

ANTRIM PLANNING BOARD

Antrim, New Hampshire

Minutes of the Antrim Planning Board--June 25, 1987

Present: H. Goodwin, R. Zwirner, W. MacCulloch, R. Reinstein, R. Watterson,
J. Jones

Absent : W. Oldershaw, Sr., P. McClintock, D. Schacht

Also present: Daniel McCoy, Gladys McCoy, Glenn Noble, Elizabeth Noble, William Vaughan, Fay Vaughan, Ann Ford, Carl and Jean Smith, Silas Little, Karin Mack, MD, Gloria White, Helen LeVanda, Edward LeVanda, Vincent Palhof, Robert Allison, Danny Roy, Ann Edwards, Thomas Hayes, Robert Hayes, Carter Munsie, Joseph Seblika, Edwin Rowenl, Chuck and Sandi Knight, Victor and Trudy Schmid, Art and Janice Myjak, Bob and Gay McNeil, Ed. Hemas, Jackie Cottle, from the Ledger and Town Counsel, Attorney Lloyd Henderson.

This Public Hearing is a continuation of the Gary and Martha Bergeron, Breezey Point proposal. Mr. Goodwin opened the hearing with introducing Mr. Bill Hall from Oiltanne Association, an engineer who will be giving his opinion on this proposal. Mr. Tom Somers brings the engineering up to date. They had made several changes to the plan resulting from the last hearing. The units had been moved away from the water and existing buildings and the alignment of the road had been changed. Mr. Bergeron had gone under contract with a building designer which will give direct fire protection. Mr. Bergeron had been told by Water Supply that the water had been approved. A corrected name of an abutter on the plan had been changed.

Mr. Goodwin asked Mr. Hall for his opinion. Mr. Hall without a hard design it was difficult to comment. Mr. Hall did comment that there was a major need for a turn around on the site mostly for traffic flow. Water was subservice, this made Mr. Hall feel that this was a sensitive site with configuration. Mr. Hall gave opinion for the Planning Board to make a site review. Mr. Hall would provide more comments once the plan was more final.

Mr. Little, Attorney to Dr. Karin Mack, questioned Mr. Bergeron having access to the back lot. Mrs. Clifford Franseen has an easement across the land. Mr. Little comments the parcel needs to be surveyed and the easement identified. Mr. Somers says this will be discussed with the abutter. Mr. Little also questions the upper septic and could it be possible that it could run into the septic. Mr. Somers gives the information of the elevation being 100 yard peak - 771 flowage right, elevation of the buildings 775, 776, 780. Unfortunately the plan is in the concept stage and these are rough calculations. Mr. Somers feels this should be sufficient. There was question on having problems with salt contaminations. Mr. Somers explains how they will have a perception sway down stream. The road will be of stone dust and with the concentration flow and a swail before the lake there will be no problems with the salt. There will be a buffer of grass and lawn.

There was long discussion on the width of the road and the turn around for fire protection. The width of the road will be 24' and Mr. Somers felt the Fire Department would have no problems. Mr. Goodwin commented how the Fire Chief was more concerned with the water supply in the winter than any turn around. In the winter months the water is down and the water pressure.

is low. Mr. Bergeron is already taking this into consideration with possibly having a spare water supply.

There was question on the leachfield. Mr. Somers comments that this would be the safest system on the lake. The abutters were wondering if the leachfield could depreciate thier property. They were told it could not devalue thier land.

The abutters asked Mr. Somers about Mr. Bergeron's promise to provide water to them if the units left them with no water. Mr. Somers agrees to the promise as long as it is a reasonable awareness that it is the units fault.

The abutters were also concerned with the maintenance of the public road that Mr. Bergeron wants to own. Mr. Somers comments that the Condo Association would want to keep the road up because if they did not it would only be hurting them as well. Mr. Bergeron will be living in one of the units and he will be part of the Association.

There was long discussion on the boats that may develop with this unit. There was controversy as to how many camps are already around the lake and how many boats are there. Mr. Bossey comments how he feels it would be unfair to tell a camp they could not have boats and feels that is the same issue with the condo's. Comments was that Breezey Point is almost doubled in density compared to what is now on the lake. Question was directed to how long the proposed beach would be. The beach would be approximately 200'-250'. Some abutters feel this is to small a density to try to put to many boats. Mr. Roy commented that he felt the Planning Board should have the right to restrict the amount of boats and the horse power. Mr. Roy felt this authority should not be left up to the Condo Association.

Mr. Goodwin turns the hearing over to Town Counsel, Atty. Lloyd Henderson for legal issues on the density. Mr. Henderson feels any advice given at this time should be done in a recess. Atty. Henderson explained how two more legal issues had been brought to his attention just at the beginning of the hearing and felt it more appropriate to advice the Board in a recess involving these two new issues which need to be further researched. Atty. Henderson assures the public that no legal issues would be made at that recess and that the public will be able to stay advised.

Mr. Goodwin asked if there was any more questions from the public before the recess.

The public did not want anything passed or finalized without notice of what would be going on. Goodwin explained the pubic notices and the registered letters to the abutters.

Mr. and Mrs. McCoy reaised the issue of no free area for parking for the units and no recreational area for play. Mr. Somers felt there was adequate parking and the play area was the beach area. Some still complained of the hazard of to many boats when Mrs. Katsaros spoke of how some are already being unsafe on the lake with their boats.

Atty. Henderson outlined the legal issues in this matter. The initial problem is the property lines goes through two towns. It is one piece of land, in two separate towns with two separate and different Zoning Ordinances. Mr. Bergeron proposes to build all in Antrim and keep all common land in Hillsboro. There is still some disagreement to a couple lawyers. Atty. Henderson would like to advice the Board what was partially discussed with another lawyer. One lawyer feels it fair to consider the 15 acres as one lot but another lawyer has reaised questions which are legitament issues. Atty. Henderson discussed how the developers have not found where the towns have accepted Breezey Point as their road. Atty. Henderson says it is a town road because both towns have been maintaining it. Atty. Henderson also addressed the issue on whether or not any changes in the Zoning Ordinance would affect this proposal. Up to this point when an applicant is before the Planning Board for a subdivision approval, the developer is not proposed to any changes in the Zoning Ordianance. Mr. Little, an attorney addressed Atty. Henderson before the hearing that this application should be considered incomplete because this proposal does not comply to the Zoning Ordinance now which involves a variance. Atty. Little feels the Board should have Mr. Bergeron file for a variance and then come back before the Planning Board and then by then some changes may be posted and Mr. Bergeron will have to comply with the changes.

Mr. Goodwin wished to bring the hearing to a close to go into recess.

Mr. Goodwin discussed a contract with Mr. Hall, the engineer, and if the Board agreed to sign it. Mr. Bergeron agreed to pay Mr. Hall but Atty. Bossey felt it was not fair to expect Mr. Bergeron to pay for three lawyers. Mr. Goodwin signed the contract.

Mr. Zwirner moved the motion "to recess for executive session with Town Counsel." Mr. MacCulloch seconded the motion. The Board went into Executive Session at 9:53 p.m.

A Public Hearing was scheduled for July 9, 1987, at 8:30 pm as a continial on this proposal.

Minutes prepared by Debi Barr