

**ATKINSON PLANNING BOARD MEETING  
MINUTES  
WEDNESDAY, September 16, 2020**

**Members Present:**

Sue Killam, Chair  
Vice Chair Turell  
Paul DiMaggio  
Paul Wainwright, Alternate  
Barbara Brown  
Ted Stewart

**Others Present**

Steven Keach, Town Engineer  
Julie LaBranche, Rockingham Planning  
Chris Goodnow  
Dave Jordan, Graham and Petersen  
Michael Cameron, Graham & Petersen  
Ryan Dogil, Select Demo  
Denvers X. Max

**Call to Order:**

Chair Killam called the meeting to order Wednesday, August 19, 2020 at 7:30 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; Vice Chair Turell, no one else is in the room; Member DiMaggio, no one else is in the room; Alternate Paul Wainwright, no one else is in the room; Member Stewart, no one else is in the room; Member Brown, no one else is in the room.

**Correspondence:** not reviewed.

**MINUTES:** August 19, 2020 and September 2, 2020

September 2, 2020

Discussion: Chair Killam, Vice Chair Turell, Member Brown, Member Stewart, Member DiMaggio and Alternate Wainwright were present at the September 2, 2020 meeting and the September 16, 2020 meeting.

**Member DiMaggio made a motion to approve the September 2, 2020 minutes as written. The motion was seconded by Vice Chair Turell. Roll Call: Chair Sue**

**Killam, Vice Chair Turell, Member Brown, Member DiMaggio, Member Stewart and Alternate Wainwright voted in favor. Vote: 6/0/0. The motion passes.**

August 19, 2020

**Vice Chair Turell made a motion to approve the August 19, 2020 minutes as amended. The motion was seconded by Member DiMaggio. Roll Call: Vice Chair Turell, Member Brown, Member Stewart, Member DiMaggio, and Alternate Wainwright voted in favor. Chair Killam abstaining. Vote: 5/0/1. The motion passes.**

**7:45 PM – Preliminary Discussion - Ruby Industrial Park – Map 16 Lots 9-2,3,4,5,6,7,8 & Ruby Way - Proposed commercial/industrial development**

Chair Killam stated that this is a preliminary discussion and any statements made are nonbinding. It involves the site on Hall Farm Road that the Board had approved as a 9 lot subdivision in 2016. It has had limited amount of activity since that time.

Mr. David Jordan came before the Atkinson Planning Board to represent the applicants. He explained that the discussion regards property on Hall Farm Road. It is the Ruby Way subdivision land that the Board approved in 2016. Marquis Management, the applicant, has entered into an agreement to purchase seven lots around Ruby Way and the Ruby Way right of way, consolidating the seven parcels into one parcel to be developed according to the plans that they submitted.

Marquis Management is a company in Salem New Hampshire. The applicants own a number of businesses and are proposing to relocate to Ruby Way. Some of the business are Select Demo Services, K-Town Disposal, Select Spray Systems and Select Paint and Finishes that will be operating within the proposed building. They are basically a construction services business currently located on Lowell Road in Salem.

The subdivision was approved a few years ago. There has been some clearing, grading and earthwork on the site in the past few years. Hall Farm Road is at the bottom of the plan. Industrial Way is across the way. To the left of the map are residential properties on Connolly Road. The zoning boundary between the RR1 district and the CI district bisects the site. The CI district comprises most of the site. The property at the top of the map is the Busby Construction site which exits on Route 111. To the right are two other lots which are part of the original Ruby Way subdivision and will not be part of the proposal.

The applicant is proposing to construct two buildings. The first one proposed is a 59,000 square foot building. It is where the offices for all of these businesses will be located. It is a two story office located in the front of the building. There is 25,000 square feet of office space and 33,000 of warehouse space. The warehouse space is where the businesses will be operating. Access will be from a single driveway on Hall

Farm Road. There is a large grade change between Hall Farm Road and the building. As people enter the site, they will approach the front of the building. Visitor parking is in the front, employee parking is to the left and right. The placement of the building takes into account that there are residential abutters. The operation portion of the facility is located away from the residential abutters. The warehouse portion will have a series of at grade doorways for trucks as well as loading dock positions for the trucks. All of those activities will be on the side of the building away from the residential abutters. There will be around 85 staff in the building with potential to grow to 95 staff members. There will be trucks coming and going during the day, but all work occurs off site. There is no manufacturing or processing happening in the building. The building will serve as storage for materials and products to be used for the business.

There is also a 22,500 square foot maintenance building for the company trucks on the site. In addition to the warehouse space, there will be equipment storage and laydown which will be in and around the second building. There will be paved surface and striped parking for office employees and visitors or truck parking.

There are also wetlands on the property. The wetlands have all been reflagged by Ferwerda Mapping Services, the original wetlands consultant for the Ruby Way subdivision. Within the areas that have not been disturbed, the wetlands are essentially the same as what was flagged in 2016. The wetlands in the front have appeared since the onsite activity has commenced. The applicant wishes to verify jurisdiction.

There were previously wetlands on the front of the site and a wetlands permit to be disturbed was granted in 2016-2017 for those wetlands. This area was to be part of the Ruby Way subdivision to serve as one of the stormwater detention areas. The applicant would also like to use some portion of that area for stormwater detention. There is an active and existing wetlands permit. While a driveway and stormwater area are shown in that area, it can be accomplished within the original wetlands permit.

There will be an onsite well and leach field. The water demand will be fairly low, less than 1000 gallons per day of water and septic usage. A place for a fire cistern has been identified.

At the back of the site an area for refueling is proposed. It is being explored by the applicant. Local and state permitting would be required.

In terms of the wetlands, there is a 100 foot setback associated. The buildings fall outside of that. There is a prime wetland adjacent to the property. Chair Killam informed Mr. Jordan that the setback for prime wetlands in Atkinson is 150 feet.

There is a 150 foot residential buffer to the properties to the west. There is no pavement or buildings located within 150 feet to the property line of the residential abutters. There may be some grading within the residential buffer, but it will be restored as green space. Chair Killam informed the applicant that part of the buffer has to be a

15 foot visual barrier. Mr. Jordan stated that the visual barrier would be addressed in the site plan application.

The applicant held a neighborhood meeting with the abutters. Mr. Jordan stated that it was a very good meeting and most if not all the abutters were present. The biggest issue for the abutters was traffic, not just truck traffic, but employee traffic as well. The applicant stated that he would require all truck and employee traffic to exit east of Hall Farm Road, and not travel on Connolly Road.

Another concern expressed by the abutters is water usage. Several of the abutters are experiencing fairly low yield to their wells and demand on the aquifer is a concern. The proposed well will be located on the opposite side of the property from the abutters. Another concern was blasting. There is a ledge that will need to be blasted. Pre-blast surveys will be done and abutters will be notified as required by State and local codes. Another issue is erosion and runoff. Most of the runoff is to the east and southeast and goes to a large wetland on the side of the property or to Hall Farm Road. Runoff will be treated according to local and state regulations.

Mr. Jordan showed the building design and elevations to the Board. The two story portion of the building will be offices and the front of the building will be glass. The Hall Farm portion facing the abutters is glass. The back of the building facing the abutters has no windows or doors. The East side of the building is the working side and there is a series of loading docks and drive in doors on the other side. There are more access doors at the North side of the building facing Busby Construction.

Mr. Jordan showed the Board several views of the proposed building superimposed on an aerial photo of the current site. There is a landscape plan.

It is the intention of the applicant to come forward with a site plan but is asking comments from the Board first.

Chair Killam informed the Board that the wetlands to the east were subject to an order by DES to be restored with wetland vegetation and requested that someone follow up with DES. Alternate Wainwright stated he would follow up with DES. Mr. Jordan stated that he is aware of that. He stated again that the wetlands have been reflagged, there has been no loss of wetlands and he will confirm with DES that they have been replanted so the order can be closed.

Chair Killam asked about Note 2 on the preliminary site plan regarding an onsite field survey in 2014. The applicant informed her that it was in 2020 and the note would be changed.

Member Brown asked about a septic and leach field in the buffer area. Mr. Jordan replied no, the septic was in the green space in the front between the building and the access driveway.

Chair Killam stated the applicant had a site plan which is essentially being abandoned. That site plan had issues with drainage. Part of the approval for the original site plan included an association for all the lots, including the lot in front which the applicant is not purchasing. The Board would like to understand how it would be dealt with. This site has been open for a long time and there has been a lot of flooding and erosion on the edge of Hall Farm Road and the Board needs to understand how it will be managed.

Her other questions are to the use, companies listed have to do with demolition and disposal and the Board wants to ensure that what is done fits in with the Town.

Mr. Jordan responded that one of the companies is K-Town Disposal. It is a construction/demolition company. Any dumpsters on site will be empty 98% of the time. Trash will not be processed, transferred or stored on site. Containers at construction sites will be picked up and disposed of at another facility. The only exception would be dumpsters that are picked up after the disposal facility is closed. The dumpsters will not be off loaded and will be covered.

Vice Chair Turell asked about truck traffic. Mr. Jordan responded that the majority of the trucks that operate out of the facility are box trucks or trucks where containers are loaded on to. There are not a lot of tractor trailer trucks. There will be trucks coming and going during the day. He does not have traffic numbers available, possibly around 100 trips a day.

Denvers X. Max, the applicant, came forward to discuss operations. He informed the Board that a couple of hundred trucks a day is on the high end. The higher volume is in the morning, when tools would be delivered to the job sites in Massachusetts. Between 6:30 – 7:30 around 10 box trucks will be leaving and 6-8 dumpster trucks will be leaving as well as office employees. Other trucks will be leaving and returning throughout the day. He believes that 50-75 trucks would be the most.

Vice Chair Turell asked about materials being stored. Mr. Max informed him that there will rarely be trash, tools and consumables would be stored on site including hampers, saws, plastic, polys. There are lay down yards in Wilmington and Everett. There will be no liquid chemicals.

Vice Chair Turell asked what percent of the lot would be covered by impervious surfaces and what percent is covered by the buildings. Mr. Jordan stated that the building coverage is 9% but does not have the impervious coverage.

Another issue is the note on page 2 of the preliminary site plan. The date should be 2020, not 2014.

Alternate Wainwright would like to have a walk through of the property at some time. There is also a lot number change.

Member DiMaggio asked how many acres there were on the lot. Mr. Jordan replied that the consolidated lot is 18.2 acres. There are seven lot numbers that would be consolidated. There were nine lots. The applicant is not buying Lot 9-9, the frontage lot, on Hall Farm Road or lot 16-9, which surrounds the wetland. Member DiMaggio asked about 12.5 acres to go to Conservation Land and Alternate Wainwright informed him that the 12.5 acres is lot 16-9.

Member DiMaggio stated that he is concerned that lot coverage with impermeable surface is better than 50% and traffic is also a key issue. A traffic study would be needed. Another issue is truck parking, 44 truck spaces are shown but they appear to be normal, 9 x 18 spaces. Mr. Jordan explained that the 9 x 18 spaces would be for employee parking. Mr. Dogil stated that vans and small trucks would also park there. Mr. Max stated that 80% of the fleet is 14 foot box trucks, there are a few 24 foot box trucks which will be parked alongside the building.

Mr. Max informed the Board that deconstruction is the primary part of the business, but they do some painting and fireproofing. He also informed the Board that he wanted to locate in Southern New Hampshire because he lives in Kingston and the majority of his employees are from Southern New Hampshire. There are two lay down yards, one on 2<sup>nd</sup> Street in Everett and one in Wilmington. There are offices at 11 Elkins Street in Boston and in Hartford, CT on Murphy Road. There are about 60 office employees, 20-25 warehouse employees, about 12 disposal drivers and 10 box truck drivers.

The Salem address is 40 Lowell Road and the Wilmington address is 887 Woburn Street. It is a laydown yard where full dumpsters are stored. They do not want to bring trash all the way to New Hampshire. The majority of the dumpsters are stored in Everett. It is not trash in the traditional sense; it is construction debris.

Member Stewart commented regarding Hall Farm Road, he does not see a need for a traffic study. He thinks it is the perfect location for this type of business. He asked why the entrance was changed from the original area. He is also concerned that the original design for the drainage was to Hall Farm Road going across to the retention area, under Hall Farm, under Industrial Way and out. It is the only natural way for the water to go. The drainage has never been addressed properly in the area north of the retention pond to the corner of the property. The rendering shows the banking staying the same and he hopes it will be changed. Mr. Max assured him that the drainage issues would be addressed.

Ms. LaBranche asked about MS-4 and water quality. The new stormwater regulations for the Town will be adopted in year 3 of the permit which would be between now and June 30, 2021.

Mr. Max stated that the applicants met with the neighbors and that was a concern. The building will have a green approach with geothermal and solar power. Mr. Jordan responded that the drainage will address the MS-4 requirements. The water has to be treated, groundwater recharge must be accomplished and runoff will be addressed.

Ms. LaBranche is concerned that the alteration of terrain specifications have not been updated to meet MS-4 requirements and the applicant should be aware of that. Mr. Jordan replied that the applicants are financially committed to comply with MS-4 requirements.

Mr. Keach stated that the only question he had for the applicant is regarding the selection of the driveway, but he can see that it has to do with the grade to the elevation of the first floor of the building. It might have been better to have it aligned with Industrial Way.

Ms. LaBranche is concerned about the transition from the commercial application on the property to the current one. Vice Chair Turell stated that he is holding the bond on the previous owner, Ruby Holdings. Chair Killam informed the applicants that they cannot let the bond lapse. Mr. Keach stated that a transition must be set up. The new site will have its own storm system. The lots still owned by Ruby Holdings are not included. The surety for a successful site plan would be for erosion and completing of the design.

Ms. LaBranche, stated that five lots that are being consolidated, one, lot 16-9 in the back that is unbuildable and one frontage lot. Chair Killam stated that the applicant is buying seven lots and those lots will be consolidated.

Ms. LaBranche stated that the lot configuration of the new application is nothing like the original, so a new subdivision plan would be needed. The Board continued to discuss the issue. It would be a consolidation plan. There would have to be lot line consolidation and also a road would be removed.

Mr. Keach informed the Board that removal of the road would be done by a petition to the Town by the landowner. It would be a condition of Board approval of the consolidation plan.

Member DiMaggio stated that he was in error earlier as the building coverage is about 8.99%, and total coverage would be about 30%.

Chair Killam requested to adjourn.

**Vice Chair Turell made a motion to adjourn. Alternate Wainwright seconded the motion. All members of the Atkinson Planning Board voted in favor. Vote: 6/0/0.**

Chair Killam adjourned the September 16, 2020 meeting of the Atkinson Planning Board at 9:15 pm.