vote: 4/0/2.

April 1, 2015

- Bottom of page one says in in twice.

Vice Chair Mike Turell made a motion to approve the minutes of the April 1, 2015 minutes of the Atkinson Planning Board as corrected. Member John Wolters seconded the motion. All members present at the April 1, 2015 meeting voted in favor. Vote: 4/0.

Chair Killam informed the Board that there were 2 appointments to the Rockingham Planning Commission, Mike Turell and Robert Clarke. Member Turell informed the Board that his appointment is until April of 2018.

Member Paul DiMaggio made a motion to unanimously support appointments of Mike Turell and Robert Clarke. Member John Wolters seconded the motion. All regular members of the Atkinson Planning Board voted in favor with one abstention. Vote: 5/0/1.

Correspondence:

- Letter from Keach Nordstrom dated May 20, 2015 regarding Sawmill Ridge
- Letter from the Fire Chief regarding Sawmill Ridge
- Letter from regarding Sawmill Ridge

Other:

The Selectmen are recruiting for the Capital Improvement Plan. The Selectmen have hired Sue Cappetta for the Planning Administrator position.

8:00 PM Public Hearings:

1) 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.

Chair Sue Killam and Member Ted Stewart recused themselves as employees of the Town of Atkinson and Vice Chair Turell recused himself as an elected official of the Town and an employee of East Coast Lumber Company. Member Paul DiMaggio opened the hearing at 8:00 PM.

Abutters: ME Wood Realty Trust; Charles and Jeannine Kinney, Trustees of the Kinney Living Trust; Victoria McKinney Voreshky; Town of Atkinson - present; Jill Ryan, 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 Lang; 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; 268 Stage Road Realty, LLC, Ellen Mulligan, Trustee; Robert A. Clark; Martin and Marie Keane, 4 Huckleberry; Josh Manning, - present.

Josh Manning, Lewis Builders came before the Atkinson Planning Board to represent the applicant and gave the members a new set of plans.

The additional parking spaces recommended by the Town Engineer have been added, marked and numbered on the revised plans. Town Zoning requires two spaces per unit. 4 spaces have been provided for each unit, two in the garage and two in the driveway. There are 20 spaces at the Community Center as well as an additional 25 spaces scattered throughout. At present, the additional parking spaces are proposed to be graveled. They will be marked with a visitor parking sign and parallel to the road. The sign is shown on a detail sheet and the parking spaces are shown on the plan. Mr. Manning assured the Board that they will be plowed.

The applicant met with the Planning Board at the May 6, 2015 workshop to discuss condominium documents and submitted revisions today. Also, the specific number of bedrooms and the units they are in have been put on the septic designs as requested by the Board. Mr. Keach has not read the revised condominium documents. He went through the drawings again to see if any revisions have been made and stated the applicant has a "tight" set of drawings.

Mr. Manning reviewed the location of the guest parking spaces for the Board. There are two spaces between buildings 9 and 10 on Jersey Drive. There are several spaces across from buildings 15 and 16 on Ayreshire Avenue, one space on Stevens Court between buildings 22 and 23, and several spaces across from building 40 at the intersection of Stevens Court and Cowbell Crossing and one more at the end of the loop road.

Mr. Manning requested to speak to the May 20, 2015 letter of Keach/Nordstrom. There were several minor technical issues. Also a request from Julie LaBranche to label the specific acreage in the scenic vista area.

The only note added to the drawing is Note 16 which states the waiver that was granted for the road width. Member Paul DiMaggio asked about the note requested by Julie LaBranche, which was to distinguish the open space from the scenic vista. The applicant made scenic vista bold text and put in the acreage. It shows as a hatched area on the plan. Mr. Manning stated a note also needs to be added to the plan with regards to phasing as stated in the May 11, 2015 letter from the Fire Chief.

Member DiMaggio read the May 11, 2015 letter to the Planning Board regarding Sawmill Ridge from the Fire Chief into the record. The letter stated that the current road name in the plan is acceptable right now and does not conflict with existing Town Roads. The Planning Board reduction in width of roads from 24 feet to 20 feet and 22 feet within the subdivision is not supported by the Fire Department. The Town Engineer has verified that there are no grades greater than 8% within the rights of way. The cul de sac hammerhead are acceptable as shown on the plan. The project is proposed to be built in phases, market driven. The Fire Chief requested in his letter that a condition stating that no occupancy permit be granted in Phase 2 until the second means of access is completed as noted in the February 27, 2015 letter. Mr. Manning states that a note needs to be added to the plan.

The developer has agreed to allow the Fire Department to conduct water flow tests on hydrants in all phases and before occupancy permits are given. The proposed hydrant at the intersection of Knightland Road and Jersey Drive cannot be installed at this time because there are water flow issues. The developer has agreed to relocate the hydrant to a mutually approved area of town not currently protected. This is a limited review of the site plan dated May 11, 2015 and is not to be considered final. The Fire Department has to give final approval to any changes.

Next, the Board reviewed the letter from Keach/Nordstrom dated May 20, 2015.

General Comments: to remind the Board of various State permits that have been applied for need to be received before final approval.

Zoning Regulations: the draft Declaration of Condominium must satisfy the Planning Board

Surety: Lewis Builders has supplied a proposal for providing surety for the project dated May 18, 2015. Mr. Keach supports the proposal and has worked with the applicant regarding draft language as a framework. The applicant would like to post a restoration surety prior to the commencement of phase one. The second item is a surety for erosion and sedimentation control. The other two items Mr. Keach recommended was first, before any occupancy permits are granted the house and outbuildings in the field must be razed. Mr. Manning stated the applicant the applicant will have the building down before the first occupancy permit. The applicant will put a note on the plan and put up a bond, in the unlikely event that the tenant currently in the house cannot move before the first occupancy permits are ready to be issued. The last item Mr. Keach recommends bonding prior to commencement of development and before the first occupancy permit is issued, that a small surety be added to the total for maintenance of the open space. These four items, restoration, erosion and sedimentation control, demolition and annual mowing need to be included in the surety bond for phase one.

The Condominium Association will be responsible for enforcing items in the condominium documents. Condominium Association enforcement will start once the first Certificate of Occupancy is issued.

Mr. Keach recommends that surety be given for the four items, before anything is built and that the Town hold surety until full stabilization of the site, which will occur about the time building commences. Part B surety will apply then and could be subject to partial release as the phase builds out. Mr. Keach recommends creating a punch list of whatever items have not been done once building starts. Items such as top coat on the road. Conclude each paragraph with the phrase "The surety procedure will be repeated with each subsequent phase of construction." Phase one is erosion control, sedimentation control and the element of the vista. Once they start building, in advance of a request for the first Certificate of Occupancy, the Board needs to identify what is left to be done, put a value on it and post another surety. The process of partial release, identifying the value of what is left to be done and posting a surety will be repeated with each phase of the project.

Member John Wolters asked about demolishing the house in the proposed Scenic Vista. The occupant is a tenant at will. Mr. Morse informed the Board that the tenant has not been served notice but is aware they need to move. The house is identified to be razed on the plans, so "before the first occupancy permit is granted" can be added to the note. Ms. Brown agreed that occupancy permits should not be granted before the house is razed. Razing the house should be a subsequent condition of approval.

Mr. Keach pointed out a series of driveway culverts that will be done with each house. Without headwalls and clear end sections people drive over them and they get crushed. Mr. Manning has agreed to expand an existing note stating the driveway culverts will have headwalls and clear end sections. One other issue is the note regarding Jersey Drive has to be in place before issuance of any Certificates of Occupancy for Phase 2. All other items in the Keach Nordstrom prior reports have been addressed in full.

Member Paul DiMaggio asked if there were questions regarding the letter from Keach/Nordstrom from the Board and from the public.

Member John Wolters has one issue regarding the open space vista and once a year mowing. He sees it as a tick breeding area and a fire hazard. Member Tim Dziechowski disagreed and pointed out that every other field in town is mowed once a year. Mowing more than once a year destroys wildlife habitat and turns the scenic vista of a field into a lawn. Alternate Brown agreed with Member Dziechowski. Alternate Brown is also concerned about the house being razed because the plan is based on the scenic vista. Mr. Morse agreed that the house will be razed before the first occupancy permit and informed the Board there is a note on the plan.

Ms. LaBranche has one suggestion, to provide photographic documentation of the scenic vista once it is restored. Mr. Morse stated that he is willing to take some pictures and Lewis Builders may have pictures in their files of prior owners and farmsteads.

Member Dziechowski has two issues, an easement for a Town Trail and open space protection. The Conservation Commission has requested a trail easement from the end of the Town Trail to the Hampstead town line. A 10 foot trail easement was originally proposed but Mr. Dziechowski pointed out an existing trail that can be used to the Hampstead Town Line which would provide better access. Member Dziechowski agreed to the change and Mr. Manning agreed to make the change to the plan. It was agreed that either the Town or the Homeowners Association will be able to do maintenance on the trail as required.

The Board discussed language for open space protection and what would be allowed. Member Dziechowski stated that RSA 674:21A - development restrictions enforceable, has all the protection the Town needs. The applicant's attorney stated at the May 6, 2015 Planning Board workshop that he is

willing to have a clause stating no buildings built without planning board approval. Mr. Dziechowski also recommended adding the word "sustainable" before forestry to the phrase "community gardens and forestry". Mr. Dziechowski also recommended changing the wording tennis courts to sports courts and remove "such as" from the sentence. Mr. Morse informed the Board that the language was copied directly from Atkinson Zoning Regulations. Alternate Brown recommended a note on the plan regarding open space. Member Dziechowski recommended language stating "no buildings without Planning Board approval" would be enough. The same language is in the deed and declaration. Mr. Morse recommended adding language to Note 4 on Sheet PI 1 stating that permitted uses in the open space shall be as specified in the condominium declaration and deed. Julie LaBranche suggested adding "no buildings in the open space without Planning Board approval to a note on the plan and also refer back to the declaration and deed. Mr. Morse informed her that the language regarding no buildings in the open space without planning Board approval is already in the declaration and deed.

Member John Wolters recommended that maintenance of the scenic vista needs to be more clearly described. Mr. Manning informed the Board that language was added regarding cleaning up around the perimeter of the development. Julie LaBranche read the section of the condominium documents regarding open space and scenic vista maintenance. The documents also state that the scenic vista requirements may be enforced by Condominium Association and the Town.

Member John Wolters stated that if the Board is going to approve the application someone needs to talk to the Town Attorney. Member Dziechowski recommended a condition of approval of the condominium declaration and deed by the Town Attorney. Chair Killam gave the Town Attorney the original documents and stated that he gave her no commitment on his part at the end of their meeting. Mr. DiMaggio suggested giving him specific items to review. Mr. Morse informed the Board that the documents will be reviewed by the Attorney General for approval, and the Town Attorney wanted the Board to tell him the issues they are concerned with before he made a recommendation. Chair Killam requested a complete set of plans with updates.

The Board reviewed their recommendations for approval of the application:

Member DiMaggio informed the Board that the language in the Warranty Deed, Item #11 that he requested was adopted.

Member Dziechowski recommended changing the wording Tennis Courts to Sports Courts and changing forestry to sustainable forestry.

Member DiMaggio asked the Board if there were more items for discussion.

Item 6-1, page 17 was discussed at the May 6, 2015 workshop and was changed to add a sentence to the plans and the Condominium Declaration stating the homeowner shall not exceed the number of bedrooms per unit as prescribed by the allowable septic capacity for that unit. Mr. Keach informed the Board that additional information was added to the density calculations specifying the number of bedrooms in each unit in the plan sets. There is a table in the septic system drawings. There is a certified floor plan at the registry of deeds as built. If an additional bedroom is added without a permit it will be discovered after a title search upon conveyance. Alternate Brown recommended putting a schedule of bedrooms per unit into the condominium documents. Mr. Keach responded the information will be in the "as built documents". Mr. Manning responded that a schedule of bedrooms will be easy to do.

Member DiMaggio asked if there were more questions.

Member Dziechowski stated he was ready for conditional approval.

Member DiMaggio requested a motion.

Member Dziechowski made a motion to grant conditional approval based on the following:

- 1. Add a note to the final site plan specifying that the existing dwelling and outbuildings in the scenic vista space shall be razed prior to issuing of one or more Certificate of Occupancy;**
- 2. Receipt of all required State project permits;**
- 3. Receipt of letter from the Town Engineer acknowledging the comments and recommendations contained in his correspondence dated May 20, 2015 have been satisfactorily resolved;**
- 4. Add a note to the final site plan specifying that Jersey Drive shall be constructed through to Knightland Road prior to issuance of one or more Certificates of Occupancy in Phase Two;**
- 5. Receipt of the final draft of condominium documents incorporating minor edits recommended by the Planning Board Members at the May 20, 2015 meeting of the Atkinson Planning Board;**
- 6. Receipt of a favorable letter from Town Counsel within 30 days;**
- 7. Amend Note 4 on Sheet PI1 to cross reference open space restrictions contained in the Condominium Declaration Section 2-4-7 and Warranty Deed Section B-11 pages 4 and 5;**
- 8. Subsequent conditions of approval that owner provide performance guarantees consistent with the recommendations in Town Engineers report dated May 20, 2015;**
- 9. Modification of Sheet OS1 to reflect N-S direction of the Town Trail easement, granting of an easement to the Town for the trail easement and allowing either the Town or the Homeowners Association to maintain the trail;**
- 10. Headwalls to be flared to the driveway culverts;**
- 11. A list of addresses and the number of bedrooms in each unit be added as a schedule of bedrooms to the condominium documents; and**
- 12. Receipt of final Fire Department sign off.**

Alternate Barbara Brown seconded the motion. There was no discussion. Member Tim Dziechowski, Alternate Barbara Brown and Alternate John Feuer voted in favor. Members Paul DiMaggio and John Wolters abstained. Chair Killam, Vice Chair Turell and Member Ted Stewart recused. Vote: 3/0/2. The motion carries.

Chair Sue Killam, Vice Chair Mike Turell and Member Ted Stewart came back to the Board. Chair Killam read the second application.

2) 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. Jurisdiction taken March 18, 2015.

An abutter was omitted from the original notice so the application was noticed again and Chair Killam requested a motion to take the plan under jurisdiction as of May 20, 2015.

Motion by Vice Chair Mike Turell to take 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 under jurisdiction as of May 20, 2015. Member Ted Stewart seconded the motion. Only regular members of the Atkinson Planning Board present voting. Vote: 6/0.

Abutters: Milone Living Trust, Christine Cornelius - present; DHT Sports Management Trust; James Dedius, et al; Rockingham Realty LLC, 58 Island Pond Road; Southern New Hampshire Commons LLC; Waterwheel Estates Homeowners Association, Frank Leary President; Q&D Realty Trust, Antonio

Quadros, Trustee (Dunkin Donuts); James Lavelle Associates – present; and Susan Sandone, the omitted abutter.

Mr. Tim Lavelle came before the Atkinson Planning Board to represent the applicant and present an amended site plan. The applicant is requesting to add a stairway to the back of the building and six parking spots for a used car dealership. The applicant had gone to the Atkinson Board of Zoning Adjustment previously to request that an existing sliding glass door on the end of the building be used and a stair way added in the 150 foot buffer for the rural residential zone, but could not get a variance. The applicant has come back with new plans for a deck and a dormer stairway outside the buffer. There was also a garage door that faced the residential zone. It has been sided over and there is an interior partition wall in the middle. Also, two no parking signs were put up in the buffer zone. There is no fence. The No parking signs on the pavement have not been painted. It shows a no parking sign in the front of the property, halfway between the line and the no parking area. It is not on the plan yet. The rear row of arborvitae have been planted. The other arborvitae row by the pond has not been planted as yet.

Chair Killam informed the Board that there was a conditional plan that was not recorded and asked if this plan included the conditions requested by the Board in the prior plan. Included in the new application are plans for new tenants who are proposing a used car dealership.

The Board reviewed the Keach/Nordstrom letter. The main issue is a review of the drawings and comparing to Atkinson zoning shows the majority of the business portion is in the Commercial Professional District. Mr. Keach would like to note that the Zoning Regulations state business must be conducted in interior of business only in the Commercial Professional and Town Center zones. This is a request for used car sales and the cars are proposed to be parked outside. Mr. Keach suggested that Board should deal with the issue. Chair Killam pointed out that part of the proposed business is in the Commercial Industrial Zone and part is in the Commercial Professional Zone. Exterior business is not allowed in the Commercial Professional Zone, but is in Commercial Industrial Zone. Chair Killam suggested that cars for sale be parked in the Commercial Industrial Zone. Member DiMaggio pointed out that auto repair and auto body business are not allowed in the Commercial Professional Zone. Mr. Lavelle informed the Board that the proposed tenants just need garage space to bring cars inside. As a dealer the tenants need to be able to put an inspection sticker on. There is an office in front of the building and the tenant was going to park the cars outside in front of the office.

Chair Killam read Regulation 240:1 on page Z2 of the Atkinson Zoning Regulations into the record. The regulation states in part that regulation for a less restricted part of a site shall extend not more than 30 feet into the less restricted provided, the more restricted lot has frontage on a road. In this case, the Commercial Industrial Zone is the less restricted. Mr. Lavelle asked if the used car display could be done in the Commercial Professional Zone. Member Dziechowski asked about a variance from the Zoning Board of Adjustment. Mr. Lavelle stated that the applicant could ask for a variance or park the used cars in the Commercial Industrial Zone. At one time, there was a chain link fence between the zones, but is gone. Ms. Cornelius pointed out she just bought a used car and most of the business was conducted outside. She suggested that if the Board allows a used car dealership, the site should have more screening. The earlier plan had a berm. The Board discussed screening on an earlier plan.

Chair Killam gave a history of the site. The Zoning Board of Authority established the zone line which runs through the property, it was supposed to go back to the Planning Board, but the previous owner never took it back. Mr. Lavelle has been involved in applications for the site for about one year. A plan was approved, but the applicant needs outside stairs to the upstairs and the original design for stairs was not approved. He has also put in a water tank for sprinkler system. Member DiMaggio remarked that part of the problem is the Commercial Professional district should never have got in. The area used to be an RR3 Zone, and the RR3 Zone should have precedent. Member Ted Stewart recommended putting used cars at the west end of building, in the Commercial Industrial Zone. Tim Lavelle agreed.

Ms. Cornelius pointed out that the spaces in front were not even allowed until recently. There is not supposed to be parking in front of the building because the buffer is less than 70 feet, and the applicant got a variance. Mr. Lavelle agreed that the used cars for sale would be parked in the Commercial Industrial zone in the other parking spaces. Also, the parking lot will be striped and a line will be painted on the buffer line stating that there will be no parking beyond that point and in the RR3 buffer zone.

Ms. Cornelius has an agreement that when the white pines at the property line with her property loses the lower branches, screening is supposed to be put in. The Board discussed screening. Ms. Killam asked if stockade fencing would be agreeable as screening. Ms. Cornelius suggested rhododendron. Ms. LaBranche recommended dwarf azalea. There is an issue about shade and soil types. Atkinson Zoning Ordinances Page SP 11, Section 690 - Screening and Buffering describes what is needed for screening and buffering. Mr. Keach recommended a four foot stockade fence. Ms. LaBranche stated that the area is about 60 feet. Mr. Lavelle agreed to a four foot stockade fence.

Member DiMaggio informed the Board that a stockade fence and a fence across the parking lot were on the 1993 plan. The plan was not recorded, only conditionally approved. The fence was taken down.

Chair Killam agreed summed up the requirements for conditional approval of the application: the parking spaces for the used cars be moved into or within 30 feet of the Commercial Industrial Zone; a stockade fence be erected on the property line with Ms. Cornelius; and continue planting of arborvitae shown on the plan.

Chair Killam asked if there other items can be taken care of. Mr. Keach stated he had no other issues. Mr. Lavelle informed the Board that the other issues just need to be cleaned up, such as adding elevations to cache basins and pipes. Steve Keach informed the Board that this amended site plan captures all the work of the Atkinson Planning Board from the last 3 amended site plans.

Chair Killam requested a motion.

Ms. Cornelius asked when the project would be completed and Mr. Lavelle stated it would be completed right away because the applicant wants the plan recorded. Chair Killam informed the Board and the applicant that the auto dealership needs permission from the Town before it can get license from State.

Vice Chair Mike Turell made a motion for conditional approval of an 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 conditioned on the following:

- 1. Moving the proposed used car display parking to the Commercial Industrial Zone;**
- 2. Completing fencing on the easterly side to block the view under the white pines;**
- 3. Completing the proposed arborvitae planting; and**
- 4. Minor site plan amendments outlined in the letter of May 20, 2015 from Keach/Nordstrom.**

Member Ted Stewart seconded the Motion. There was no other discussion. All regular members of the Atkinson Planning Board voted with one abstention, one opposed and 4 in favor. Vote: 4/1/1. The motion carries.

3) 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. Jurisdiction was taken on March 18, 2015.

Abutters: Keith and Michelle Wolters; Atkinson Properties, LLC; Positive Start now owned by AROD Corporation; Ruby Holdings, LLC; Telusyuno, LLC; Lavelle Associates, present; Norris Lemay; Timothy Ferwerda and Douglas Maguire of the Dubay Group, PE

No abutters were present.

Mr. Carideo did not appear and Ms. Killam has not heard from him. Mr. Keach informed the Board that when Mr. Carideo presented the plan, there was some drainage from another lot through this site to another parcel that was never shown on any plan. The engineer was unable to survey the site due to winter conditions. The application was continued from the April 15, 2015 to the May 20, 2015 meeting. No one has heard from the applicant. Chair Killam informed the Board the application was at the end of the current jurisdiction and that according to the RSA, the applicant needs to request continuance or the Planning Board needs to accept or deny the application. Or the Board can go to the Selectmen and ask if they will allow the Planning Board to continue. The Board agreed to deny the application without prejudice.

Member DiMaggio made a motion to deny the application if the Board does not hear from the applicant in three days. Discussion: Chair Killam recommended denying the application without prejudice at the meeting. The other members of the Board and the consultants present agreed to deny the application at this meeting because the Board will not meet in three days. Member DiMaggio retracted his motion.

Vice Chair Mike Turell made a motion to deny without prejudice 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. Jurisdiction was taken on March 18, 2015. Member Ted Stewart seconded the motion. There was no further discussion. The six regular members of the Atkinson Planning Board voted 4 in favor and two opposed. Vote: 4/0/2 in favor of denying the application without prejudice.

Discussion: Member Ted Stewart remarked that the Board does not have a site plan. The issue is now code enforcement.

Chair Killam requested a motion to adjourn.

Member Paul DiMaggio made a motion to adjourn the May 20, 2015 meeting of the Atkinson Planning Board at 10:30 PM. Ted Stewart seconded the motion. All regular members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

The next Planning Board meeting is a workshop on Wednesday, June 17, 2015.