

Minutes of the Antrim Planning Board Meeting August 18, 1988 (workshop)

Present: Mike Oldershaw, Sr., Chairman protem for August; William MacCulloch; Judith Pratt; Phil Dwight; Rod Zwirner; Edwin Rowehl, ex officio, Selectmen; Rachel Reinstein, Selectmen's Alternate.

The Chairman opened the meeting at 7:05 P.M. The Board went immediately to the Zoning Ordinance review, starting with Article VIII, Lakefront Residential District (LR). A.-- Purpose was discussed, with William MacCulloch raising the question of duplex, cluster, or multi-family dwellings being permitted in this zone. The consensus of the Board was to table this until they have reviewed the permitted uses. A correction was made to the spelling of the word insuring. Changed to "ensuring". Bruce Cuddihy, townspeople, spoke to the exclusion of multi-family dwelling in this district. Harry Page suggested that the Board refer to the Master Plan and Rachel Reinstein pointed that the Master Plan was formed in 1985 based on 1980 figures.

The Board then addressed B.-- Permitted Uses. It was agreed to change B,1,e by adding "Home Occupations and Home Based Businesses as permitted in Article XI. William MacCulloch raised the question of Commercial Recreation Facilities being permitted at the Beach. David Penny argued against this idea. Bruce Cuddihy suggested that it might be allowed under Special Exceptions. Board Member, Phil Dwight pointed out that the district in question is only 500 feet from the lake. Judith Pratt raised the question of pollution. Elaine Cuddihy made comments in opposition. MacCulloch referred to permitted uses as outlined in the old Ordinance. After some further discussion the consensus of the Board was that no commercial activities be allowed near a lake. The question of the use of pesticides, herbicides, and fertilizers near a lake was raised by Board Member, Judith Pratt. The question of enforcement was raised and Shelly Nelkins suggested that it could be monitored by the public. The Board suggested that the use of pesticides, herbicides, fertilizers, etc, should be a Town Regulations enacted by the Selectmen. The Board recommends that the Selectmen enact such an Ordinance. Bob Southhall presented the Board with some suggestions for changes to Article C. After much discussion the Board agreed that Article VIII,C,1,a should be amended to read 90,000 square feet. b, lot width to be 200 feet and c, lot depth will be eliminated. In d, the word "fronts" was changed to read "borders" and after further discussion the Board agreed to change the the setback from a lake to 100 feet. The Townspeople attending the workshop had a great deal of input into this decision. Article VIII,C,1,e is ok as written. The consensus of the Board was to change f, rear yard setback to 20 feet. g, ok as written. h, ok as written. Article VIII,D was next and the Gregg Lake Association submitted its suggestions for change. Board Member Phil Dwight said that he would suggest a review by an attorney William MacCulloch had no problem with the suggestions but asked why these should not apply to other properties. Harry Page read the Frankestown Ordinance for informational purposes. Edwin Rowehl suggested that they leave D as it is. Rachel Reinstein suggested the change as people are saying that they do not want the lake to be developed further. After a great deal of discussion the Board agreed to leave Article VIII,D as it is. E, will remain as written. F, the typo contaminating will be corrected.

Article IX, Rural Conservation District was next. It was suggested that this district be deleted and that the Board go with a photo overlay for the whole Town. (Steep Slopes and Wetlands both) Harry Page suggested that the Town enact a Steep Slope and Wetland Ordinance and quoted Francestown in regard to steep slopes. It was pointed out that SWRPC has talked about a written overlay. Shelly Nelkins and David Penny spoke in favor of the District. Board Member, Phil Dwight expressed his opinion that the Town needed the control and that it should be for the whole town. Phil Dwight moved to ask SWRPC on an expedited basis to give the Board the criteria for an overlay, for both steep slopes and wetlands throughout the Town. Edwin Rowehl second. Passed unanimously. This will be taken up at a later date when the Board has the information.

Article X,A was next. The concensus was that A is ok as amended. Article X,B was amended as follows: The second sentence will read The proposed use shall also conform with all the provisions for the Special Exception. The rest will remain as written. X,C, ok as amended. The old C is now D as amended at the public hearing in January. X,D,a,b,c,d, ok as written. X,D,e was reviewed next with the twenty year age being the subject of much discussion. There were also ideas for a building code and enforcement officer expressed. William MacCulloch moved that it be amended so that the residence to be converted is in existence at the date of this Ordinance. Judith Pratt second. The vote is as follows: Judith Pratt, yes; William MacCulloch, yes; Phil Dwight, yes; Edwin Rowehl, no; Rod Zwirner, abstained. So moved. f,g,h ok as written. The Chairman ended the review for this evening to start with Article X,D,2 at the next workshop session.

The application for an annexation submitted by Attorney Joseph Byk for his client Joseph Lazar was reviewed by the Board. William MacCulloch pointed out that the Variance, Article and Section should be noted on the plan and that an Application should also come from Edmunds as his property is involved. Silas Little, Attorney, agreed that the application from Edmunds was necessary. The secretary will contact Byk and inform them of the Board's decision.

Mike Oldershaw informed the Board that he had been contacted by the Cloutier people and that he had asked them to meet with the Board on September 1 at 9:00 P.M. The Chairman asked the secretary to make the Road Agent, The Water and Sewer Commissioners and The Fire Chief aware of the meeting and ask that they attend.

Rachel Reinstein reported to the Board on the status of the revisions to the Zoning Ordinance. SWRPC has asked about the financing of this project and has noted that the Board will have to pay on the basis of \$25.00 per hour. Chairman, Mike Oldershaw will talk to them and ascertain just what is needed. Oldershaw asked for a report on the status of the Planning Board Budget. The Chairman also reported that Robert Watterson who is scheduled to act as chairman for the month of September has indicated that he will be unable to serve. Rod Zwirner will be moved up to act as Chairman for September. Richard Court asked the Board about action on the Vejr Subdivision. The Chairman asked counsel for the definition of an abutter. Attorney, Little, suggested that the definition read: "An abutter for the purposes of notification be as defined in State of New Hampshire RSA 672:3

Phil Dwight moved that this be added to the Definitions. William MacCulloch second. Passed unanimously.

Edwin Rowehl presented the Board with a copy of a letter from C. David and Doris Platt which raised the question of proper notification as it applies to the Vejr Subdivision. The Planning Board had not recieved a copy of this letter and the question of why was raised. It was agreed that a new hearing will be necessary. Harry Page and the Vejrs will be notified.

A bill from Miller in regard to the Cloutier was recieved by the Board. It will be forwarded to Cloutier.

William MacCulloch moved to accept the minutes of the August 11 meeting as presented. Judith Pratt second. So moved

William MacCulloch moved to adjourn. Second Phil Dwight. So moved.

Respectfully submitted,

Barbara L. Elia, Secretary
Antrim Planning Board

*Proposed by Council
Gregg Lake 8-18-88
Workshop
Meet
BZ*

ARTICLE VIII -- LAKEFRONT RESIDENTIAL DISTRICT

A. -- PURPOSE -- The Lakefront Residential District is intended to protect certain lakes, ponds, and waterways from excessive density and development with particular emphasis on 1) protecting the water quality and adjacent shorelines of those lakes, ponds, and waterways and 2) maintaining and insuring the privacy and tranquility of those residents who own shoreline or waterfront property. The following lakes and ponds are included in this district: Gregg Lake, Franklin Pierce Lake, Willard Pond, Steele's Pond, Rye Pond, and Campbell Pond. The Contoocook River is also included.

It is also the intent of this district to provide housing and recreational opportunities for seasonal and year-round residents who prefer to live in single-family detached housing with access to aforementioned water bodies.

B. -- PERMITTED USES

1. Principal permitted uses:

- a. Single-family detached residential dwellings.
- b. Public (Town) recreational facilities such as boat ramps, docks, bathhouses, town beach, and swimming areas.
- c. Non-commercial recreational facilities.
- d. Private non-profit associations of property owners.

2. Accessory uses:

- a. Private garages and storage sheds.
- b. Signs as permitted in Article XIV.
- c. Fences as permitted in Article XI.
- d. Private recreational facilities associated with individual residences or property owner associations. Such facilities may include boat ramps, docks and mooring facilities, beaches, swimming areas, bathhouses, etc.

C. -- LOT, YARD and HEIGHT REQUIREMENTS

1. Lot requirements

- a. Minimum lot size for all uses: 2 acres.
- b. Minimum lot frontage: 200 feet.
- c. Minimum lot depth: 200 feet.
- d. Minimum front yard setback: 50 feet from the street or road right-of-way line. If the property fronts on a lake or pond, the setback from the normal high water mark of the lake or pond shall be 100 feet.
- e. Minimum side yard setback: 40 feet each side.

- f. Minimum rear yard setback: 50 feet, unless the rear yard borders a lake or pond, in which case the setback from the lake or pond shall be 100 feet.
- g. Maximum lot coverage: 40 percent.
- h. Maximum building height: 2 1/2 stories or 35 feet.

D. -- Lots within the Lakefront Residential District shall not be used for the purpose of granting deeded rights of access to residents of non-waterfront properties regardless of the location of such properties, with one exception aimed at the preservation of lakefront property. The exception occurs when a subdivider wishes to grant deeded access to a lakefront lot to adjacent subdivided lots in exchange for designating further lakefront property as a Permanent Undeveloped Area. The Permanent Undeveloped Area shall be equal in size either to the lakefront lot used for deeded access or to the total acreage granted deeded access, whichever is larger. In no case shall any of the lots involved be exempt from the provisions of section C above.

To satisfy the requirements for a Permanent Undeveloped Area, the landowner must 1) donate said Permanent Undeveloped Area to a recognized land trust or to the Town with the express written provision that the land may not be subsequently developed or sold for development or 2) restrict the deed of said Permanent Undeveloped Area so that its use is limited by the provisions of this section. Once lakefront property is designated a Permanent Undeveloped Area, it cannot be removed from that status.

To comply with the provisions of this section, Permanent Undeveloped Areas may not be used for logging, right of way, or to provide wells or septic systems for adjacent property.