

ATKINSON PLANNING BOARD
Atkinson, New Hampshire

Public Hearing Meeting
Wednesday, April 20, 2005

**Present: Susan Killam, Chairman; Paul DiMaggio, Vice-Chairman (7:50);
Chuck Earley; Mike Fletcher**
**Alternates: Donna Sullivan (8:12); Ted Stewart (8:10); Joseph Guishard;
John Miller (8:12); Tim Dziechowski**
Ex-Officio: Selectman Jack Sapia
Town Engineer: Steve Keach

Ms. Killam called the meeting to order at 7:40 PM

Correspondence

Incoming

1. Chief Consentino letter dated 4/6/05 re: Review of Subdivision Deer Run Road.
2. Office of Selectmen Legal Notice for meeting 4/25/05.
3. Keach-Nordstrom Associates, Inc. dated 4/18/05 re: Review of Site Plan for Northeast Metal Spinning, 13 Industrial Way, Map 16, Lot 48.
4. Master Plan Update Committee Agenda notice for meeting of 4/27/05.
5. Zoning Board minutes dated 4/13/05.

Rock Ridge Development LLC did not receive a 34' variance from Article IV Section 410:8 of the Zoning Ordinance to permit construction of a commercial building and waste disposal system. This hearing was on the agenda for this evening and will be rescheduled.

6. Chief Murphy letter dated 4/18/05 re: Review of Site Plan for Deer Run Road.

The Fire Chief recommended that these buildings be sprinkled.

7. Memo from Busby Construction dated 4/20/05 re: Request for continuance for Rock Ridge Site Plan Review.

Outgoing

1. Memo to Selectmen dated 4/7/05 re: Planning Board appointments.

Regular members who volunteered for re-appointment should continue as regular members (Paul DiMaggio and Mike Fletcher). Two terms are up for re-appointment for alternate members. Members should be appointed by seniority. It was the recommendation that Nicole Cheney be classified as an alternate member and that Ted Stewart be appointed as a regular member in her place. Ms. Killam reported that the Selectmen acted on the two regular seats and two alternate seats and declined to act on the last request because a letter from Ms. Cheney has not been received.

2. Memo to Selectmen dated 4/8/05 re: Regional Planning Commission.

This letter recommended payment to the Rocking Planning Commission for their dues.

APPROVAL OF MINUTES - April 6, 2005

The minutes of April 6, 2005 were reviewed and the following corrections were made:

Page 2, last full paragraph, second sentence to read, 'The Board discussed appointing Ted Stewart as a regular member, Nicole Cheney must resign or step back to an alternate position formally because her term is not up before this can happen'.

Page 3, large paragraph, second sentence, change 'know' to 'now'.

Page 3, large paragraph, second sentence, change 'coveted' to 'covenanted'.

Mr. Earley made a motion to approve the minutes of April 6, 2005 as amended. Mr. DiMaggio seconded the motion. Motion approved. 1 abstained.

The Public Hearing was opened at 7:48 PM.

PUBLIC HEARINGS:

Continued from April 6, 2005

SFC Engineering Partnership for Rock Ridge Development, LLC continued review of an Application for Formal Consideration and Approval of a Commercial Site Plan to construct an 8000 square foot garage, 2000 square foot office building and outdoor storage areas on 11.77 Acre property located on Route 111, Map 20, Lot 35-1, C1 and RR3 Zones.

A request to continue was received from the applicant because they did not received the requested variance from the Zoning Board.

Mr. Earley made a motion to continue this hearing to May 18, 2005. Mr. DiMaggio seconded the motion. Motion approved unanimously.
All members voted.

Ms. Killam stepped off the Board and Mr. DiMaggio took the chair.
The next hearing was opened at 8:00 PM.

New Application

Dean & Susan Killam submission of an application for Formal Consideration and Approval of a proposed Lot Line Adjustment on property located on Deer Run Road, Map 16, Lot 1 owned by William Bartlett and 48 Westside Drive, Map 11, Lot 20-1 owned by Dean & Susan Killam, to provide access to wood lot. RR3 Zone.

The abutter's list was read: Present: William Bartlett, Trustee, Brian Abraham, Dean & Susan Killam, Town of Atkinson, James M. Lavelle Associates.

This area is in the process of being subdivided which gives Mr. & Mrs. Killam the opportunity to obtain an access on high ground to their parcel of land 1120-1. A one half-acre strip of land from what will become an extension of Deer Run Road will be transferred from Map 16, Lot 1 to Map 11, Lot 20-1. Map 16, Lot 1 will decrease from 22.26 acres to 21.73 acres and Map 11, Lot 20-1 will increase by 22.19 to 22.72.

Mr. Keach's letter was reviewed.

General Comments: 1) No state permits are necessary. 2) This is eligible for expedited review.

No Zoning issues.

Planning & Design Matters: 1) Two names were omitted from the Abutter's List. Corrections were made and they were noticed. 2) The owner's statement provided on Sheet 1 of 2 should be signed by both landowners. 3) The right-of-way width of each adjoining street should be noted on the final plat. 4) All monuments should be set prior to signing and recording of the final plat.

Mr. Lavelle had no problem with these recommendations.

The hearing was opened to the public with no comments noted.

Mr. DiMaggio asked if this strip of land could be turned into a roadway. Mr. Lavelle thought it was possible but that something would need to be done with the parcel it enters. Ms. Killam explained that there is no way to access their land without going through a wetland. This access would allow them to access their land and get some wood out. Ms. Killam noted that the terrain is severe.

Mr. Earley made a motion to take this plan under jurisdiction. Mr. Fletcher seconded the motion. Motion approved unanimously.

Mr. Earley made a motion to approve the Lot Line Adjustment on property located on Deer Run Road, Map 16, Lot 1 owned by William Bartlett and 48 Westside Drive, Map 11, Lot 20-1 owned by Dean & Susan Killam, RR3 Zone conditioned on the completion of all recommendations in Mr. Keach's letter before signing. Mr. Fletcher seconded the motion. Motion approved unanimously.

The hearing was closed at 8:11 PM.

The next hearing was opened at 8:13 PM.

Continued from April 6, 2005

Lavelle Associates for Austin Realty Trust, William Bartlett, Trustee - Continued review of a proposed 3 Lot Residential Subdivision Plan for Formal Consideration and Approval. Subject Property is 22.26 acres located on Deer Run Road, map 16, Lot 1, RR3 Zone. Taken under jurisdiction 3/16/05.

The Abutter's List was read: Present: Austin RT, W. Bartlett, Trustee, Town of Atkinson, Dean Killam, James Lavelle Associates.

The plan presented reflects the Lot Line Adjustment approved during the previous hearing. The subdivision is to subdivide the parcel into three lots. One lot 9.59 acres and another 9.29 acres. The third lot is 3.01 acres. By extending Deer Run Road by approximately 585' into a cul de sac. The extension is to meet the frontage requirements for the three lots and to adjust the cul de sac. Mr. Cummings completed the design change and the revision of the previous cul de sac area. State Subdivision Approval was received as previously designed but will require a slight revision based on this change.

A letter from the Fire Department was read. The fire chief expressed his concerns and noted that it is 2528' to the closest hydrant located on Oakridge Rd. to the end of the new proposed cul de sac. This would not include driveway lengths, one is quite lengthy. The run time from the station to this location is 6 and 7 minutes. It was recommended that these new buildings be sprinkled. Pressure hydrants could be used as an alternative with the required water flow of 500 gal. per minute. Mr. Lavelle reported that the houses would be sprinkled.

A letter from the Police Department was read. The police chief did not see any safety problems other than the speed of the construction vehicles. This concern will be addressed with additional radar patrols on Oakridge Rd.

Mr. Keach's letter was reviewed:

General Comments: 1) The receipt of an amended State Subdivision Approval, 2) performance bond provided, 3) any approval be conditioned upon approval and recording of the lot line adjustment plan and the final lot line adjustment plat be cited as a reference plan in the text of Note No. 10 on the Cover Sheet to project plans.

Zoning Matters: 1) Fully conforms to the requirements.

Planning/ Design Matters: 1, 2, 3) Housekeeping issues, 4) amendment of the soil based lot sizing calculations previously submitted to correspond to the final proposed lot areas, 5) Sheet RP-1 be revised to specify a 'mini' headwall to be constructed at the discharge point of each segment of under drain and a detail provided, 6) the leader arrow from a note related to level spreader construction shown on Sheet RP-1 at Lot 16-1-1 currently points to a driveway rather than the level spreader and should be corrected, 7) the reconstruction of the existing driveway serving abutting Lot 16-72 will extend beyond the limits of the existing public right-of-way. The owner of Lot 16-72 should agree to this reconstruction. Written consent should be obtained and submitted to the Town's files prior to commencement of work.

Regarding Planning/Design Matter #7, Mr. Stewart asked what would happen if approval from the owner of Lot 16-72 does not give written permission to

work on his driveway. Mr. Keach stated that this is why he requested written permission before construction. If permission is not received the applicant would have to consult with Mr. Stewart and the section redesigned.

The Board discussed the walking trail access and the question was raised if access could be provided. Mr. Lavelle felt that an access easement might be difficult to obtain. Mr. Earley asked abutters how they felt about trails abutting their house and those present had no problem with it. The consensus was that a 10' wide trail easement would be provided to access a hiking trail. There would be no ATV's. Owners could set any restrictions. This easement would be for foot traffic only and the trails would be left in their natural state. Ms. Killam noted that the town does not allow motorized vehicles on the trails.

The hearing was opened to the public.

An abutter questioned the Lot Line Adjustment access and asked if this could be turned into a road. The response was that it could be and that it could be connected to Westside Drive or out to Oakridge Road. It could be paved in the future. It was noted that this would be a major wetland crossing and Mr. Keach noted that it would not be economical. An abutter asked if there were restrictions on the size of the proposed houses. Houses could be any size but there are minimum house size regulations. Another question was, when they extend the road, will paving consist of the new section of Deer Run Rd. and the existing section as well. Mr. Stewart reassured abutters that the entire road would be paved within two years.

The hearing was closed to abutters.

Mr. Earley made a motion to approve the plan of Lavelle Associates for Austin Realty Trust, William Bartlett, Trustee for a 3 Lot Residential Subdivision Plan. Property is 22.26 acres located on Deer Run Road, Map 16, Lot 1, RR3 Zone with the following conditions:

- 1 A 10' easement to provide access to walking trails left in its natural state for walkers only.**
- 2 Houses to be sprinkled per NFPA 13D.**
- 3 Revised State Subdivision Approval.**
- 4 Performance Bond.**
- 5 Permission from owner of Lot 16-72 for the reconstruction of the driveway in writing or an approved alternative design plan.**
- 6 Planning/Design Matters per Keach-Nordstrom letter dated 4/20/05.**

Mr. Stewart seconded the motion. Motion approved unanimously.

Mr. Miller did not vote.

The hearing was closed at 9:05 PM and a five-minute recess was called.

Ms. Killam returned to the Board.

The discussion was opened at 9:10 PM.

DISCUSSION - Master Plan Update

Mr. Miller reported that the meetings have been moved to the 2nd and 4th Wednesdays. The revisions of the Department Heads were completed at the last meeting. Letters will go out to all Department Heads. The plan is to work on the Introduction Section at the next meeting and to go over the schedule and goals. Mr. Miller reported speaking with David West of the Rockingham Planning Commission who will assist us. Mr. West looked at the web site and will attempt to fill in the gaps as to what the town has and doesn't have electronically. He does plan on attending some meetings. They discussed the zoning book and they will try to put this on the web site as a resource tool. The zoning book currently on line is from 2003. This could be a very lengthy process when everything could be on file electronically if it can be located.

Specific discussion on what the town receives for their dues is planned. Mr. Miller reminded them that there are other options for the town. Mr. Miller asked Ms. Killam to provide a 'Mission Statement' for the web site and she agreed. Internet access will be available for the committee soon.

New Business

Mr. DiMaggio felt that Peter Lewis should be brought in to work on a study on the elderly housing ordinance. Ms. Killam has a consultant in mind that she will contact.

Mr. Stewart referred to Mr. Keach's comments in his review letters that approval is conditioned on the applicant providing a performance guarantee in an amount acceptable to the Town. He asked how we arrive at this amount which includes the Town Engineer's fees. Mr. Stewart asked if Mr. Keach could put in writing what he would like to see in our regulations. Mr. Keach, Mr. Stewart and Ms. Killam will get together to work on this.

Mr. Earley made a motion to adjourn. Mr. DiMaggio seconded the motion. Motion approved unanimously.

The meeting was adjourned at 9:30 PM.
Next scheduled Workshop Meeting May 4, 2005.

APPROVED _____ Respectfully submitted,

Carol Kater

