

ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, APRIL 6, 2016

Members Present:

Sue Killam, Chair
Mike Turell, Vice Chair
Barbara Brown
Ted Stewart
Paul DiMaggio

Other's Present:

Mike Murphy, Fire Chief
Bob O'Neill, Complete Irrigation Systems
Stanley Glick, Complete Irrigation Systems

Call to order: 7:30 PM

Chair Killam called the meeting of the Atkinson Planning Board to order on Wednesday, April 6, 2016 at 7:40 pm.

Workshop: Stanley Glick to Discuss 8 Main Street

Stanley Glick represents Complete Irrigation Systems of Rhode Island. They are hoping to establish a presence in New Hampshire. They have installed irrigation systems in Salem, New Hampshire and Andover, Massachusetts. The Board discussed potential uses allowed by Atkinson Zoning Regulations for the property with the prospective buyers.

Chair Killam explained that Atkinson has a very limited commercial base. 8 Main Street is in the Commercial Zone, not the Commercial Industrial Zone. Member Stewart read the definition of the Commercial Zone in the Atkinson Zoning Regulations for Mr. Glick.

Chair Killam explained that the site was used as an oil depot 30 years ago, which was a grandfathered, nonconforming use. Member Stewart read the definitions of permitted uses from the Atkinson Zoning Regulations. Some of the permitted uses are commercial uses such as professional offices, enclosed storage, general convenience store, and self-serve storage facility.

Mr. Glick pointed out that the house is a two family house, upstairs and downstairs. Mr. Murphy has been reviewing the file. It is obvious that much of what has been built on the property in the past was not permitted. Member Stewart pointed out that this will be a change of use and a change of ownership.

Chair Killam informed Mr. Glick and Mr. O'Neill that they need to describe a use that is permitted under the zoning regulations. If the Planning Board does not find that the planned use is permitted, the applicant can apply to the Zoning Board of Adjustment.

Mr. Glick pointed out that the property is set up as a mixed use property and asked if the zoning regulations make allowance for mixed use property. Chair Killam responded that the property has not been in use for at least two years.

Member DiMaggio asked what the potential buyers planned as the intended use of the property. Mr. Glick responded that they would like to rent out the two units in the house to help pay expenses, and use the garage and office for the business. Mr. O'Neill informed the Board that he has spoken to the State Fire Marshall about the oil tank. Chair Killam explained that the oil tank is not a permitted use. Mr. O'Neill explained that the cost of removing the tank would affect the purchase price.

The Board discussed the environmental impact statement which states that the property is clean.

Member Stewart stated that according to the zoning regulations, a potential buyer could have a single family house, a retail space and an office. Mr. Glick asked if part of the house could be rented as an office but he would prefer that it be a two family. Chair Killam explained that a new State law that goes into effect in 2017 allows an accessory dwelling unit. At present, Atkinson only allows family related accessory units. However one of the units has to be occupied by an owner.

The Board discussed the reasons for the commercial zoning regulations.

The potential buyers explained that the look and use of the property would not change. The house in front would remain the same and the garage would be used for storing equipment. Trucks would leave in the morning around 6:30 or 7:00 am and return in the evening around 5:00 pm. Their potential use would be fairly light compared to some of the permitted uses. The trucks are pickups. Also, local people would be hired.

The potential buyers informed the Board that new natural gas lines, water lines and a sprinkler system would be installed.

The applicant asked how much green space would be needed. The Board discussed the property behind 8 Main Street. Member Stewart explained that the potential buyers would need to get relief from the 100 foot buffer. The maximum foot print of building coverage allowed is 25% of the buildable land.

The Board asked if visibility and access are issues. The potential buyers explained that most of their business is commercial so visibility and access are not issues.

Member Stewart expressed that a multi use commercial professional building could be permitted rather than a commercial residential use.

The Board returned to discussing the 100 foot buffer for residential property. Vice Chair Turell explained that nonconforming uses for properties do not transfer. The use will go away, but the structure will remain. Vice Chair Turell agreed that a commercial office building with a garage in the back could be allowed. The potential buyers would remove the oil tank.

The potential buyers asked if the pool house and tank farm were removed, would that make room for another garage. The Board explained that calculations would have to be done.

Potential uses for the house could be professional offices such as a lawyer, accountant or other professional business. Parking is also an issue. A snow storage area also needs to be designated. New Federal regulations on groundwater management also have to be considered.

Chair Killam explained that applications for the Zoning Board of Adjustment need to be filed two weeks prior to the Zoning meeting, which is held the second Wednesday of the month.

The potential buyers thanked the Board for its clarification of uses for the property and stated that they would consider a potential use of garage and professional office building.

Minutes: March 16, 2016 - deferred

Correspondence: none

New/Old Business: none

Other: none

Chair Killam requested a motion to adjourn.

Member Paul DiMaggio made a motion to adjourn the April 6, 2016 meeting of the Atkinson Planning Board. Vice Chair Turell seconded the motion. All regular members of the Atkinson Planning Board present voted in favor. Vote: 5/0/0.

Chair Killam adjourned the March 2, 2016 meeting of the Atkinson Planning Board at 9:10 pm. The next Planning Board meeting is a public hearing on Wednesday, April 20, 2016.