

Minutes of the Antrim Planning Board Meeting November 10, 1988

Present: Mike Oldershaw, Sr.; Edwin Rowehl; Judith Pratt; Rod Zwirner; Phil Dwight, Chairman protem; and Rachel Reinstein, Selectmen's Alternate.

The Chairman opened the meeting at 7:30 P.M. and explained the purpose of the meeting, a Public Hearing to take comments on the Proposed Antrim Zoning Ordinance posted October 27, 1988. The Chair opened the meeting to comments from the floor.

Richard Schacht questioned the posting and asked about posting and publishing the complete Ordinance in the local paper. Phil Dwight, the Chairman, pointed out that that the posting had been accomplished with advice from Board attorney Silas Little and that a Zoning map was available and on display in front of the stage. Elsa Bowker asked about the Rural Conservation District. Her concern was with the reduction of the original five acre zoning. Phil Dwight gave the history of the evolution of the present plan and the group to comment on their desires. Harry Page pointed out that a lot over five acres needs no State Subdivision Approval and that lots under five acres need approval. Hugh Giffin commented that five acre and over zoning was known as snob zoning. Brian Hennessey asked what yardstick was used in forming the Rural Conservation District. Mike Oldershaw deferred to Rod Zwirner as the Zone was originally proposed by the Conservation Commission. Rod Zwirner explained that in the area proposed access roads were a problem as there is only one main throughfare, Gregg Lake Road, and a limited number of small undeveloped roads, resulting in congestion at the lake (Gregg Lake). He also stated that the whole west ridge was peculiar to Antrim and was a large wildlife area. Mike Oldershaw raised the subject of the steep slopes overlay and was asked if it were part of the ordinance. The answer being no. Chairman Dwight commented that it is not a part of the Ordinance now but asked the assembly's opinion. He displayed a map showing the percentages of slope and explained how the size of a lot could be tied to the percentage of slope. It was pointed out that there was one in use in the city of Keene and in the Town of Weare. Steve Schacht was of the opinion that if a wetland and steep slope ordinance were to be complied with, 90% of the Town of Antrim would be unbuildable, such an ordinance would make it difficult to build in this town. Mary Allen, Chairman of the Board of Adjustment, talked about the RCD and why it was developed. There is one paved road in the area, the other roads needing extensive work. The plan was for no cluster housing in the area as there was concerns about Gregg Lake and Willard Pond. The RCD would provide less dense and less intense use of the land. The plan was not to stop development but to limit it. Mary Allen expressed her support for the RCD, steep slope, and wetlands ordinances. Mike Oldershaw commented that the Board was trying to protect the wetlands. Hugh Giffin expressed his view that it is better to require professionally engineered plans to control erosion and sewage on steep slopes. His feeling is to tie control on steep slopes to building specifics and requirements. Selectman Reinstein felt that this could be done. Dick Schacht had a couple of comments. 1. He is much more interested in slope and wetlands control for the whole town. 2. Campbell Pond should be a concern and as of January 1, 1989 transfers of all waterfront property must be recorded. The Selectmen will be required to notify the WSPCC of all transfers. Harry Page commented on the slopes and gave some suggestions for control. Phil Dwight stated that

the Board has proposed an Article for the 1989 Warrant for a non-residential site plan review. Harry Page commented that the Building Inspector determines if an erosion control plan is needed. He believes that 0-15% is too restrictive. Mike Oldershaw referred to the minutes of the October 27th meeting stating that the Board had explored many possibilities of tying the percentage of slope to the size of the lot. Hugh Giffin was of the opinion that it is possible on a steep slope, as ledge is stable. This requires engineering not more land. His opinion is that it should be tied to building permits. The Chair noted this as a rational idea. Shelly Nelkins suggested that there be more control on subdivisions. The Board should study the possibility of reviewing subdivisions which are subdivided again within ten years. The Chair asked that she consider the implications and the legality. Steve Schacht stated that such subdivisions were controlled by frontage which can only be changed by a vote of the Town. Shelly Nelkins expressed her concern with roads within a subdivision. Must they be accepted by the Town. After further discussion it was determined that the Board would study the possibilities. Harry Page had some points to make namely: Article IX RCD, Section B,1,b time frame excludes the possibility of cross country skiing; Section B,2,c, should this be Zoning Board of Adjustment; Section B,3, questioned Article X; Section C,1,a, change to square feet; Section C,1,b, change to square feet; and include minimum lot depth of 200 feet. Page raised the question of reference to setback from the right of way and how the width of the right of way will be established. The Board will take this under advisement. Mary Allen raised a point of order. The Zoning Board of Adjustment must rule on Variances and Special Exceptions. Questions were raised on page 41 and the Chairman stated that the Attorney has input on Accessory Uses and will clear up the inconsistencies. The Ordinance will be reviewed by Attorney Silas Little and Bob Panton of the Southwest Regional Planning Commission. Phil Dwight referred to a letter from Attorney Silas Little which made some recommendations. Mike Oldershaw pointed out that this was the first time any attorney has reviewed the ordinance, he also referred to page 25 as an answer to questions raised by Harry Page. Hugh Giffin compared page 29 of the Village District with page 24 of the Highway Business District and asked if there were plans to extend water and sewer to the Highway Business District. There is no intention at the present time. Phil Dwight suggested that a separation be made between those areas served by water and sewer and those not served by water and sewer. Roger McKinley asked about Route 202 and permitted uses under the 1974 Ordinance. David Penny pointed out that more was allowed in the Village District than in the Highway District. McKinley asked if the posted Ordinance was the one in use today. Dwight answered that it was used in conjunction with the 1974 Ordinance as ammended. Madeliene Henley, Administrative Asshstant, gave her input. Richard Court referred to page 28 and spoke to Home Occupations and Home Based Businesses questioning why they are listed in the Business District. The Chair answered that they are in there to insure that such a business can be operated. Court spoke to definitions and to the fact that the regulations are stronger if it is a Home Based Business. Don Chambers pointed out that the Board should cover it if there is an ambiguity. Richard Court asked about the sign ordinance and pointed out that about 50% of the signs on Main Street are non-conforming. Mary Allen presented the Board with a suggestion for changes in the sign ordinance. Copy enclosed. She stated that the main change is to provide for only one free standing sign per lot and to drop the frontage requirements.

Carol Court referred to page 83 and suggested that #10 be deleted. Her reasoning was that they help in the flow of traffic as they can be seen in advance. Brian Hennessey was of the opinion that standards for signs should be more specific, painted properly, etc. Harry Page suggested that there were problems with #10 and that temporary signs should be looked at. He also commented on page 84, G,2, under the ordinance a sign cannot be repaired. The Chair agreed that there is logic in the argument and that the Board could consider this. Mary Allen said that she had no strong feelings on the subject. Page spoke to architectural design referring to page 50, i, saying that there should be standards for signs. Don Chambers referred to pages 29 and 37. Article VI,C,1,c,(3) his feeling being that six units were too many. Richard Court made reference to an Ordinance passed in 73 limiting density to two families on one lot. After much discussion on the number of apartments to be allowed in multi-family housing the consensus of the assembly was taken. The results were approximately 50-50 on whether the maximum number should be two or four. Dick Schacht asked about the number of public hearings on the proposed ordinance. He was told two more. He also asked how the Ordinance will be enforced, and he questioned the form in which Section 9 on page 56 is written. Mary Allen suggested that household pets be dropped. Harry Page had other points to raise. Page 60 item 14; page 74, item B. The Board will review and check with Counsel about "grandfather" as it applies to the Ordinance. Page also questioned the 10 foot sideline. Oliver Wallace spoke to restrictions on the use of his property. Mary Allen referred to page 75, Section D and submitted wording to change. Dwight said that the Board will take this under advisement. Richard Court spoke to an Article in the 1974 Ordinance, Condition of External Property (fire damage). The Board has discussed this and will address the problem. Madeleine Henley commented on the problem with enforcement of non-conforming uses and stated that this should be clarified. Article X,D,3 was discussed and it was agreed to consult with the attorney on this matter. Mary Allen referred to page 58 stating that it made no sense to use left over trailers as storage sheds. Accessory structures and derelicts were discussed with the Chair noting the concerns which will be discussed by the Board. Harry Page presented a letter signed by 72 residents tired of the two Ordinance situation. He argued the legality of granting Variances under posted zoning and cited issues. Chairman Dwight explained the posting procedure and suggested that the best thing to do is to present the Ordinance to the voters. Mary Allen thanked the Planning Board for its efforts in the name of the Board of Adjustment stating that she was pleased with the progress.

Meeting adjourned .

Respectfully submitted,

Barbara L. Elia, Secretary
Antrim Planning Board

individual businesses on the premises.

delete (2), (3) and (4) as they are written.

SUGGESTED CHANGES TO THE SIGN ORDINANCE - Antrim Board of Adjustment

November 10, 1988

1. SUGGESTED CHANGE to Article XIV, Section B.

add:

5. Only one free-standing sign is permitted on a lot or premise.

2. SUGGESTED CHANGE to Article XIV, Section C.1.

change c. to read: The sign will not be place within fifteen (15) feet of side and rear lot lines.

add:

d. Only one free-standing sign is permitted on a lot or premise.

3. SUGGESTED CHANGES to Article XIV, Section C.2.a.

change (5) to read: The sign will not be placed within fifteen (15) feet of side and rear lot lines.

add:

(6) Only one free-standing sign is permitted on a lot or premise.

4. SUGGESTED CHANGES to Article XIV, Section C.2.b.

change b. to read:

b. In addition to the provisions of Section C.2.a. (1-5) of this Article the following sign is permitted when more than one business or enterprise occupies a single building or lot:

(1) One (1) common sign or directory sign, not to exceed twenty-five (25) sq. ft. may be erected, using either the name of each of the businesses or an identifying common name (e.g. Antrim Plaza) or a combination of both. Such a sign shall be counted as one of the three (3) permitted for each of the

Suggested Changes to the Revised Antrim Zoning Ordinance

November 10, 1988

1. Change to Article III, Section B., Definition 82. on page 19

NONCONFORMING STRUCTURE: An entire structure, or a section or part of a structure, that does not fully comply with the requirements of this Ordinance or amendment theretofore and hereafter enacted, where such structure lawfully existed prior to the application of this Ordinance or amendment thereto. Such nonconforming structures include, but are not limited to, nonconforming signs.

⊕ When only a section or part of the structure does not comply with the requirements of this Ordinance, only that section or part shall be subject to the any restrictions or regulations concerning nonconforming structures.

995 2. Change to Article XIII, Section D.1.

1. An existing structure which is non-conforming to this Ordinance, or that section or part of the structure which is determined to be non-conforming to this Ordinance, may be enlarged, extended, reconstructed, or altered upon granting of a variance by the Zoning Board of Adjustment.

Where only a section or part of a structure is determined to be non-conforming, the remainder of the structure may be enlarged, extended, reconstructed or altered without a variance if that change is determined to be conforming to this Ordinance.