

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, SEPTEMBER 16, 2015**

Members Present:

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

Other's Present:

Tim Lavelle, Lavelle Associates
Steve Keach, Keach and Nordstrom
Julie LaBranche, Rockingham Planning
Paul Carideo, The Dubai Group

Call to order:

Chair Killam called the meeting of the Atkinson Planning Board to order on Wednesday, September 16, 2015 at 7:52 pm.

Approval of Minutes: July 15, 2015 and August 19, 2015

July 15, 2015

- Jim Krzywicki - change spelling.

Member Mike Turell made a motion to approve the minutes of the July 15, 2015 meeting of the Atkinson Planning Board as corrected. Tim Dziechowski seconded the motion. All members voted in favor. Vote: 5/0/0.

August 19, 2015

- Jim Krzywicki - change spelling

- Page 2, four paragraphs up from the bottom - should say small dog house

Member Mike Turell made a motion to approve the minutes of the August 19, 2015 meeting of the Atkinson Planning Board as corrected. Member Paul DiMaggio seconded the motion. All members present at the August 19, 2015 meeting voted in favor. Vote: 3/0/0.

Correspondence:

- Town & Country magazine - September, October Issue
 - Letter from the City of Haverhill regarding permission to build on Water and Liberty Street
 - Letter regarding 14 Industrial Way - the applicant wants to start storing materials in trailers for his business. Ms. Killam requested that he submit a site plan.
 - Letter regarding grants - all applications must document that the intended beneficiaries are low and moderate income households
 - NH Planning and Development Conference to be held in Peterborough
- Senate Bill 146 which should be passed in some fashion - would require Towns to allow accessory dwelling units. The Town of Atkinson allows accessory dwelling units through

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- special exceptions. Some of the Town of Atkinson special exceptions will need to be changed to conform with the new law if it is passed. One would be the necessity for a familial relationship and the other the requirement for the accessory dwelling unit to be attached to the main house. Other changes may be the number of bedrooms and the size of the unit. Mr. Turell suggested that the Planning Board look at the regulations for accessory dwelling units.

Public Hearings: Chair Killam opened the public hearing at 8:00 PM

(1) Application for Site Plan submitted by Lavelle Associates and Four Commerce Drive LLC to develop a 9,000 SF Office Building and Warehouse on property located at 4 Commerce Drive, Map 20 Lot 43 in the CI Zone. Continued from August 19, 2015 and jurisdiction was taken July 15, 2015

Abutters: 13 Hall Farm Road, LLC; 4 Commerce Drive LLC; Eunice Godowsky Realty Trust c/o the MEG Companies, Mike Sharon; Durkin Realty Trust; Gregsak Engineering, Inc.; and Tim Lavelle, James Lavelle, Associates - present

Mr. Tim Lavelle, Lavelle Associates came before the Board to present the application. One issue from the last meeting was the door was too close to the road. The building has been moved back. Parking has been increased to 37 spaces as shown on Sheet 2. Most of the comments in the letter from Keach Nordstrom dated September 16, 2015 have been addressed. A couple of sheets have been added to the plan. The lighting and landscaping have been put on a separate sheet, Sheet 4. The landscaping is not shown but it will be put in. There is nothing in the letter from Keach Nordstrom that cannot be taken care of. The letter of intent has been revised. One other issue was access to lot 14 in the back and concern about cross easements. The application would not allow cross easements, neither property relies on access to the other lots, it is a convenience at present because both lots are owned by the same corporation. If one lot was sold, the easements would cease. The issue of easement is added to the letter of intent. The application is for offices and a warehouse for Palmer Gas. The drainage calculations have been revised appropriately. Number 5 of the Keach Nordstrom regarding placing a note on Sheet 3 specifying conformity with the local water company is one issue. The water company is actually Pennechuck East, not Hampstead Water Company. Ms. Killam explained that when the road was developed, a well was put in and all properties on Industrial Way are hooked up to it. The managing water company is Pennechuck East.

Mr. DiMaggio asked how 37 parking spaces was arrived at. Mr. Keach explained that one parking space is needed for every 300 square feet, plus one for each employee. This adds up to 13 spaces. Then 3.6 spaces for the warehouse and one for each of the 20 employees. Mr. Keach would like the number of spaces shown on Sheet 7. Also, on Sheet 3, one of the parking spaces has to be van accessible to conform to the Americans with Disabilities Act. Mr. Lavelle stated that the applicant would add 3 feet to the parking space on the left hand side which would bring it into conformity. That way, the applicant would not lose a parking space. Mr. Lavelle also remarked that most of the parking will not be utilized.

Mr. Keach pointed out that the Board may want to review the parking space requirements in the Atkinson regulations. IBE has come out with new recommendations. Atkinson regulations may require too many parking spaces according to the new guidelines.

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Mr. Lavelle gave the Planning Board a revised letter of intent. Chair Killam read the letter into the record.

Vice Chair Turell moved to conditionally approve the Application for Site Plan submitted by Lavelle Associates and Four Commerce Drive LLC to develop a 9,000 SF Office Building and Warehouse on property located at 4 Commerce Drive, Map 20 Lot 43 dependent upon the following three conditions: 1) receipt of a septic permit and in addition satisfactory design of the holding tank to be shown on the plan; 2) a performance guarantee in an amount and form acceptable to the Town of Atkinson for erosion control and site restoration; and 3) receipt of a letter from the Town Engineer acknowledging that all comments in his letter of September 16, 2015 have been satisfactorily resolved. Member Ted Stewart seconded the motion. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0.

Chair Killam informed Mr. Lavelle he could obtain a performance guarantee form from Town Hall which will tell him what type of surety the Town requires.

2) Application for amended Site Plan submitted by The Dubai Group for MYA Victoria, LLC to develop a 4,752 SF Office Building and 4,680 SF Garage on property located at 15 Industrial Way, Map 16 Lot 16 in the CI Zone.

Abutters: Town of Atkinson; Black Dog Builder Investment Holdings; Atkinson Properties, LLC; MYA Victoria, Gagnon Realty Trust, Gils Gagnon, Trustee; Ruby Holdings, LLC, Brian and Sheryl Castle; ARod Realty Group LLC; Douglas McGuire, PE, The Dubai Group and Joel Connolly, LLS, The Dubai Group

Mr. Paul Carideo from the Dubai Group came before the Board on behalf of the applicant. It was before the Board in April of 2015 and the plan was conditionally approved. After conditional approval, some changes had to be made. Mr. Carideo briefly reviewed the changes in the plans. It was discovered that the building was only one floor and the applicant desired a two floor building. The entrances had to be moved. The pavement and building sizes stayed the same with the exception of the 8x10 entrance. A concrete pad and fire suppression system was added. The dumpster was moved for better access. A propane tank was added. The underground electric utilities were moved to conform with the local utility company. ADA access was relocated. Access is provided through a ramp to the entrance to conform with ADA requirements. Some minor adjustments were added to the grading which resulted in some adjustments to the cache basins. The landscape berm was enlarged. There will be plantings and a swale. The detention basin is at the bottom of the hill. There is a larger berm added to the southerly property line so when people come down the road, they will not be able to see the dumpsters. Some of the excess material from the blasting will be used to make the berm.

Chair Killam asked what would be done with the rock generated by the blasting. Some will be removed from the site and some will be used on site. The applicant had to blast five feet down and dirt was added. The Board discussed why blasting was needed and Mr. Carideo explained that it is a Morton building and will be on piers. The piers have to be dug in so many feet.

Chair Killam read the final paragraph of the letter of September 16, 2015 from Keach Nordstrom, which recommends approval. Mr. Keach briefly reviewed the changes in the plan

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and his recommendations. The site had to be leveled. The materials were used to create a 7 foot berm which satisfactorily blocks the view from the road.

Vice Chair Mike Turell made a motion to approve the Application for amended Site Plan submitted by The Dubay Group for MYA Victoria, LLC to develop a 4,752 SF Office Building and 4,680 SF Garage on property located at 15 Industrial Way, Map 16 Lot 16 in the CI Zone. Member Ted Stewart seconded the motion.

Discussion: The surety has already been given.

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

Other:

Chair Killam questioned Mr. Carideo on other applications that will be put before the Board. He will be working on a plan for 14 Industrial Way and a subdivision on Hall Farm Road. Test pits for Hall Farm Road were done, but Mr. Carideo has not been able to obtain him. He is redoing the test pits. He is also working on plans for 16 Industrial Way. Mr. Carideo explained that for 14 Industrial Way, a tractor trailer filled with cellulose comes in about once a month, the applicant hauls it out and another tractor comes in. Parking is being evaluated to provide the minimum parking approved. There is no flow all around the building and Mr. Carideo is looking at it. The applicant would also like to bury the propane tanks. Chair Killam suggested Mr. Carideo talk to the Fire Chief.

There was no other business.

Chair Killam requested a motion to adjourn.

Vice Chair Mike Turell made a motion to adjourn the September 16, 2015 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 adjourned the September 16, 2015 meeting of the Atkinson Planning Board at 8:41 pm.