

ANTRIM PLANNING BOARD MEETING July 12, 1979

MINUTES

A quorum of the Board was called to order at 7:45 p.m. by Ch. Edwards.

Present were: Robert Edwards, Chairman
James Dennison, Secretary
Emery Doane, Selectman
Fred Elia
Jon Medved
Gordon Allen, Alternate
Robert Watterson, Alternate
Lloyd Henderson, Counsel

Approval of Road in Contoocook Valley Development Corp. Subdivision

Robert Caughey and Richard Schacht appeared for the corporation; Mr. Schacht also represented abutter T. Rank. The matter of surface water run-off onto neighboring property, referred to in the minutes of the Board's June 28 meeting, was discussed with Messes. Caughey and Schacht.

After further intensive exploration of the matter, it was moved and seconded and the Board unanimously voted:

That the Antrim Planning Board, upon the concurrence of the Antrim Road Agent, give written certification to the Selectmen that the road (Contoocook Avenue) on the Contoocook Valley Development Corp. subdivision has been constructed in accordance with the Road Specifications in the Town Subdivision Regulations as soon as a stone-lined ditch has been made to carry off surface water runoff to the satisfaction of the affected landowners (Rank and Cook), and those landowners have granted to the Town a Slope and Drainage Easement.

When the Selectmen receive such certification, they are authorized by the March 1979 Town Meeting (Article 31) to accept the road and to return the deposit to Contoocook Valley Development Corp.

Subdivision Request from Mrs. Harold M. Nye on Pierce Lake

Mrs. Nye wrote Chairman Edwards, dated June 1, 1979, enclosing a very rough pencil sketch of her property. She wishes to change her 3 nonconforming lots, each with 100 feet of lake frontage, into 2 nonconforming lots, each with 150 feet of lake frontage, and each lot containing one existing dwelling. One lot was to be retained by Mrs. Nye; the other to be conveyed to her son. The Board was unable to act formally on the basis of such a partial diagram of the land, but suggested that the change might qualify as an acceptable boundary line adjustment.

Upon motion made and seconded, it was voted:

That the Chairman communicate with Mrs. Nye that the Board could approve her proposal subject to the Board's receipt of a plan of the property that would meet the requirements for recording, preferably made by a surveyer.

Subdivision Proposal from Gary F. and Frederick H. Voss, of
Swanzy Center: Property on Route 9

Applicants had submitted a survey of their land at the Board's February 22, 1979, meeting which was signed "for recording purposes only." The present proposal divided that land into three parcels. Although the State Water Supply and Pollution Control Commission designated their Parcel #1 as "un-buildable," it appeared to the Board that applicants' proposal was for a three-lot subdivision, which could not be approved according to the Temporary Restriction in effect for the calendar year of 1979.

The Secretary was instructed to write the applicants requesting that they appear at a Board meeting, bringing the relevant deed and other material to help the Board consider their proposal. It appeared that applicants could combine Parcels #1 and #2 and thus divide their property into only two lots.

Watterson Property - Holt Hill Road

Counsel Henderson distributed a very recent ruling of the New Hampshire Supreme Court corroborating his opinion described in the minutes of the Board's June 14 meeting. "A town planning board has no jurisdiction over the sale of one of two lots separated by a road because no subdivision is involved." (Keene vs. Meredith 5/23/79)

Applicant Watterson submitted a new and more detailed preliminary plan showing his proposed subdivision of his two parcels into two lots apiece. Two of those lots - 2A and 1B, had no frontage on a town-maintained road. The plan also showed that lot 1A of 13.8 acres extended onto both sides of the town-maintained portion of Holt Hill Road, with 575 feet of frontage on the road. Considerable discussion ensued whether this created a subdivision of three lots - lots 1A, 1B and 2B - on the south side of the road. Counsel's opinion was that lot 1A was still, despite intersection by the road, a single lot, and therefore only 4 lots were created out of the two original parcels. The Board concurred in this opinion.

After further consideration of the proper means to protect future buyers of the lots without town-maintained road

frontage, it was moved, seconded and voted:

To approve the Watterson preliminary plan for a subdivision, subject to a public hearing, and to record on the mylar copy of the preliminary plan that Lots 2A and 1B have no frontage on a Town-maintained road, and that no buyer of those lots can expect any Town services until at least 210 feet of their road frontage is improved to Class V standards. And further, that the same provisions be incorporated in any deed conveying Lots 2A and 1B to a buyer or buyers.

Organization of the Antrim Planning Board

Chairman Edwards regretfully announced that the pressure of business forced him to resign from the Board as of August 1, 1979. Vice-Chairman Harvey Goodwin has informed Chairman Edwards that he was not available to become chairman, but that he would be willing to continue as vice-chairman. Upon motion made and seconded, it was voted: that Secretary Dennison become Planning Board Chairman. Mr. Dennison thanked the Board for their confidence and stated that he would announce on July 26 whether or not he could serve as chairman. If Mr. Dennison does become chairman, the position of secretary would become vacant. Upon motion made and seconded, it was voted: that Jon Medved become secretary if Mr. Dennison vacates that post. Mr. Medved signified he would be able to accept if the position becomes vacant.

Adjournment

Upon motion made and seconded, it was voted: To adjourn, at 11:20 p.m., July 12, 1979.

J. Dennison, Secy.