

**Town of Atkinson  
Board of Selectmen  
Public Hearing 7:00 P.M.  
Monday, January 18, 2010**

**Open Public Hearing:**

Chairman F. Childs opened the Public Hearing of the Town of Atkinson Board of Selectmen regarding Dunkin Donuts at 7:00 p.m.

**Members Present:**

F. Childs, Chairman  
W. Friel  
W. Bennett

**Others Present:**

S. Killam, Chairman, Planning Board  
A. LaChance, Stantec Engineering  
A. Quadros, Dunkin Donuts  
Z. Morell, Pine Brook Construction  
M. Da Silva, Dunkin Donuts

Mr. Antonio Quadros of Dunkin Donuts came before the Board to request an occupancy permit. Chairman Killam introduced the representatives from Dunkin Donuts. Mr. Morell of Pine Knoll Construction took the floor to explain that the landscaping was not completed because of winter.

Mr. A. LaChance took the floor to discuss the memo from SFC Engineering Partnership regarding the Dunkin Donuts site. Mr. LaChance stated that the immediate concern was site stabilization in the areas where landscaping was not completed.

Parts of the site are constructed, loamed and seeded with some growth. But some areas of the site are still rough graded with no landscaping. Mr. Quadros is promising that as soon as the slope thaws he will install erosion control blankets and since the site is frozen now the ground is stable.

Mr. Morell stated that he has a letter from the landscaper for the site and he has no problems with monitoring the site so that erosion control blankets can be installed as soon as it thaws and that it will thaw quickly because it faces south.

After further discussion, the Board agreed that the site could be monitored by the landscaping contractor with electronic reports submitted weekly to the Board of Selectmen through the General Contractor. It was established that the total site was 70,000 square feet with 30,000 square feet still unstable.

Mr. Friel remarked that the developer wants occupancy permit so that he could open at least partially. Chairman Killam suggested that according to the RSA, the Board give the developer a temporary occupancy permit for 30 days which can be renewed. Ms. Killam also explained that the upstairs portion of the building was not finished and that the developer could pull different permits for the upstairs and the rest of the building. Mr. LaChance recommended that the Board hold the bond until spring. It was agreed that the landscaping design needed to be adjusted.

**Selectman Friel made a Motion to grant a 30 day occupancy permit to Antonio Quadros for the Dunkin Donuts site upon the conditions that: all permits and inspections are signed off by the respective authorities; that the bond is maintained and that site inspections are conducting according to the January 13, 2010 letter of SFC Engineering Partnership, Inc. Selectman Bennett seconded the motion and the Board voted 3/0/0 with Selectman Friel, Selectman Bennett and Chairman Childs in favor.**

**Selectman Bennett made a Motion to adjourn the January 18, 2010 Public Hearing of the Board of Selectmen, Selectman Friel seconded the Motion and the Board voted 3/0/0 with Mr. Friel, Mr. Bennett and Mr. Childs all in favor, the Public Hearing was adjourned at 7:43 PM.**

***Respectfully submitted by Karen Wemmelmann***

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Fred J. Childs, Jr.

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William G. Friel

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William M. Bennett