

**ATKINSON PLANNING BOARD MEETING
MINUTES
WEDNESDAY, October 7, 2020**

Members Present:

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

Other's Present

Call to Order:

Chair Killam called the meeting to order at 7:31 PM. She informed the audience that it was a work shop meeting and the Board would be working on some zoning.

Chair Killam read a statement regarding video hearings pursuant to State Executive Order 2020-04. In summary, the Board is authorized to meet remotely. There is public access by telephone or by Zoom. Instructions for accessing the meeting on the Town website and on the Town Facebook account. The station manager can be contacted if there are problems accessing the meeting. The phone number for the station manager is 362-4545 and the email is stationmgr@atkinson-nh.gov. If the public is unable to access the meeting, it will be rescheduled. All votes will be taken by roll call vote.

Chair Killam requested a roll call for attendance. Member DiMaggio, alone; Vice Chair Mike Turell, alone; Member Stewart, alone; Alternate Paul Wainwright, alone; Chair Sue Killam, alone; and Member Barbara Brown, alone; were present.

Chair Killam read a letter of withdrawal from public hearing without prejudice submitted by James Lavelle Associates into the record.

The withdrawal is regarding the following application:

An Application for Site Plan submitted by James Lavelle Assoc for Gilley's Realty LLC for the construction of a 12,000 square foot building including 6 rental units and associated parking, loading and landscaping to be located on property at 19 Industrial Way, Map 16 Lot 56 in the CI Zone.

Abutters list:

Town of Atkinson, Paul Wainwright, present; Mya Victoria, LLC; Gillies Realty, LLC; Gagnon Realty Trust; Gil Gagnon Trustee; Amoskeag Engineering Consultants; James Lavelle, Associates and Soil Scientist Timothy Ferwerda

Vice Chair Turell made a motion to accept the request to withdraw without prejudice an Application for Site Plan submitted by James Lavelle Assoc for Gilley's Realty LLC for the construction of a 12,000 square foot building including 6 rental units and associated parking, loading and landscaping to be located on

property at 19 Industrial Way, Map 16 Lot 56 in the CI Zone. Alternate Paul Wainwright seconded the motion. Roll Call vote: Chair Killam, yes; Vice Chair Turell, yes; Member Brown, yes; Alternate Wainwright, yes; Member DiMaggio, yes; Member Stewart, yes. All members present voted in favor. Vote: 6/0/0. The motion passes.

Chair Killam informed the Board that Gil Gagnon will be before the Planning Board in November with a completely different plan. The new plan does not have buildings, but it does have a use.

Chair Killam requested to review minutes.

Minutes:

September 16, 2020

Alternate Wainwright stated that he read the minutes and had no comments.

Alternate Wainwright made a motion to approve the minutes of the September 2, 2020 meeting of the Atkinson Planning Board as written. Member Vice Chair Turell seconded the motion.

Discussion: Member DiMaggio stated that he had a few comments and corrections were made.

Alternate Wainwright made a motion to amend his motion to approve the September 2, 2020 minutes as written and moved to approve the minutes of the September 2, 2020 meeting as amended. The amended motion was seconded by Vice Chair Turell. Roll Call: Chair Sue Killam, yes; Vice Chair Turell, yes; Member Brown, yes; Member DiMaggio, yes; Member Stewart, yes; and Alternate Wainwright; yes. All members of the Atkinson Planning Board present voted in favor. Vote: 6/0/0. The motion passes.

Correspondence: not discussed

New/Old Business:

Chair Killam informed the Board that she will be an applicant at the next meeting and requested Vice Chair Turell stand in as acting chair for the entire meeting. Vice Chair Turell agreed.

Vice Chair Turell requested that when Board members reply to emails, not to use the "reply to all button". He informed the Board that "reply to all" creates a 93A situation because it would be a meeting that is not announced.

Ongoing Discussions: Definitions, Permitted Uses, and other required zoning updates regarding Assisted Living Facilities, Congregate Care Facilities and Nursing/Skilled Nursing Care Facilities

Chair Killam asked the Board if they received her emails providing a definition for long term care facilities. Vice Chair Turell stated that her definitions were good.

Chair Killam decided that the best title would be “Long Term Care Facility” and provided a definition. She believes that using this definition would allow the Board to insert that one category into the permitted use chart. She also changed elder and elderly to senior. She stated that the definitions will be inserted into Article III where all the definitions in the book are. Member DiMaggio asked if any State definitions were found. Chair Killam searched a number of websites and did not find any.

Member DiMaggio also stated that her ordering of the definitions was a real help and suggested that the same wording be added to Section 4200. Chair Killam stated she would add the same wording to Section 4200.

Chair Killam read her addition to Section 4200:4.

The Board discussed parking for the different types of facilities. Chair Killam requested the Board to take a look at the numbers for parking. Another issue is whether all parking needed to be built or just added to the design. Member DiMaggio will try to find a precedent.

Next, the Board discussed screening and buffering. Chair Killam would like a strict 150 foot buffer, with nothing allowed in it. She feels anything allowed into the buffer would cause trouble. She specified the 150 foot buffer to be on the sides and the rear. The Board discussed the buffer in front. There is a specific zoning definition for sides, back and front. There needs to be traffic flow. The 150 foot buffer is in the zoning regulations as the buffer between residential and commercial.

Member DiMaggio recommended the word “all” be removed from the definition.

The Board discussed the size of the buffer in the front and from the road. Member DiMaggio feels the buffer in the front or from the road could be less than 150 feet. Alternate Wainwright asked about screening and Chair Killam read the section on screening.

The Board discussed whether structures, stormwater management or septic should be allowed in the buffer. Chair Killam stated that allowing stormwater management might be necessary. Stormwater management can be considered a structure. However, essential services, walking paths and other recreational structures would not be allowed. Anything that happens on a facility such as this is considered commercial and any activity would be a commercial use, including walking paths. Any activity would

have to be located outside the buffer zone. Water and power lines should be allowed to cross the buffer. Member Brown feels a 100 foot setback for the buildings is adequate.

She thanked the Board for their hard work.

Chair Killam explained the difference between zoning and site plan regulations to Alternate Wainwright and suggested he start by looking through the RSA's.

Chair Killam requested a motion to adjourn.

The next meeting of the Atkinson Planning Board will be on Wednesday, October 21, 2020.

Member Brown made a motion to adjourn. Vice Chair Turell seconded the motion. The Board agreed to adjourn the October 7, 2020 meeting of the Atkinson Planning Board at 8:20 PM. There was no vote.

Chair Killam adjourned the October 7, 2020 meeting of the Atkinson Planning Board at 8:20 PM.