

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, JANUARY 4, 2023**

Members:

Sue Killam, Chair (present)
Vice Chair Turell (present)
Ted Stewart (not present)
Paul Wainwright, Alternate (not present)
John Ottow (present)
(Master Plan Team)
Karen McFadden, Alternate (present)
(Master Plan Team)
Barbara Brown (present)
Paul DiMaggio (present)
Beth Cacciotti– Selectman Ex Officio
(not present)

Others Present

Julie LaBranche, Planner (present)
Karen Wemmelmann, Recorder (present)

Sue Coppeta, Planning & Zoning Administrator
(not present)
Brian Murray, Fire Chief

Mark Bougere

Christine Lewis Morse, Lewis Builders
Debra DiSimone, Tax Collector

Call to Order:

Chair Killam called the Atkinson Planning Board meeting to order Wednesday, January 4, 2023 at 7:30 PM. Zoning Ordinance Article V, Section 510 was moved to ballot at the December 21, 2022 meeting. There will be a public hearing on a proposed citizens petition.

Chair Killam explained that under the law, when a citizens petition is offered for zoning, it is the responsibility of the Planning Board to hold a public hearing specifically to offer the content of the citizens petition article. The Planning Board is not allowed to make changes to the petition. At the end of the public hearing, members of the Planning Board present will make a statement by vote as to whether or not they recommend to approve it or disapprove the citizens petition. It goes to the ballot. It will be seen at Deliberative Session. It does not get discussed at Deliberative Session. It will be on the ballot in March and then residents can vote on it. After Chair Killam reads the petition into the record, if there are questions, please raise your hand. It will not be amended or changed by the Planning Board at this meeting.

Chair Killam introduced the members of the Planning Board at the meeting and stated there will be six members voting.

Public Hearings: Chair Killam opened the public hearings at 7:30 PM. Member Ottow read the proposed amendment to Zoning Ordinance Article V: Section 510, Permitted Uses, into the record. The full copy is on the Town website and there is a link below.



Citizens Petition
Zoning Amendment fc

Amend

Zoning Ordinance Article V: Section 510, Permitted Uses –

This amendment adds a new Permitted Use –

oo. Long Term Care Facilities allowable in the RR2/SCR Zone only.

Add:

Zoning Ordinance Article VI: Section 620:12 – Long Term Care Facilities –

This section adds some definitions, descriptions of accommodations, dwelling types and associated services. This section also includes the requirement for Site Plan review by the Atkinson Planning Board.

Chair Killam requested to make a correction to what she previously stated. She informed the Board that the first item, amend Zoning Ordinance Article V: Section 510, Permitted Uses is part of this specific application. The Planning Board had already done an amendment to Article V, Section 510 so there will be two amendments on the ballot that refer to Section 510. This amendment is to add a permitted use in the permitted uses section.

Chair Killam requested the petitioners to speak. Christine Lewis Morse requested Mark Bougere to speak for her. He explained that this petition is very similar to one considered by the Board a few years ago. It has been changed to reduce the scope as far as where the facility can go in the community and the section on independent living has been removed. It is a more focused use of long term facilities for the benefit of older persons. He believes that the petition is consistent with the master plan. The master plan speaks to the need for housing for older persons. In the survey, 60% of the residents supported uses dealing with elderly services. It is restricted to the zone that allows over 55 housing. He explained that there are no assisted living facilities in Atkinson, although there are in Haverhill and Salem. It provides people the opportunity to age in place, they do not have to leave town. It is a residential use where people can enjoy themselves in a quiet environment.

There is no proposal and there is no use to be presented at this time but he believes it is an appropriate use.

Brian Murray, Fire Chief, stated he agrees with Mr. Bougere that it could be beneficial to the community and people should be allowed to live in the community. He is concerned that it will increase the number of calls to the Fire Department. Mr. Bougere believes there will be about 87 calls per year for a 100 bed facility. Mr. Murray stated that the number of calls are much higher for similar facilities in Salem. Staffing is an issue for the department. He introduced a warrant article to increase staffing, but it is on hold for this year. He does not disagree that it would be beneficial to the community, but is concerned about the impact to the Fire Department.

Ms. Marty Scintava, 24 Snug Harbor, asked how such a facility would be taxed. Mr. Bougere stated that he cannot answer that question. He stated the biggest impact of this type of development would be on emergency services. There will be no school age children, no trash

collection. It is considered a commercial use, taxes would be based on income. He believes it could generate \$150,000 local tax revenue.

Chair Killam stated that there is no age restriction, so there could be school age children. Mr. Bougere agreed that it does happen but it is rare. It is not an age restricted facility, it is for someone that needs services.

Dorothy Kantola, 5 Longview Drive, Atkinson Heights, spoke. She stated that her husband was in a nursing facility for 2 years. When he was discharged, there was only one opening at a facility in Fremont. Salem, Londonderry and Derry are all growing communities and it is hard to get into a nursing facility in those communities. She stated this proposal is something that the Town cannot afford not to consider. She would definitely like to see something like this for Atkinson, and knows that this company would do a great job.

Chair Killam stated that what Ms. Kantola mentioned was focused on nursing homes. However, the content of the article the voters will be looking at has other types of facilities besides nursing homes in the definition section running the gamut from congregate care assisted living and increasingly in need of services.

Ms. Kay Galloway, 56 Aspen Drive, stated that she is in support of the proposal. She has been through Riverwoods and wishes there were something like that in Atkinson. She has taken advantage of Elder Services and thinks this is a step in the right direction.

Chair Killam returned the discussion to the Board.

Member DiMaggio stated he thinks that the cost and tax issues are very important. The Board wanted to add an article similar to this a few year ago and asked if a cost benefit analysis were done.

Chief Murray stated there were 725 calls townwide last year, both commercial and residential. About 80% of the calls were medical. The rest were fire.

Member DiMaggio remarked that there were about 3800 houses in Atkinson, about 7500 residents.

Chair Killam asked Debra DiSimone, Tax Collector to speak. Ms. DiSimone informed the Board that there are 3,400 tax bills. There are 400 who do not pay taxes due to elderly exemptions and so on.

Member DiMaggio questioned the tax amount for each resident/unit, about \$1500 per bed. The Board continued to discuss the tax revenue and cost of education.

Ms. DeSimone informed the Board that a lot of senior citizens come in who cannot afford to pay their taxes. Their lives are here, if they go to a nursing home they become depressed and pass away. She wishes that there were a facility in Atkinson to make it easier for citizens to visit elderly friends and family who need assistance.

Everyone pays the same tax rate based on the assess value of the property. A portion goes to the school district. The town is not saving. There are multitudes of people who bought in the new 55 plus development, they do not have to take care of the property, they can go to senior events, they can vote, they pay taxes. For example, a person moves to this town, they have children, the children move on, the person moves to a 55 plus community assisted living or nursing home, there is a house for a new family. That helps the housing crisis.

Member DiMaggio asked about the percent tax discount by the State. Ms. DiSimone replied that there are five people in town, whose homes could be taken for taxes. Why? They made some small amounts too much. That's why the percent was increased, to keep people in their home. If they could move into assisted living or elderly housing, then they could afford to pay their taxes. She has two elderly people who cannot pay their taxes, It is not young people who cannot pay, it is the senior citizens on fixed incomes.

Member Brown had a couple of questions. First, is there anything about not adding additional stress on Elder Services and second, is there any planning for the expense of additional ambulance services.

Mr. Bougere stated that there is no proposal, so there is no program. Most of these types of projects have the cost of services built into the rent. If the service or activity is in the facility why would they go out. It is unlikely that they would use Town services.

As far as impact to the Fire Department, that can be considered once a proposal has been written and presented to the Planning Board. The Fire Chief will be better able to assess his needs then. An assisted living scenario was picked, but it could easily be something else.

Member Ottow asked about the \$150,000. Mr. Bougere explained that it is tax revenue.

Ms. Scintola stated that they were talking about Atkinson, as if it were solely Atkinson, and will people from other Towns use the facilities.

Chair Killam stated that the Planning Board does not control who will use it.

Ms. Scintola stated that knows several friends who have gone to the hospital and could not go back to their home. They are living at a rehab establishment in another town.

Chair Killam stated that this coincides with what Ms. DeSimone stated, New Hampshire needs more, different kinds of housing.

Ms. Galloway stated that people come from all over and then live in another place. If there were a facility in Atkinson, they would stay in Atkinson.

Ms. Kantola asked if this facility would accommodate people who cannot pay their taxes. Ms. DeSimone pointed out that as a legislator and Chair of Long Term Care, Assisted Living and Rehab; what happens with assisted living, people pay their way until they can no longer.

Then, Medicare, Medicaid and health insurance pays. It is not a burden to the residence, it is a burden to the residents. The State also intervenes. It will not be a burden to the residents of the Town financially.

Member DiMaggio asked Ms. DeSimone, about the elderly, how they get older, move out of the house, the young kids go. She stated that both her daughters married, one bought a home in Atkinson but because of the children's education, they moved to another State. What happens, if they can afford the prices, a younger person purchases in Atkinson. For some people, their children can't afford to live here.

Member DiMaggio stated that the State has given incentives for elderly, but can something also be done for the youth. Ms. DeSimone replied no, younger people can get another job.

Alternate McFadden stated what the Board did previously was Town wide and addressed the size of the buildings. This petition says nothing about the size of buildings, number of bedrooms, etc.

Chair Killam asked if there were more public input.

Ms. Galloway stated that she was at a New Hampshire Humanities dinner a few years ago and met Judge Shapiro who wrote an 80 page decision allowing elderly housing on Pope Road. That is the reason for the subsidized housing on Pope Road. At the time, the people living there paid \$850 per month.

Chair Killam stated that there are a lot of things that need to be analyzed and understood in this community regarding housing. Most of this will require well thought out amendments to zoning regulations, not necessarily a citizens petition. There will have to be a lot of change; This is just one element.

When this Board worked on an article similar to this, it was defeated by the voters. Things are going to have to change due to the needs created by society. The next time the Board talked about it, they decided to wait until a new Master Plan was being developed. At present, there is an active Master Plan team, and a Master Plan is being developed. That is why the Board has not put anything else forward, but there is this Citizens Petition.

Member DiMaggio added that he does not know why the voters did not vote for it the last time. This time, the facility will be away from most residents. It is limited to the district where the golf course and commercial development are. This is a well thought out petition and he will vote for it.

Chair Killam stated that the words in the RSA 675:4 state that the Planning Board shall say whether they recommend to approve or disapprove.

Member Ottow read RSA 675:4III. "...a notation on the ballot stating the Planning Board's approval or disapproval shall immediately follow the question's description".

Ms. Christine Lewis Morse, 59 Sawyer Ave, stated that her family has been in town since the 1800's. She has cared for her great grandparents, grandparents, parents and other residents of the town. The people that she knows in town are older, she is older, they love the town. It is an idea that she envisioned as a child and wanted to see through in her lifetime. She appreciates what the Planning Board did earlier. She thinks that the previous proposed warrant was defeated because people were afraid it would be in their back yard. This property is designed to be 55 and older. The number of bedrooms was mentioned, she stated there would be around 100. If a proposal is brought forward, she knows that the Planning Board will carefully examine everything about the plan. That is their job.

Vice Chair Turell stated that everyone knows there is a shortage. There is no place to go. It is very difficult to take care of people in that situation. More of these facilities are needed in the State. It dovetails with workforce housing because it is income controlled. The State is putting it out to provide affordable housing.

Chair Killam reminded the Board that what is being discussed is the opportunity for a continuum of care that does not currently exist in this municipality. She hopes that the Board learns a lot from the master plan committee.

Chair Killam closed the public hearing. She requested a motion and asked the Board for recommendations.

Ms. LaBranche suggested that the RSA be included in the motion.

Member Ottow read 675:4III: "A notation on the ballot stating the Planning Board's approval or disapproval shall immediately follow the question's description."

Ms. LaBranche asked if the proposed amendment to Article V Section 520 and the addition of Article VI Section 620:12 would be one question on the ballot.

Chair Killam explained that the Petition as it has been written will be one question on the ballot and the Planning Board will make one recommendation.

Member Ottow stated that the Master Plan is in progress and he hopes that the need for a continuum of care and elderly housing will emerge from the master plan discussions as a grass roots movement. Member Ottow agreed that this is a proposed zoning change but once the bylaw is approved, the Planning Board cannot make a financial decision when it comes to them, regardless if it will be a burden on the taxes or not.

Vice Chair Turell stated that fees can be added.

Member Ottow also stated that he is concerned that it is spot zoning and would prefer something from the master plan.

Member DiMaggio made a motion to approve the articulated presented by citizens petition for long term care facility usage as stated under RSA 675:4iii: "...a notation on the

ballot stating the Planning Board's approval or disapproval shall immediately follow the question's description." Member Brown seconded the motion.

Discussion: Member DiMaggio agrees with Member Ottow, but he feels this is for the public good. The area near the golf course is a great place for it.

Chair Killam requested a roll call. Vice Chair Mike Turell, yes, Member Barbara Brown, yes, Member Paul DiMaggio, yes, Alternate Karen McFadden, no, Member Ottow, no, Chair Killam yes, motion carries. It will carry a notation on the ballot.

Discussion: A motion to move the Petition to ballot is not needed. The Planning Board has done what is required by having the public hearing. The Petition will go to ballot carrying a notation stating that the Planning Board approves with a vote of 4/2.

Chair Killam thanked everyone for coming out. The regular meeting of the Planning Board will be on January 18, 2023 and there will be two meetings in February. She also pointed out that there will be a vote for Planning Board members in March. If anyone would like to be a member of the Planning Board, they must come to town hall to get their names added to the ballot. It is on the town clerk calendar and the assistant town manager newsletter. If you are interested in running for this office or any other sign up at the Town Clerks office. Sign up dates are January 25th to February 3rd.

Member DiMaggio made a motion to adjourn.

Discussion: Ms. Brown had a question on the minutes. Ms. LaBranche will speak at the next meeting.

New/Old Business: not discussed

Housing Opportunities Grant: not discussed

Correspondence: not discussed

Minutes: not discussed

Master Plan Committee:

Adjournment:

Chair Killam adjourned the January 4, 2022 meeting of the Atkinson Planning Board at 8:55 pm. The next meeting will be January 18, 2023 at Atkinson Town Hall.