

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, June 17, 2020**

Members Present:

Sue Killam, Chair
Mike Turell, Vice Chair
Paul DiMaggio
John Feuer
Barbara Brown
Ted Stewart
Jason B. Grosky, Selectman Ex Officio
Paul Wainwright, Alternate

Others Present

Julie LaBranche, Rockingham Planning
Sue Coppeta, Planning Administrator
Steve Keach, Keach & Nordstrom, LLC
George Kenney, Brengco Realty Trust, LLC
Tim Lavelle, Lavelle Associates
Kevin Hatch, Cornerstone Survey, LLC
Timothy Stanton
Jeffrey Brem, Meisner Brem Corp.
Becky Schafer
Kim Niles

Call to Order:

Chair Killam called the meeting to order Wednesday, June 17, 2020 at 7:32 PM. The hearing time is 8:00 PM.

Chair Killam read a letter authorizing electronic meetings into the minutes. The public has access to listen or participate. This is a ZOOM Meeting.

Instructions for accessing the public meeting have also been provided on the Town website or can be found on the Town Facebook page. If there are issues, the Station Manager may be contacted at the Channel 20 station by telephone or email. If the public is unable to access the meeting the Board will adjourn and reschedule.

All votes taken during this meeting shall be done by roll call vote.

Chair Killam conducted a roll call attendance:

Chair Killam, no one else is in the room; Mike Turell, Vice Chair no one else is in the room, Member Barbara Brown, no one else is in the room; Alternate Paul Wainwright, no one else is in the room; Sue Coppeta, Planning Administrator, not voting, no one else is in the room;

Chair Killam informed the Board that there are three public hearings for the meeting and they are scheduled to start at 8:00 PM

Selectman Ex Officio Jason Grosky informed Chair Killam that he is also on the call.

Chair Killam requested to review the minutes for the May 20, 2020 meeting.

MINUTES: May 20, 2020, June 3, 2020

May 20, 2020: Alternate Wainwright, Selectman Ex Officio Grosky, Chair Killam, Member Ottow, Member DiMaggio, Member Brown and Member Stewart were present at the May 20, 2020 meeting.

Discussion: Alternate Wainwright pointed out that the motion was for conditional approval. The Board discussed whether to add an end date and Ms. Coppeta informed the date that the end date was included in the letter sent to the applicant.

Vice Chair Turell made a motion to approve the May 20, 2020 minutes as amended. The motion was seconded by Alternate Wainwright. Roll Call: Vice Chair Turell, Member Barbara Brown, Selectman Ex Officio Grosky, Alternate Wainwright and Chair Sue Killam voted in favor. Vote: 5/0/0. The motion passes.

June 3, 2020:

Members present at the June 3, 2020 meeting were Chair Killam, Member Brown, Vice Chair Turell, and Alternate Wainwright.

Vice Chair Turell made a motion to approve the June 3, 2020 minutes as presented. The motion was seconded by Member Brown. Roll Call Vote: Alternate Wainwright, Member Brown, Vice Chair Turell and Chair Killam voted affirmative. Vote: 4/0/0.

Discussion: The Board discussed which members were alternate. Sue Coppeta informed the Board that Paul Wainwright and John Ottow are alternate members. The titles were corrected in the June 3, 2020 minutes. The motion was not changed.

Correspondence: not reviewed.

Public Hearing: Chair Killam opened the public hearing Wednesday, June 17, 2020 at 8:01 PM. The Planning Administrator will put documents on the screen. Voting will be: Chair Killam, Vice Chair Turell, Members Paul DiMaggio, Ted Stewart, Barbara Brown, John Feuer; with Selectman Ex Officio Jason Grosky, recusing, and Alternate Paul Wainwright, not voting. There will be three hearings, one is a lot line adjustment. The Town Engineer sent all members his review letters. The second application is for a new commercial-industrial site. The last application is a change of use for a building on Industrial Way.

Chair Killam informed the Board that Town Hall is closed at least until July 6, 2020. All votes will be by roll call.

1) Application for a Lot Line Adjustment submitted by James Lavelle Assoc between George & Stacey Athanasiou 55 Old Coach Rd, Map 11 Lot 3-13 and

Timothy & Joy Stanton 57 Old Coach Rd, Map 11 Lot 3-14 to transfer an equal area exchange of 2542.1 sq. ft. Both properties are in the TR2 Zone.

Abutters:

Joseph Foti, Brian Diamond, John and Charlene Diamond, George and Stacey Athanasiou, Pirog Family Trust, Michael and Suzanne Pirog Trustees; Eleanor and Russell Shetenhelm, Timothy and Joy Stanton (present), Riviera Realty Trust, Jerome Olsen, Trustee, Town of Atkinson for Pope Field and Woodlock Playground, James Lavelle Associates (present)

Chair Killam reviewed the application. It is an equal exchange by a change in lot line. There is a shed which is bisected by an existing lot line and rather than move the shed or change the tree line, the Applicant is requesting to move the existing lot line around the shed onto the Stanton lot and the back of the Athanasiou lot gets the extra.

Chair Killam read a letter from Steve Keach, Keach and Nordstrom into the record. It acknowledges receipt of the documents and in summary:

He first recommends that in order to satisfy applicable requirements of the Land Subdivision Control Regulations we recommend the lot line adjustment plan be expanded or revised as follows:

- To include a location plan referencing [600:1 (a)];
- Indicate the subject properties as well as each abutting parcel are situated in the Town Center TR2 zone (Chair Killam stated she thinks he wants this to be shown on the plan per 600:1 (a));
- To label Old Coach Road as a Class V public highway referencing 700:3 (b)
- To indicate land shown as owned by the Town of Atkinson situated to east of subject parcels is identified on Map 11 as Lot 4, referencing 700:3 (d);
- To specify appropriate boundary markers are to be installed at each newly created deflection point on the adjusted common parcel boundary line, referencing 700:3 (f)
- To include a maximum error of closure statement by a Licensed Land Surveyor, referencing 700:3 (i);
- To expand the text of Note 1 to include title reference, (book and page numbers) referencing 700:3 (j);
- To provide a north arrow, that is 700:3 (l); and

- To Indicate that lots 3-13 and 3-14 have street addresses of 55 and 57 Old Coach Road respectively which is 700:3(u).

Chair Killam informed the Board that the second comment recommends the final plat specifically identify in writing those portions of Lots 3-13 and 3-14 that are to be transferred to Lots 3-14 and 3-13 respectively.

Third, the letter recommends that any approval of this application be conditioned upon receipt of a letter from a licensed land surveyor certifying that all boundary monuments identified as “to be set” on the final plat have in fact been installed as shown.

Fourth, the letter recommends that any approval by the Planning Board be conditioned upon Planning Board receipt of a deed or deeds executed by both participating parties for the purposes of conveying land to one another as shown on the final plat and such deed(s) be recorded at Rockingham County Deeds together with the final plat.

Chair Killam requested Tim Lavelle from James Lavelle Associates spoke. Mr. Lavelle stated that Chair Killam explained the application which is to go around the shed. The recommendations by Keach Nordstrom could be addressed and he agrees to the letter. Mr. Lavelle is aware that the deeds need to be executed with the plan but are not yet written up in case there is another shift in the lot line. He agrees with all recommendations by the Town Engineer.

Discussion:

Vice Chair Turell remarked that there are a lot of housekeeping items. Mr. Lavelle stated about 90% of the changes have been done. Member DiMaggio offered to make a motion.

Chair Killam asked Ms. LaBranche speak. She advised that as a note added to the plan the areas being swapped should be labeled somehow, referenced on the plan and put in the description. Mr. Lavelle agrees and already has labeled the area with the shed as parcel A and the back area as Parcel B with the notes accordingly.

Chair Killam asked if there were more discussion. Mr. Stanton stated that the application has been summed up fairly well by Mr. Lavelle and has nothing further to add unless there are further questions.

Chair Killam stated she was all set and requested Member DiMaggio make a motion.

Member DiMaggio agreed to make a motion to approve and first stated that it is just a lot line change and there was not much to add.

Member DiMaggio made a motion to approve the Application for a Lot Line Adjustment submitted by James Lavelle Assoc between George & Stacey Athanasiou 55 Old Coach Rd, Map 11 Lot 3-13 and Timothy & Joy Stanton on 57

Old Coach Rd, Map 11 Lot 3-14 to transfer an equal area exchange of 2542.1 sq. ft. Both properties are in the TR2 Zone upon meeting the conditions in the letter of Steve Keach, Keach and Nordstrom dated June 17, 2020, that No. 1 is met, and in accordance with his suggestions for Items 2-4 ,that they are met and to add the suggestion of Ms. LaBranche to delineate A and B as the parcels being swapped.

Discussion: Ms. LaBranche pointed out that the application has not been signed by both applicants. Ms. Coppeta stated that there are two pages, one signed by both applicants. Chair Killam asked Member DiMaggio if he meant the letter from Keach Nordstrom in entirety. Member DiMaggio affirmed and also to include the suggestion of Ms. LaBranche.

Vice Chair Turell seconded the motion. Roll Call Vote: Member Brown, yes; Vice Chair Turell, yes; Member Stewart, yes; Member DiMaggio, yes; Member Feuer, yes; Chair Killam, yes. Vote: 6/0/0. The motion passes.

2) An Application for Site Plan submitted by Meisner Brem Corp for Brengco Realty Trust, George Kenney, Trustee for the construction of a 2 story 10,430 square foot building and associated parking, loading and landscaping to be located on property at 25 Hall Farm Rd, Map 16 Lot 11 in the CI Zone.

Abutters:

Stacey Realty, LLC, Brengco Realty Trust, George Kenney Trustee (present), Ruby Holdings, LLC, 2 Industrial Way, Gary and Carla Russell, Twenty-three Hall Farm Road Realty, LLC, Carol and Christopher Thompson, and Meisner Brem Corp

Chair Killam reviewed the letter from Keach Nordstrom. There are a lot of recommendations. She stated that there a few recommendations that need to be conditioned upon approval. One is a recommendation that the application be sent to the Fire Department for a review, another is a reminder for getting a driveway permit, State approval for a septic, bonding, the applicant will need to understand that bonding will take care of sedimentation controls during the construction process. There will also be an engineering review as the site becomes developed. The most important comment for this meeting is zoning matters, which states that it is recommended by the Town Engineer that the application will need a variance to be approved as drawn.

The rest of the recommendations are planning and design matters and also lengthy notes for changes on the plans which do not need to be discussed at this meeting.

Chair Killam requested that Jeffrey Brem, Meister Brem Corporation come before the Board. He stated that Mr. Kenney is present. Jeffrey Brem introduced himself and requested to share his screen. Chair Killam informed the Board that Selectman Ex Officio Grosky will be participating.

Mr. Brem reviewed the site plan. He first pointed out the location on Hall Farm Road and described the site as it is at present. There is a small residential building with a small septic to be abandoned. There is a small hill in the back. The test pits are shown on the map. The soil is sandy loam. The septic system for the proposed building has been approved by the State. Hall Farm Road is on the bottom and Industrial Way is on the left.

The applicant is proposing a two-story building, most of it is one story. The second floor is the office. The proposed building will be broken into four units, one small unit, 50 by 20, another 50 by 20 another 68 by 20, and the large unit will be Mr. Kenney's shop. He is a kitchen and bath designer. His shop will be on the bottom with his office on the second floor. There are 8,960 square feet on the first floor and 1,200 square feet on the second floor office for a total of 10,160 square feet, it will be less than 35 feet tall. 14 parking spaces are required by parking regulations and will be proposed.

Mr. Brem showed a picture of the building. It is designed by a Salem architect. The two story part can be seen. It is for European Corian Imports, Mr. Kenney's business. There is an open area for a sidewalk and parking. It is a simple floor plan. Each unit has a lavatory and a garage door in the back.

The loading zone is in the back. Each unit will have an overhead garage door. There is a dumpster in the corner. Mr. Keach commented that he wants more detail regarding screening of the dumpster. The drainage is simple, two cache basins which are discharged into the stormwater management facility which goes through a controlled structure and follows a run off. The front portion of the site goes on a grass swale in the front of the property through some check dams, into a culvert and through. It is in the same direction as the drainage that exists. It is a standard septic system on the side of the building. and the State has approved.

There is a landscape plan. The Town of Atkinson has requirements for trees in the front. There are 7 red maples in the front. There are some wetland plants, neat berries some azaleas and rhododendrons that soak up the water. The erosion control is shown. There is a sidewalk in front with some vertical granite curb.

There were 18 comments in the letter from Keach Nordstrom, 16 can be considered minor. Mr. Brem requested to discuss Comments 9 and 10 on Page Three.

Mr. Brem stated that there is a zoning matter. There is a 59 foot setback to the building. There are 14 feet to the pavement. The setback requirement is 75 feet when parking is in front. The applicant will request a variance. The application deadline is next Tuesday, the applicant will attempt to submit a variance application.

Vice Chair Turell asked if the applicant has tenants for the other three spaces. Chair Killam agreed that the letter is part of the record and can be referenced as such so it is not necessary to read each item.

Mr. Brem again requested to discuss Items 9 and 10. As far as signage, there will be none and no waivers will be requested. Mr. Kenney is working on signage and the sign should be on the plan at the next hearing. As far as Item 10, the plans show overhead wiring and all other utilities in the area are above ground. Mr. Keach recommends underground utilities and Mr. Brem asked the Board to decide.

Discussion: Vice Chair Turell stated he knows utilities are above ground at that location and asked if more poles were required. Mr. Brem stated that the proposed building is 60 feet from the nearest pole and the applicant could go 150 feet without adding another pole. Member DiMaggio stated that he agrees with Keach Nordstrom regarding utilities, that services should be buried, but stated that since all other utilities at that location are above ground, it should not be required. Member Stewart asked about the height distance for the lines. Mr. Brem replied that it is very flat and height is not an issue. Also, it is not an aesthetic issue since it is an industrial area. Chair Killam stated that the Planning Board does not generally discuss utilities and does not think it needs to be discussed. Member DiMaggio agreed.

Member DiMaggio asked where the frontage is located. Chair Killam pointed out that traffic enters from Hall Farm Road and exits on Industrial Way. Mr. Brem informed Member DiMaggio that the legal frontage is on Hall Farm Road and there is 200 feet. The Board discussed curb cuts Member Stewart informed the Board that they are not limited as to the number of cuts.

Member DiMaggio asked about the swale on Hall Farm Road, and Mr. Brem informed him that there are 14 feet for plantings. The Board discussed the width and Member DiMaggio suggested another row of trees. Mr. Brem stated that there are seven red maples along Hall Farm and they grow pretty big. Member Brown agreed. Mr. Brem stated the trees are about 45 feet apart. Member Stewart pointed out that the tree by the entrance is directly under the power line and recommended it be removed.

Chair Killam asked about the well placement. She stated that there is only one sheet that shows the well radius and it goes into the next lot. Mr. Brem explained that as long as it is within the setback of the adjacent lot, it can be done and has to be no more than the centerline of the road it can be done. Mr. Brem explained that it has been approved by New Hampshire DES. Member Brown agreed.

Chair Killam asked what is next door. Mr. Brem explained that the lot on Hall Farm Road is owned by the Russells. The Board agreed that the Russell lot is zoned CI, so a 150 foot setback from residential is not necessary. Chair Killam explained that the 9-lot subdivision owned by Ruby Holdings is across the street. Member Stewart stated he believes that there are only two homes on Hall Farm Road and they abut the Salem line. The Board agreed that that portion of Hall Farm Road is industrial.

Member Stewart asked if runoff from the roof would be directed towards the retention area and Mr. Brem pointed out that it would.

Member DiMaggio stated that it was a good plan. The Board agreed.

Ms. LaBranche requested one clarification regarding frontage. Definition of frontage in Zoning Section F12 states it should include frontage on both roads.

She supports that the plan should go before the Fire Chief. She does not see access to the rear of the building. A fire truck could not go around the building and should not drive over the septic system. The Board agreed. The other issue is fire hydrants. The Board agreed that there are none. Ms. LaBranche remarked that it is a big building, it is close to neighbors and the Fire Chief needs to look at a fire suppression system. Chair Killam informed Mr. Brem that the Fire Chief has required many businesses in that area to have fire suppression systems. Ms. LaBranche stated that it could be a sprinkler system, dry hydrant. Member Stewart stated that there are two fire ponds on Hall Farm Road but they are not within 1000 feet. Member Stewart also stated that the dry hydrant that was on Industrial Way has been removed.

Chair Killam asked if Ms. LaBranche had any other comments. Ms. LaBranche made a comment regarding sediment control. She remarked that there are some notes on the plans regarding sediment control and she has not a chance to go through them, to make sure that all the requirements have been met, but it is typical to have an erosion and sediment control plan, especially a phasing plan. Mr. Brem requested that Ms. LaBranche contact him regarding erosion and sediment control so he can address those issues before the next meeting.

Ms. LaBranche also pointed that the entire Town is an MS4 area and starting 7/1/2020 and 6/30/2021, the Town will be adopting new storm water regulations. This proposal is coming forward just before those regulations are adopted and it might be beneficial for the Town to require stricter standards. Ms. LaBranche asked about the retention pond in the back. Mr. Brem explained that is a retention pond with four bags. Ms. LaBranche suggested that a stormwater inspection and maintenance plan be drawn up and approved for this plan as required by the new regulations in the case that the applicant decides to sell. Mr. Brem agreed.

Ms. LaBranche requested to discuss Section 530 (i) of the Zoning Ordinance on page Z47 that requires that lot coverage be limited to 25% footprint and asked if it means footprint of building or footprint of building and parking lot. Member Brown stated it should refer to the footprint of the structure. Ms. LaBranche asked if it should include setbacks. She believes the parcel is .75 acres. Mr. Brem stated it is 1.04 acres. Mr. Brem pointed out the structural coverage calculation on Sheet 3 on one corner. It is 19.97%, below the 25% maximum. There is no wetland. The only topographical impact is the self-created hill in the back which is going to be bull dozed. Ms. LaBranche again asked if it is the buildable area as the Zoning Ordinance states and since the setbacks can't be built in, is it the buildable area or the full area of the lot. Chair Killam remarked that on a previous case, the Board had agreed that it is the building footprint itself and the buildable area, is not the so-called envelope, but the full area of the lot.

The Board continued to discuss if buildable area should also include setbacks. Chair Killam stated Ms. LaBranche raised a good question and that Vice Chair Turell is interpreting what the Board had decided in the past and suggested that the Board discuss it at a later date. Ms. LaBranche stated that other Towns look at the buildable envelope, not just the structure.

Chair Killam asked if Ms. LaBranche had more questions. Ms. LaBranche asked the applicant about the trees in the frontage close to the drainage swale. Mr. Brem stated that there will be a berm and the trees will be placed on top of the berm. Ms. LaBranche pointed out that it is not recommended that trees be placed on a berm because they can be washed out and the roots can be weakened. She has a question regarding placing the trees on the berm along the swale. Mr. Brem offered to provide a distance and may move the swale over. There is room between the center line of the sale and the edge of the pavement. Chair Killam pointed out that red maples are shallow feeders and if they are on top of a berm, they might not survive. Mr. Brem agreed.

Ms. LaBranche informed the Board that she had no more questions or comments.

Chair Killam requested a motion.

Vice Chair Turell made a motion to take an Application for Site Plan submitted by Meisner Brem Corp for Brengo Realty Trust, George Kenney, Trustee for the construction of a 2 story 10,430 square foot building and associated parking, loading and landscaping to be located on property at 25 Hall Farm Rd, Map 16 Lot 11 in the CI Zone under jurisdiction. Member Brown seconded the motion. Roll Call Vote: Member Brown, yes; Vice Chair Turell, yes; Member Stewart, yes; Member DiMaggio; yes, Selectman Ex Officio Grosky, yes; Chair Killam yes; and Member Feuer, yes. All in favor. Vote: 7/0/0. The motion carries.

Discussion: Chair Killam asked if the house were still standing. Mr. Brem replied that it is. She informed him that the Building Department expects that a demolition permit be issued and be accompanied by hazardous waste documentation from DES.

Chair Killam asked if the applicant could appear at the July 15, 2020 Planning Board hearing and if they would submit a variance application for the July 8, 2020 Zoning Board meeting. The applicant agreed and the Board agreed to continue the hearing to July 15, 2020.

Chair Killam requested a motion.

Vice Chair Turell made a motion to continue the hearing on the Application for Site Plan submitted by Meister Brem Corporation to July 15, 2020. Member DiMaggio seconded the motion. Roll Call Vote: Member Brown, yes; Vice Chair Turell, yes; Member Stewart, yes; Member DiMaggio, yes; Member Feuer, yes;

Selectman Ex Officio Grosky, yes; Chair Killam, yes. All in favor. Vote: 7/0/0. The motion carries and the hearing will be continued to July 15, 2020.

Chair Killam informed the audience that there will be no further abutter notification.

Ms. LaBranche asked if abutters will be notified if the meeting will be in person rather than virtual. Ms. Coppeta can notify abutters by mail if the meeting will be held at Town Hall. Ms. LaBranche asked if there would be video conferencing or a phone in option. Chair Killam stated that it would be something that the Board will need to discuss. The Selectmen will make a determination at their meeting on July 7, 2020. Chair Killam and Ms. LaBranche stated that they are not planning on attending in person meetings. Vice Chair Turell agreed. Chair Killam stated that she sent a letter to the Governor requesting remote meetings be allowed. Selectman Grosky stated that it is his intention to continue to provide remote meetings as long as the State will allow.

3) An Application for minor Site Plan submitted by Cornerstone Survey Inc for MRMT LLC, for the change in tenants in the existing 15,180 square foot building on property at 11 Industrial Way, Map 16 Lot 47 in the CI Zone.

Abutters:

Rick A. Schafer, Irrevocable Trust, Rebecca Lynde Schafer, Trustee (present), MRMT LLC represented by Kimberly Niles (present), South Cove Realty Trust, Town of Atkinson, Brian and Cheryl Cassel, Trustees of CA Cassel Trust, Rent Due 1 LLC, Northern Realty Trust, Cornerstone Survey, Kevin Hatch.

Chair Killam reviewed the letter from Keach Nordstrom dated June 17, 2020 regarding the application. The applicant is requesting an amendment to the site plan, specifically, the current owner purchased the property on January 23, 2020 and seeks an amendment to a 1988 site plan which is recorded. There is another site plan which was not recorded. Section 510 of Atkinson Site Development regulations allows the Board to review if there is a change of use. The application is for a 15,160 square foot building with occupied units 3-6 comprising 10,000 square feet which are occupied by Montes Marble and Granite, Fabricators of Custom Countertop Surfaces. Unit 2 is 2500 square feet and is leased by a licensed automotive dealer. Chair Killam asked about the license and clarified that until the application is approved, the license cannot be issued. Unit 1, comprising 2660 square feet is leased by a local lumber supplier/home center and is used for short term storage of kitchen cabinets prior to installation. This array of uses should be permitted by right in the Commercial/Industrial District under light manufacturing, retail enterprise and interior warehouse storage under Section 510 of the Zoning Ordinance. He also understands that there are no building or site improvements necessitating approval by the Board.

The text of Note 4 of the site plan submitted by Kevin Hatch, the building is existing and served by onsite water, well and septic. The 1988 site plan suggests the system was designed and approved to receive an average daily design flow of 510 gallons per day.

If the Board elects to approve the request for site amendment, Mr. Keach recommends that it be conditional upon receipt of updated flow calculations which properly demonstrate the current array of building uses based on New Hampshire DES standard unit flow requirements and an aggregate average daily flow volume less than or equal to the 510 GPD previously approved.

The site plan indicates 38 parking spaces presently exist. Note 11 on the plan suggests that 28 spaces are required. It does not indicate assignment of spaces to each occupant. Mr. Keach recommends Note 11 be expanded to reflect assignment of parking spaces per unit accordingly.

To properly document compliance with applicable operational standards of site development plan regulations, Mr. Keach recommends the following items be provided or addressed prior to or as a condition:

First, submission of a written statement of intent pursuant to Section 610 of the site plan regulations

The final site plan be expanded to acknowledge owner's intent to comply with performance standards governing: maximum permissible sound levels; smoke emissions; vibration; and discharge of wastes specified under Section 6170 of the Site Plan Regulations; and lastly

A notation be added to the amended site plan for the purposes of acknowledging that the current owner/applicant understands that any future changes in use or occupancy may require a new site plan and Planning Board approval pursuant to applicable requirements of Section 510 of the Atkinson Site Development Plan Regulations.

Chair Killam stated that because there are two new uses, concurrently, she requested a site plan and requested that Kevin Hatch speak.

Kevin Hatch, Cornerstone Survey, spoke to the Board to represent the applicant. He explained that it is an existing 15,000 square foot building on Industrial Way built in 1988-1989. Most recently, there were a couple of existing businesses. It is tax map 16, lot 47, it is an 80,000 square foot lot. It is zoned commercial/industrial. The building was built consisting of six units with six entrances. Mr. Hatch was asked to update the site plan. The most recent approved site plan was signed by Chair Killam. There was only one change from the 1988 plan, a 10x18 foot bump added to the building. The applicant is working from the 1988 plan. Mr. Hatch asked Keach Nordstrom regarding flow and Mr. Keach requested that it be broken down to gallons per day. Mr. Keach also pointed out that there 28 parking spaces required and there are currently 38 parking space. Mr. Keach requested the applicant show how the parking spaces are being used by units for the record.

The buildable area is 19% where 25% is allowed, using the entire lot. Mr. Hatch would like to have the definition for buildable area be clarified.

Mr. Hatch stated that the proposed site plan updates an existing one. Mr. Hatch requested to share his screen in order to review the site plan. There are two driveways. The entrances to the units are on the upper left side. The property has been painted and stripes have been added, handicap spaces have been updated. Employee parking is in the back. Cars for the dealership would be allowed in the rear of the building. There is propane storage behind the fence along with the dumpster. At the lower side of the building are loading bays along with a staircase to a walk in door for each unit. The existing septic is in the front and the existing well is in the rear. When a delivery of granite is received, an area for unloading is needed. It is on the lower side of the driveway, closest to the overhead doors. There is also a spot in the back left corner for short term storage of granite slabs. The product is supplied in large sheets and cut to size. Other items on the plan; it is wooded around the site with the exception of the front, which is lawn. The proposed plan shows that the units are front to back, but unit two, the dealership is cut off with access to the handicap area and is only about 500 square feet. The remainder is used for granite. The building is provided with a sprinkler system with pressurized tanks.

Water is used to cut the granite and there is a floor drain which goes to a pre-cast basin in the floor. There is no outlet, but there is a filter bag which is taken out; the stone dust is separated and disposed of; and the water is recycled. The water tanks are only used for fire suppression. It keeps the stone dust from being put in the air and flows it free. The floor drains are in place. The applicant had explored other methods and decided to continue to use what is already installed.

Mr. Hatch stated that regarding other items in the letter from Keach Nordstrom, there are some notes that are already on the plan which address the remarks, but need to be divided up differently. As far as Section 610, the written statement of intent, Mr. Hatch has written one up during the meeting which explains the use of the building, the area of each unit and the hours of operation. As far as the hours of operation, the only lighting on the site are safety lights and an entrance light. The site will not be lit up after dark. In his written response letter, car sales will only be allowed during the day. The applicant plans to use the property primarily for the granite company. The cabinet storage is to help out one of their clients, there will be very limited use.

Chair Killam requested a motion for jurisdiction.

Vice Chair Turell made a motion to take the Application for minor Site Plan submitted by Cornerstone Survey Inc for MRMT LLC, for the change in tenants in the existing 15,180 square foot building on property at 11 Industrial Way, Map 16 Lot 47 in the CI Zone. under jurisdiction. Member Stewart seconded the motion. Roll Call: Member Brown, yes; Vice Chair Turell, yes; Member Stewart, yes; Member DiMaggio, yes; Member Feuer, yes; Selectman Ex Officio Grosky, yes; and Chair Killam, yes. All members present voting in favor. Vote: 7/0/0. The motion carries.

Discussion: Chair Killam explained that the applicant has 65 days. Member Brown requested that the amount of space being used by the auto dealer ship be shown on the plan. Mr. Hatch agreed.

Member Stewart stated that there are signs for the business on Hall Farm Road against Town regulations. He would like to reaffirm that the signs be according to regulations. Mr. Hatch stated that there is a small directional sign on Hall Farm Road and Mr. Hatch agreed to take care of it. Chair Killam stated that there were notes on the prior plan regarding signage and agreed with Member Stewart that the applicant comply with signage regulations.

Member DiMaggio asked why the applicant needed to go to another meeting. It is a simple change of use. Member Stewart agreed. Member Brown stated she would like to see the auto dealer space defined. Chair Killam stated that fire suppression, outside storage of materials, she would like to ensure that they are out of space. Chair Killam also informed the applicant that it is important and would be beneficial to the applicant to delineate the space occupied by the auto dealership. Member DiMaggio stated that delineating parking spaces is not the business of the Planning Board. Vice Chair Turell pointed out that the car dealership has to submit the number of parking spaces to the State. Mr. Hatch responded that the 10 spaces were shown on the map.

Chair Killam asked if there were more questions. Member Wainwright informed that Map 16, Lot 12-1 is the Judge Marshall Forest which abuts the property by about 20 feet in the back. Ms. LaBranche remarked regarding the Statement of Intended Uses, requested Mr. Hatch show if any hazardous materials are being stored, what they are and if any spill prevention is provided and how they will be stored. Mr. Hatch explained that the only hazardous material would be glue for the countertops. Also, he pointed out in the statement of intent that there would be no auto repair on site.

Ms. LaBranche asked how the dumpster would be emptied. Mr. Hatch explained that the dumpster was on the property previously and the truck had no problems.

Ms. LaBranche asked about stormwater management. Mr. Hatch pointed out that the top of the plan is the top of the hill. It is the highest point on Industrial Way. It slopes down and on the lower side of the parking lot there is a curb on the entire bottom which feeds stormwater into the existing cache basins on Industrial Way and then down the hill to treatment at the end of the cul de sac. Member Stewart explained that the cache basins run to the bottom of the hill and discharge to the wetlands on the Salem side of Industrial Way. There is no treatment within the subdivision except for the last lot on the cul de sac, which has stormwater provisions. The stormwater goes to a wooded area which can be described as an alder wetland swamp.

Chair Killam clarified regarding discharge; it discharges to a vacant lot that the Town owns which Mr. Hatch describes as alder swamp. There was a letter from the Staceys regarding purchasing the property. Selectman Ex Officio Grosky stated that there has been no follow up on the letter.

Ms. LaBranche pointed out that there is no signature on page 2. Mr. Hatch informed the Board that he would make sure that the Planning Administrator gets a page with a signature.

Chair Killam requested a motion to approve and would like to make it inclusive of all the conditions in the letter from Keach Nordstrom and the delineation of the auto dealership.

Vice Chair Turell made a motion that the Board approve an Application for minor Site Plan submitted by Cornerstone Survey Inc for MRMT LLC, for the change in tenants in the existing 15,180 square foot building on property at 11 Industrial Way, Map 16 Lot 47 in the CI Zone on the condition that conformity with all of the items listed on the memo by Steve Keach of June 17, 2020 and the delineation of the auto dealer segment within the building be met. Member Brown seconded the motion.

Discussion: Selectman Ex Officio Grosky congratulated the applicant for staying in Atkinson, moving from Hilldale to Industrial Way. Ms. Niles informed the Board that the new tenant in her old building will be a trucking repairs for hydraulic equipment. The building on Hilldale is located in Haverhill, part of the parking is in Plaistow and the sign is in Atkinson.

Chair Killam asked if there were more discussion. There was none. Chair Killam requested a vote.

Roll Call: Member Brown, yes; Vice Chair Turell, yes; Member Stewart, yes; Member DiMaggio, yes; Member Feuer, yes; Selectman Ex Officio Grosky, yes; and Chair Killam, yes. All members present voting in favor. Vote: 7/0/0. The motion carries.

Chair Killam closed the public hearing.

New/Old Business:

Chair Killam stated that the Board has one more item to discuss. She informed the Board that the term for Chair and Vice Chair is over and requested they vote on the Chair and Vice Chair. The Board agreed that Sue Killam should be Chair and Mike Turell should be Vice Chair.

Vice Chair Turell made a motion that Chair Killam remain as Chair and Vice Chair Turell remain as Vice Chair for another year. Member DiMaggio seconded the motion. Roll Call Vote: Member Stewart, yes, Member Brown, yes; Alternate Wainwright, yes; Member Feuer, yes; Member DiMaggio, yes; Selectman Ex Officio, yes; and Chair Killam, yes. Vote: 8/0/0.

Chair Killam addressed the issue of Covid-19. Selectman Grosky encouraged the Board Members to reach out to their Selectmen regarding Covid-19.

Chair Killam informed the Board that the Town Administrator and his assistant have moved into the Building, Planning and Zoning office. The table formerly used for workshops has been moved. Filing cabinets have been moved. The Building Inspector and the Code Enforcement Officer have been moved to the center office formerly used by the Town Administrator. There will be barriers erected. Selectman Grosky stated that the Planning Board wants to meet remotely. The Budget Committee is trying to get into the building and employees need to get into the building. He stated that it is his hope that as long as Committees want to have remote meetings, that will be the practice.

Selectman Grosky informed the Board that the Selectmen did not resolve a request regarding a wetlands application on East Road and Bryant Wood regarding a water line going to Plaistow and asked if there were an issue for the Planning Board. Chair Killam replied yes and informed him that it is a government land use, it is a Plaistow building to be situated on land in Atkinson.

Selectman Grosky stated that as it stands at present, there is no building to be erected in Atkinson. Chair Killam informed him that if it is water lines under a State right of way, then it is not under Planning Board jurisdiction. Ms. LaBranche stated that if wetlands are an issue, then it would require a special exception from the ZBA. Alternate Wainwright informed the Board that the wetlands are not involved, Bryant Brook is being dug under, the street is being dug up, not the wetland.

Ms. LaBranche asked about the circuit rider contract for FY21. The Board agreed to continue. There was no vote. Chair Killam stated she would sign the letter and give it to the Town Administrator.

Ms. LaBranche requested to discuss the MS4 permit, that as part of the appeal, one of the biggest is from year 2 to year 3 and year 3 starts on July 1st, so it needs to get on the agenda. Member Brown asked if there would be a workshop on July 1st. Member DiMaggio asked if elderly housing would be discussed. The Board agreed not to have a workshop on July 1, 2020.

Ms. LaBranche stated that Governors Executive Order 24 for is still suspended until July 26 and will probably be continued, so the Board is under no 65 day review obligation.

Chair Killam adjourned the June 17, 2020 meeting of the Atkinson Planning Board at 10:20 pm. There was no vote.

The next meeting of the Atkinson Planning Board will be a workshop on Wednesday, July 15, 2020.