

Pursuant to legal notices posted in two public places in Antrim, the Planning Board held a special meeting on Wednesday, January 16, 1980 at 7:30 p.m., in the Little Town Hall to:

1. Act on the A. J. Homicz subdivision application and resolution of pending litigation, and
2. Continue the consideration of revisions of the Antrim Subdivision Regulations.

Those present when the meeting was called to order were: Emery Doane, Fred Elia, Harvey Goodwin, Robert Waterson and James Dennison, Chairman and Secretary, pro tem. Town Counsel Lloyd Henderson discussed the status of the pending litigation, A. J. Homicz vs Town of Antrim et als., which was scheduled to come to trial on January 17.

Counsel Henderson presented to the Board a 2-page summary of Possible Outcomes of the case if it were to be heard on the merits and a written summary of proposed methods of settling the case without trial. He advised the Board that he had met with Dr. Homicz' attorney on Friday, January 11, and that they had discussed possible settlement proposals at length. Following the Board's review of the written materials presented and a general discussion concerning a settlement of this matter which would be in the Town's best interests, a call for a vote by the Board was made.

Upon motion made and seconded, the Antrim Planning Board voted: That Lot 3 of 7 1/2 acres appearing on the Homicz Subdivision Plan, revised October 1978, is approved as a separate lot. In accordance with RSA 36:26, New Hampshire annotated statutes, Lot 3 would not be a buildable lot under the present boundaries of Lot 3 and the present condition of Meeting House Hill Road.

This action would resolve the litigation. Under RSA 36:26 no building permit could be issued to the owner of Lot 3. It will be clearly stated in the agreement between the Town and Dr. Homicz that resolves the litigation that as long as Meeting House Hill Road remains a Class VI road - subject to gates and bars as voted in the 1979 Town Meeting - that subject Lot 3 cannot be built upon if its frontage on Meeting House Hill Road is used as access to the lot.

The area comprising Lot 3 is presently owned by Eugene and Lori Rosov under an understanding with the previous owner, Dr. Homicz, that if Lot 3 becomes a separate lot, the Rosovs will convey that lot back to Dr. Homicz.

It was pointed out that if Lot 3 were joined with either or both Lots 1 and 2, fronting on Route 31, and a driveway were run from Route 31 through either Lot 1 or Lot 2 to Lot 3, it could become a buildable lot. Similarly, if the Town reclaimed Meeting House Hill Road as a Class V road, Lot 3 could be built upon. That is why the vote contained the clause... "...under the present boundaries of Lot 3 and the present condition of Meeting House Hill Road."

This matter being the official business of the special meeting, upon motion duly made and seconded, it was voted to adjourn the special meeting.

A handwritten signature in cursive script, appearing to read "J. T. Dennison". The signature is written in dark ink and is positioned above the typed name.

J. T. Dennison, Secretary pro tem