

ATKINSON PLANNING BOARD
Atkinson, New Hampshire
Public Hearing/ Workshop Meeting
Wednesday May 6, 2009

Present: Sue Killam, Chairman; Paul DiMaggio, Vice Chairman; Regular Members Ted Stewart; Joseph Guisard; Michael Fletcher; Tim Dziechowski
Alternate: Harold Morse; John Wolters; Loren Albright
Selectman Ex-Officio: William Bennett

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

Correspondence

Incoming

1. City of Haverhill Legal Notices for meetings of April 28 and May 12, 2009.
2. Attorney Kalman letter dated 4/7/09 re: Keith Wolters, et al v. Town of Atkinson, Town of Atkinson Planning Board.
3. Copy of letter to Giles Gagnon from ZBA dated 4/23/09 re: Wetland Variance.
4. Copy of letter to Keith Wolters from ZBA dated 4/23/09 re: Appeal of Planning Board Decision.
5. Attorney Kalman letter dated 4/20/09 re: wolters, et al v. Town of Atkinson, Town of Atkinson Planning Board, Assented to Motion to Stay.
6. Memo to Selectmen from S. Galvin dated 4/27/09 re: Medical Leave.
7. Planning Board Budget Printout dated 4/30/09.
8. Michael Bison dated 4/29/09 re: Opposition to BP for Wind Turbines.
9. Attorney Kalman letter dated 5/5/09 re: Wolters, et al v. Town of Atkinson, Town of Atkinson Planning Board 'Granting Motion to Stay'.
10. State of NH, DES dated 5/6/09 re: Condominium & Par 3 Practice Facility, Map 1, Lot 12 Permit WPS-8392

Outgoing

1. Selectmen dated 4/6/09 re: road system Action Plan 2008 adoption.
2. Lewis Builders Development Inc. dated 4/10/09 re: Atkinson Farm Amended Plan approval.
3. PB Legal Notice for meeting of 5/20/09.

During the reading of Correspondence, the Board entered into a discussion on the current applications before the Building Department for small wind energy systems. Some members thought that the Planning Board should create regulations as soon as possible to be sure that these types of systems are suitably placed. Chairman Killam pointed out that Zoning changes must be done by a vote of a Town Meeting, either Special or Annual. There was some discussion as to finding a way around that. The Board wanted to hear from the residents who were applying for permits for turbines. Chairman Killam objected because the Planning Board does not have jurisdiction over these applications, and this was not a Public Hearing on the topic. The Board overruled Ms. Killam, and a discussion ensued with the applicant(s). The applicant described his proposed turbine to

include 10 foot blades (20 foot diameter) on a 40 foot pole for 50 foot overall height. To operate at a sound level of 34 decibels, 4 KW output. Member Stewart remarked that it sounds like it meets State regulations and that he sees no urgency to do new regulations before the next annual Town Meeting. Ex-Officio Bennett inquired to Building Inspector Jones about safety issues and how they are addressed. Bob Jones responded that there is nothing specifically in our regulations, but that the design of the system would have to be done by a licensed engineer and that he would look for their stamp as assurance.

Applicant John Resso explained that the turbine shuts itself off over a certain (high) windspeed. It also shuts itself down in the case of an out of balance condition with the blades.

Vice Chairman Dimaggio drew an analogy to solar energy and geothermal to ask how those are regulated. It was not clear that they are.

Mr. Resso made note that he has been told by OEP that other towns have issued permits for these types of installations even though the State ordinance doesn't take effect until July 11th, asking if Atkinson could do the same.

Chairman Killam reiterated the fact that the question is before the Building Department, not the Planning Board, and that the Planning Board cannot take any action.

Reorganization:

Chairman Killam asked the Board if they wanted to act on Reorganization now or later in the meeting. Alternate Morse suggested we move the current slate. Ex-Officio Bennett moved the current slate, as Ms. Killam for Chairman, Mr. Dimaggio for Vice Chairman. Seconded by Mr. Dziechowski. Under discussion Mr. Dimaggio offered that he is happy to serve as Vice Chair, but that he feels he does not have the time to take the Chair. He offered his opinion that Ms. Killam does a good job as Chair. The vote was taken, and the motion passed unanimously.

Public Hearing - **Continued from April 1:**

1. Atkinson Farm Inc. continued review of Site Plan for proposed 9 Hole Executive, Par 3 Golf Course adjacent to Clubhouse Drive, Atkinson Resort & Country Club, Map 1, Lot 12, RR2/SCR Zone.

Chairman Killam opened the hearing and read the list of abutters. The applicant was present, no other abutters attending. Josh Manning presented for the applicant. He showed new plans dated April 4, 2009. He reminded the Board that at the last meeting we were waiting for Alteration of Terrain permit from NH DES. That permit was received before the meeting (5-6-09).

Mr Manning states that he has addressed all of Stantec's review issues, and that he also believes all of RPC's issues had been addressed.

Aaron LaChance of Stantec introduced himself and handed out his current review memo, this being his second review for this application.

His comments reflect that he feels there is not a need for additional traffic study at this time. The applicant needs to add one culvert to the drawings. The timber bridges are being designed for the applicant and Stantec has not reviewed the design and takes no responsibility for them. Mr. Manning assures the Board that the bridges are designed by a professional engineer and that the drawings will bear that engineer's stamp.

Mr. Lachance states that Stantec has not reviewed the structural adequacy of the bridges. He goes on with his comments with note #19 being added to sheet 10 of 15.

New comments make note that the plan shows a decrease in run-off rates in all but the 2 year storm, which we do not regulate. No abutters would be affected. He requested calculations for a 25 year storm and got them this day; will need more time to review. He wants to see these calculations included in the drainage Summary.

He also noted that Club House Drive was mislabeled; Mr. Manning answered that the site plan sheet shows it correctly.

Mr. LaChance's final comment refers to the stormwater quality analysis; he states that this was reviewed by DES for the AOT permit, and Stantec assumes it is okay.

Alternate Member Wolters states that he has reviewed minutes of prior discussions on this project, and he needs some items clarified. He went through 11 items, and received answers and explanations from Aaron LaChance.

The Board discussed what conditions would be needed for a Conditional Approval.

Member Fletcher made a motion to Approve the Site Plan with the Condition that the site drainage report include the 25 year storm calculations. Vice Chairman Dimaggio seconded the motion. Under discussion, Mr. Dimaggio offered an amendment to the Motion that there also be a condition that the culvert sizes be verified in the field by Stantec, and that the PE stamp be included on the design sheets, and that Stantec confirms through their inspections that the Site Plan has been fully adhered to. This amendment was seconded by Ex-Officio Bennet; voted by the Board unanimously passed.

Mr. Fletcher states that he wants Stantec to be timely with their inspections.

The Board votes on the Amended Motion for Conditional Approval. The Motion carries, 6 in favor, 1 abstention (Mr. Bennett)

Discussion:

The Board discussed a change to the meeting schedule, to drop the Workshops in June, July, August and September. The Board voted unanimously to the change.

The meeting was adjourned at 9:50 PM.

Minutes of May 6, 2009 approved June 17, 2009.