

**ATKINSON PLANNING BOARD**  
**Atkinson, New Hampshire**

**Public Hearing/Workshop Meeting**  
**Wednesday, September 17, 2003**

**Present: Susan Killam, Chairman; Paul DiMaggio, Vice-Chairman; Chuck Earley; Harold Morse (8:16)**  
**Alternates: Donna Sullivan; Joseph Guischart**

Ms. Killam called the meeting to order at 7:45 P.M.

**CORRESPONDENCE**

**Incoming**

1. Zoning Board Legal Notice for meeting of 9/10/03.
2. Memo from Selectmen dated 9/16/03 re: meeting notice and 2004 budget.
3. City of Haverhill Legal Notice for meeting of 9/10/03.
4. Board of Selectmen minutes dated 8/11, 8/18, 8/25/03.
5. NH Office of State Planning memo dated 8/22/03 re: Annual Fall Planning Conference.
6. City of Haverhill Legal Notice for meeting of 9/23, 9/30/03.
7. Keach-Nordstrom Assoc. dated 8/29/03 re: Statement report on Killam; Palmer Gas; Regan.
8. James Lavelle dated 5/6/03 to NH Wetlands Bureau re: Killam Wetland Permit, Westside Drive, Map 11, Lot 9.

Ms. Killam submitted a copy of the Wetland Application for the file.

9. Zoning Board of Adjustment dated 9/16/03 re: Holigan variance approval.
10. Zoning Board of Adjustment dated 9/16/03 re: Keane variance approval.
11. Zoning Board of Adjustment dated 9/16/03 re: Ashworth variance approval.
12. Zoning Board of Adjustment dated 9/16/03 re: Wood variance denial.

**Outgoing**

1. Dean & Susan Killam dated 8/27/03 re: Planning Board Subdivision approval.

**Approval of Minutes - tabled**

**Public Hearings - No new Applications received.**

**WORKSHOP**

Discussion opened at 7:46 P.M.

**Discussion - Yves Boucher- Proposed garage and repair service-CI Zone**

This discussion is regarding a proposed garage and repair business to move into the old Yum Yum Shop building/ Meridian Service. Mr. Boucher is before the

Board to ask if a site plan is needed. The original site plan by George Kalil in 1980 was for a rectangular building with six spots for employee parking. The building was then sold to the Yum Yum Shop, Lewis Kelly. The business went bankrupt and the mortgage was taken back by Mr. Kalil. The last site plan was dated October 1, 1990. There is a storage area for plumbing supplies and the building has housed several small businesses in the past. Mr. Boucher would like to take over a portion of the building that was previously a limo service and convert it to a garage repair service. This business is permitted in the CI Zone. Mr. Boucher would also like to buy and sell a few vehicles, which is considered a retail business. (Y4, footnote 4, Site Plan Development approval from Planning Board required first).

Discussion continued on whether Bob and Theresa Kalil need another Site Plan. Mr. DiMaggio felt that any change in occupancy in a commercial establishment would require a new Site Plan. Mr. Earley was concerned that there were no parking spaces listed on the plan and felt that delineation of parking spaces would be a requirement. A new septic system was installed in 1998. Mr. Boucher informed the Board that he would have no more than six or seven damaged cars on the property at a time and that he would install a 'paint booth'. Mr. Boucher stated that the damaged cars would not be seen from the road.

Section 510 - SP3 and 540:2 was reviewed. It stated that a change of use may require a new site plan and Planning Board approval. Ms. Killam referred to Footnote 4, which states that for body shop and garage repairs a Site Plan is required. Mr. DiMaggio noted that this use is allowed in the least restrictive district and that this is the best place for it. Mr. Earley brought up the issue of the parking spaces and if there is enough room for the vehicles. He noted that the limo services had approximately 13 vehicles with no parking spaces noted on the plan.

Mr. DiMaggio supported a new site plan review noting the change of use and signage involved. The consensus of the Board indicated that they agreed with this. Ms. Sullivan expressed concern with the wetland areas surrounding the site, which were not shown on the plan presented. She was concerned with an accidental run off from vehicles. It was noted that the wetlands issue might have been dealt with when the plan was originally approved but this was before the 100' setback was in effect. Mr. Earley felt that the paint booth to be installed is the safest way to go.

Ms. Killam noted that if the applicant is operating as a used car dealer a license is required. Mr. Boucher stated that he hopes to apply for a license in the future. He does not have one at this time. Mr. Boucher noted that he would not be selling many cars. Ms. Killam reminded Mr. Boucher that the Board would not allow a lot of unregistered cars on the property because it would become a junk yard which is not an allowed use. Mr. Boucher stated that he deals in used cars for Auto Town and Interstate, he repairs vehicles involved in a collision and

returns them to the dealers. He added that most of his vehicles would be inside. Mr. DiMaggio felt that residents in the area need to have the opportunity to come in and voice their opinion regarding businesses of this kind moving into their area.

The Planning Board listed what would be needed to accommodate what is being proposed. 1) A statement of intent, listing hours and days of operation, 2) what is being stored ie: hazardous chemicals, 3) parking and fire lanes deleted, signage information and noise level information and number of cars proposed. An application is needed and abutters need to be notified. The owner of the building must sign the plan. It was hoped that the plan would be ready for the October Public Hearing Meeting.

The discussion was closed at 8:17 P.M.  
The next discussion was opened at 8:20 P.M.

### **Discussion - Bob Robertson - Cogswell Farm**

Mr. Robertson had a question regarding potential plans for some changes that Mr. Lemery may be proposing at Cogswell Farm. He asked if these changes would require an amendment to the application and if abutters would be notified.

A section of Cogswell Farm was approved for 3 buildings, 1 with 4 units and 2 with 2 units. They were smaller footprinted buildings. Mr. Lemery may want to change this configuration and make it 4, 2 unit buildings and that the access drive may be changed to a circular drive. Each of these units would be 1666 sq.ft. and would have a certain percentage ownership of the entire subdivision. His current thinking is that they may be around 2400 sq. ft. Mr. Robertson felt that this could create some problems for the association because of all the documents filed with the Attorney General in the Declaration of Condominium.

Pg. Z31 - Section 600:22 - Amendment to an Approved Plan - Cluster Ordinance was read. No alterations or additions or deletions to an approved rural cluster development plan can be made without a request being made in writing to the Planning Board. The Board will then determine if the requested change is 'minor' or 'major' in nature. The Board may hold a Public Hearing on the proposed change with proper notification to all abutters including those in the original proposed development as well as any additional ones, which may have been created by the development.

It was thought that the bedroom count and density would stay the same, which would probably be a 'minor' change. Discussion followed on pending foundation permits. Map 13, Lot 1-20A & B, foundations are in with no sticks.

It was the consensus of the Board that if three buildings are being changed to four buildings and the road configuration is being changed this would involve fire

safety issues and should be filed as an amendment to the plan. The association is not in favor of this change.

The discussion was closed at 8:30 P.M. and the Board continued with 'Correspondence'.

The following discussion was opened at 9:10 P.M.

### **Discussion - Zone Map Revision**

The Board discussed the work done by Terra Mapping overlaying our zoning on a map showing the lots in town. Nothing was ever done with this information. The map was reviewed and discussed. Ms. Killam asked what the thinking was when these zones were established that set the zone line 500' back from the roadway in certain areas and what is the benefit of doing it this way rather than running the zone line down the middle of the road. Ms. Killam felt that this could be simplified. She asked if the reason the zone lines were set back from roadways was that the town did not want to have two halves of the street look completely different. Mr. DiMaggio felt it was to separate the industrial uses.

The differences between RR2 and TR2 were compared and discussed and it was noted that there is not that much difference. Mr. DiMaggio suggested going back to review the minutes when the zones were established. He stated that the zoning took place around 1978 when the town went to three acre zoning.

Ms. Sullivan suggested that the CI and CP Zone be worked on. What is needed is to update the official zoning. Ms. Killam asked the Board if a map is needed to show lots. The process of adopting the official map goes on the ballot after a Public Hearing and approval by the Board. Mr. DiMaggio suggested the current map be brought forward to a Public Hearing to see if anyone had any problems with it. Otherwise the map can be adopted. Mr. Morse agreed with this.

Ms. Killam asked the Board if they approved the idea of adopting a map that shows lot lines on our zoning map. The decision was to obtain an update for Terra Map and then decide if it is correct before it goes to Public Hearing.

The discussion was closed at 9:16 P.M.

Mr. Earley read a report on the Rhode Island nightclub fire and discussed the Comprehensive Fire Safety Act that was passed by the House and Senate as a result of the fire in Rhode Island. The report indicated that the regulations and requirements that were amended or added are already in our regulations. Mr. Earley announced that the Town of Atkinson has had these requirements in effect right along and that this small town is far ahead in fire safety.

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

The meeting was adjourned at 9:30 P.M.  
Next scheduled Workshop Meeting October 1, 2003.

**APPROVED** \_\_\_\_\_ Respectfully submitted,

Carol Kater