

ATKINSON PLANNING BOARD
Atkinson, New Hampshire

Workshop Meeting
Wednesday, May 21, 2003

**Present: Susan Killam, Chairman; Paul DiMaggio, Vice-Chairman (8:02);
Michael Fletcher ; Chuck Earley; Harold Morse (7:46)**
Alternates: Donna Sullivan; Ted Stewart (8:00); Joseph Guischart
Town Engineer: Steven Keach (7:40)

Ms. Killam called the meeting to order at 7:35 P.M.

CORRESPONDENCE

Incoming

1. Keach-Nordstrom Assoc. dated 5/9/03 re: Estimate Killam Project review.
2. Selectmen minutes dated 4/21/03.
3. Amended Site Plan sketch of fence completion from Jeffrey Haskell, Main Street, Map 5, Lot 7.
4. Mr. & Mrs. John Martin letter dated 5/19/03.
5. Keach-Nordstrom letter to Jim Kirsch re: on site inspection of Eastern Seaboard Construction Co., 8 Industrial Way, Map 16, Lot 51 on May 12, 2003 to determine the extent of site work.

All permanent site improvements shown on the approved site plan remain to be completed. Mr. Earley asked Mr. Keach if he could send a letter to them and Mr. Keach agreed. Ms. Killam felt that this is a code enforcement issue and not the concern of the Planning Board. She thought that some action might have been taken by Code Enforcement already.

Voluntary Lot Merger – Planning Board signature is required. No other action is needed.

Rick Schafer, Rte. 111, is combining his lots eliminating the lot line. The regulation was read. Ms. Sullivan questioned a lot line shown on the plan – Lots 20-48, 16-76, are being merged with 20-7 and Ms. Sullivan asked if 20-17 is standing. Ms. Killam agreed that the application is not showing this and will need further review before signing.

APPROVAL OF MINUTES – May 7, 2003 tabled for review by the recording secretary.

Reorganization was moved to the end of the meeting.
Public Hearing was opened at 7:55 P.M.

Public Hearings:

1. **MHF Design Consultant, Inc. for Norris LeMay submission of an application for Formal Consideration, Acceptance and Approval of a**

proposed two lot residential subdivision in Salem, NH with part of the lot in Atkinson. Location at 34 Haverhill Road, Atkinson Tax Map 11, Lot 17, TR2 Zone.

Ms. Killam announced that her brother and sister-in-law are on the abutters list but will not be in attendance. She asked the other abutters present if they had any objections to her chairing this hearing. No objections were noted.

The abutters' list was read. Present: Norris LeMay, MHF Design Consultants and Christopher M. Franchurd, MHF Design Consultants.

Chris Franchurd presented this property located in Salem and Atkinson. The applicant is looking to subdivide out a lot in Salem. There will be no building in Atkinson. The Salem Planning Board has approved the plan.

Mr. Keach reported that this presentation is a formality because the residual parcel has a portion of the land in Atkinson. RSA 674.53 was referenced.

The hearing was opened to abutters with no comments noted.

A motion was made by Mr. Morse to approve the application of Norris LeMay for a two lot residential subdivision in Salem, NH with part of the lot in Atkinson. Located at 34 Haverhill Road, Atkinson Tax Map 11, Lot 17, TR2 Zone. Revision date 11/7/02. Mr. Earley seconded the motion. Motion approved. Mr. DiMaggio abstained.

The hearing was closed at 8:06 P.M.

The next hearing was opened at 8:08 P.M.

Ms. Killam stepped off the Board and Mr. DiMaggio took the chair.

2. Dean & Susan Killam submission of an application for Formal Consideration and Acceptance for a proposed five lot residential subdivision of 15.4 Acres of property located at 49 Westside Drive, Map 11, Lot 9, TR2 Zone.

The abutter's list was read. Present: Kevin & Cathleen Heffernan; Scott Descheneau & Arlene Gillespie; Patricia Walker; Dean & Susan Killam; Paul & Jeaneane Tracy; James Lavelle Associates and Sublime Civil Consultants.

James Lavelle presented. The proposal is to subdivide the property into 5 lots ranging in size from 2.4 acres to 4.5 acres. All the lots meet or exceed the lot-sizing requirement by soils. One lot will contain the existing home on Westside Drive with four lots for the construction of new homes. Two lots will front on Westside Drive and three lots will front on a proposed road named Hitchcock Lane, which will come off of Millstream Drive. The cover sheet shows the lots with plan notes and signatures and abutter list. Sheet 2 will be for recording showing the wetland boundaries and the building setbacks on the lots, property

lines and wetlands. There is a farm area and a brook, which accounts for an approximate boundary line. Sheet 3 has the technical information and soil types and locations and septic information. Sheet 4 is the road profile and construction drawings. Maximum proposed grade of the road is 2.75% as it leaves Millstream Drive and flattens out into the cul de sac to 1.3%. A driveway on lot 11-9 will require a small wetland crossing. There are two small areas of wetland impact shown. The total area of wetland impact shown is 1583 sq.ft. The second area is for the driveway crossing on Lot 11-9. The wetland impact shown for this is 1170 sq.ft. Sheet 5 are roadway sections. From station 0+50 to 1+50 on the left side of the road there is a proposed guardrail approximately 100'. The reason is to keep the grading in the right of way. It is 5' from the shoulder to the bottom of the slope at the highest point. Signage detail is also on this sheet.

The Board discussed the possibility of a common drive. The applicant preferred not to do this. Mr. Stewart added that it is safer to limit the roads going onto Westside Drive.

Ms. Killam referred to the largest lot and noted that there is a stone bridge that was a dam site 150 to 200 years ago. Even though this is created as a buildable lot it is the Killam's intention to preserve this and not build on it. No variances or waivers will be sought. Ms. Killam stated that some trees might be cut to allow the bridge to be more visible. There was a box mill on the property many years ago. Ms. Killam passed around a piece of metal with the name of the farmer who lived there in 1881 until he passed away. Hitchcock Lane is named after this farmer. Mr. DiMaggio noted that Ms. Killam may not own this lot forever and that it must be properly documented so that it will be preserved.

Mr. Keach's letter was reviewed:

General Comments: 1) NHDES Subdivision Approval and Wetlands Permit is required. It is recommended that each State permit is received prior to or as a condition of approval and that each State permit number be cited on the final subdivision plat. 2) The applicant provide a performance bond to serve as financial surety that all proposed construction and improvements are completed in accordance with approved plans and specifications. 3) Local driveway permits for each platted lot prior to application for individual building permits.

Zoning Matters:

- 1) Each new building lot is subject to Public School Impact Fees. 2) Note 7 on Sheet 1 of 6 should be revised to indicate that the required side yard setback in the TR-2 District is 30-feet rather than 50-feet.

Planning/Design Matters:

- 1) The text above the owner signature block on Sheet 1 of 6 is expanded to conform to the requirements of Section 700:3(k). 2) Recheck numbers of abutting parcels on Sheet 1 of 6. 3) The following be added to the plans: House numbers for each platted lot, metes and bound descriptions of all

proposed easements, a benchmark on Sheets 3 and 4 of 6 and a street sign should be specified for installation on Sheet 4 of 6. 4) The limits of the 100-year flood hazard area, associated with the Hog Hill Brook are indicated on the project plans. 5) That Sheet 3 of 6 indicates the abandonment of the existing dug well on platted Lot 11-9-3. 6) Sheet 4 of 6 refers to a number of typical details on Sheet D3. There is no Sheet D3 in the plan set. The labeling of these details should be revised accordingly. 7) It is recommended that the typical roadway cross-section and individual cross-sections for Sta. 0+50 and 1+00 be revised to provide for a 2-foot gravel shoulder extension at locations where guardrail is to be installed. 8) It is recommended that underdrain be specified from Sta. 1+00 through Sta. 4+31-left and right. The plan should depict this construction on Sheets 4 and 5 of 6. A positive discharge point, with headwall, should be specified for all underdrain construction. 9) It is recommended that the typical cross-section provided on Sheet 5 of 6 indicate the location and depth of the proposed underdrain. 10) It is recommended that CB #1 be designed with a double gate assembly.

Discussion continued on the proposed 100' guardrail. Mr. Keach stated that he would like to see it eliminated but because of the wetlands at the bottom of the slope it is needed. Mr. Keach suggested reducing the width of the road to make up the 2 ft. adding that the road services only 2 lots.

A motion was made by Mr. Morse to take this plan under jurisdiction. Mr. Earley seconded the motion.

Discussion: Mr. DiMaggio reviewed the checklist. Fire hydrants were located on sheet 3 of 6. Individual wells are designed and it will be up to the applicant to decide if public water will be brought in instead.

Vote of the Motion: Motion approved unanimously. Mr. Guisnard did not vote.

Mr. Stewart discussed a manhole in the roadway and felt it would be a simple matter to run cb1 to cb6 into a swale and remove the manhole. Mr. Lavelle agreed with this.

The hearing was opened to abutters.

Paul Tracy expressed a concern with the cul de sac, which slopes down to a storm drain at the corner of his lot running underneath. He reports that this is running all year. During a storm it floods. He was concerned with the water settling there. Mr. Lavelle told Mr. Tracy that a site walk was held before the road was designed and they are aware of this. By putting in the road a low point is created which is where the catch basin will be installed. An 18" pipe serves as an outlet to the catch basin. Mr. Keach, in his comments, recommended that the catch basin structure be upgraded from a single grade to a double grade and it has been sized for a 25-year storm. This will eliminate the ponding issue. Mr. Keach noted that there is also an underdrain discharge point where the storm

drain comes out. Mr. Tracy was also concerned about the proximity of one of the house lots in relation to his house. He was shown the buildable area of the lot in question and was assured that the building envelope will adhere to code. Mr. Lavelle noted that the Killam's may sell the lot and a house will be built on that lot. The sidelines and setbacks were discussed.

Pat Walker, Map 11, Lot 10, asked if the boundaries were going to be surveyed noting a discrepancy between the shape of her lot and how it is shown on the plan. Ms. Killam referred to the oldest deed they have that defines the metes and bounds to this parcel along the property line, which has not been disturbed for approximately 150 years. It defines a roadway from the existing Westside Drive down to the dam area and there are pins set. When Mr. Stickney subdivided out Ms. Walker's lot the deed he created appears to be different in terms of the metes and bounds. Mr. Lavelle noted that there are three plans reporting different things and different deeds. He added that the differences are minor.

Mr. Deschaneau from Oak Hill Circle, Map 11, Lot 3-31 could not find his property on the plan. Mr. Lavelle noted that there was some confusing detail to an abutting subdivision but felt that the area was surveyed correctly. There are two stonewalls about 20' apart. This is shown on Sheet 2.

Discussion continued on a piece of land where the ownership is in question. Mr. Lavelle felt that the original landowner owns the land because the piece was never subdivided off when the lots were created.

The hearing was closed to abutters.

The Board requested that these plans be sent to all Department Heads.

A site walk was scheduled for Wednesday, June 4, 2003 at 5:30 P.M. Ms. Killam suggested that the easiest location for parking would be 50 Westside Drive.

Mr. DiMaggio asked Ms. Killam if she has come up with a consensus of opinion with Mr. Lemery on the legal situation of the right of way. Ms. Killam responded that she and Mr. Lemery have never spoken on this matter because she did not feel it was appropriate to have a private discussion with him on this. It should only be discussed at a public meeting. There is an ownership question on the right of way. It was Mr. Keach's opinion that this piece of land has been dedicated to the town. If it is shown on the plat and is not dedicated otherwise it is clear that the intent is public dedication. Mr. DiMaggio suggested seeking Attorney Kalman's opinion and several Board members would meet with him. They will bring copies of this plat and Millstream Crossing. An example of a case to be brought to the meeting is: Polizzo vs Town of Hampton 1985. Ms. Killam noted that a parcel of land 50' x 100' is not defined in zoning. Mr. Keach referred to the plat signed by Mr. Lemery that states that the property will be developed in

accordance with the ordinances of Atkinson and is understood that the interest in roads shown on the plan are dedicated to the Town of Atkinson.

Discussion continued with the possibility of eliminating the guardrail by going to a 20' wide road. Four or five feet would be needed to flatten out the slope enough. The plan can be revised by the next meeting. Mr. Stewart was in favor of this but noted that it would have to meet the requirements of the Fire Department. Mr. Earley suggested going to a 22' wide road.

A motion was made by Mr. Morse to grant a waiver to reduce the road width to a 22' pavement with 2' shoulders. Mr. Stewart seconded the motion. Motion approved unanimously.

A motion was made by Mr. Earley to continue this hearing to the Site Walk on June 4, 2003 at 5:30 P.M. and to the next Public Hearing on June 18, 2003. Mr. Fletcher seconded the motion. Motion approved unanimously.

The hearing was closed at 9:35 P.M.
Ms. Killam returned to the Board.

Reorganization

A motion was made by Mr. Earley to keep the same slate of officers as this year. Mr. Morse seconded the motion. Motion approved unanimously.

A motion was made by Mr. Fletcher to adjourn. Mr. Earley seconded the motion. Motion approved unanimously.

The meeting was adjourned at 9:40 P.M.
Next scheduled Planning Board meeting June 18, 2003.

APPROVED _____ Respectfully submitted,

Carol Kater