

Minutes of the Antrim Planning Board Meeting November 16, 1989

Present: Judith Pratt, Chairman; Edwin Rowehl, ex officio; Robert Watterson; and Donald Chambers.

The Chairman opened the meeting at 7:30 P.M. The Chair announced that Grace Walker of the Office of Emergency Planning has asked to speak to the Board on the subject of Flood Plain Management. In the course of her commentary Ms Walker suggested that the Board review the present Ordinance to be sure it meets FEMA and NFIP standards, and offered a sample Ordinance for the Town's consideration. The Board will submit this sample ordinance to the Board attorney, Silas Little and Southwest Regional Planning Commission for their review and comments.

It was established that the joint meeting with the Antrim Board of Adjustment, in regard to the gift of a .77 plus or minus acre parcel of land at the Lilly Pond to the Conservation Commission, will be held on December 5 at 7:30 P.M.

Chairman Pratt also reported that Board Attorney, Silas Little has given an opinion that DeBart Lane belongs to the Town and the Selectmen have the final decision as to its status, the Planning Board's position is advisory only. He also expressed the opinion that if the road is in suitable condition for travel, there may be a question about whether or not this is a class VI road even if it has not been maintained by the Town. Little also commented that inasmuch as, the Zoning Board of Adjustment gave permission to build by granting a Special Exception, this cannot be overturned by the Planning Board. If the Selectmen do not allow them to use DeBart Lane they will have to get a dredge and fill permit and come in off West Street. Little provided copies of case law in the matter of Richard Beck v. Town of Auburn as a matter of reference.

The Chair brought up the subject of the conversion of a duplex to a condominium. She asked the Board for its input, as Attorney Little has advised that the Board is not required to grant a subdivision approval as there are fewer than four dwelling units. The Chair will consult with the attorney further as the interested party has requested a letter from the Planning Board to the bank relative to what is required to convert to condo status.

The Chair reported that she has been contacted by Cloutier in regard to the proposed 28 unit cluster development on West Street. He, Cloutier, has requested that the Board hire an engineer to represent them in the matter of this project. The Board attorney has advised that no action can be taken before the Board has received a completed application. The Board can assign an engineer at that time to review the application but the fees will have to be paid up front. There can be a conceptual hearing with abutters notified but no decisions can be made.

The next subject addressed was the establishment of procedures for meetings. 1. All motions for subdivision and site plans should be in writing before they can be voted upon. 2. Deliberations must be closed to the public so that the board is not interrupted by comments from the floor. These points will be considered when all members of the Board are present.

Selectman Ed Rowehl reported to the Board that a Public Hearing must be held before trees on a scenic road can be cut. Whether they are alive or dead.

The article "Impact of Fair Housing Amendment on Land Use Regulations" distributed by the Chairman suggests a need to change the definitions of "family" and "group residence" which will be taken under advisement by the Board. There was further discussion of the proposed changes to be made to the Ordinance at the 1990 Town Meeting.

The Board agreed that inasmuch as, the November 23rd meeting was canceled, there will be a meeting November 30 at 7:30 P.M. and the meeting December 28, 1989 will also be canceled.

Meeting adjourned.

Minutes transcribed from notes taken by Donald Chambers and Judith Pratt.

Barbara Elia, Secretary

MINUTES - PLANNING BOARD - NOV. 16, 1989 -

PRESENT: JUDITH PRATT, CHAIRMAN; EDWIN ROWENH, EX OFFICIO;  
BOB WATTERSON, DON CHAMBERS,

MEETING CALLED TO ORDER AT 7:30 P.M.

- ① CHAIRMAN HEARS FROM GRACE WALKER FROM N.H. OFFICE OF EMERGENCY PLANNING RE NATIONAL FLOOD INSURANCE PROGRAM. (SEE LETTER OF 11/13/89.) MS. WALKER SPOKE TO BOARD THIS EVENING, SUGGESTING WE SHOULD ~~REDO~~ REVIEW OUR FLOOD PLAIN MANAGEMENT ORDINANCE, WITH ~~THE~~ ~~OUR~~ OUR COUNSEL OR SWJHRPC, TO BE SURE IT MEETS FEMA'S NFIP STANDARDS.
- ② DATE FOR JOINT MEETING ~~ON~~ ON ZIEGLER ESTATE HAS BEEN CHANGED TO DECEMBER 5, 1989.
- ③ SEE SHEET ON CY LITTLE'S COMMENTS TO JUDY RE ZBA AND PLANNING BOARD ACTION ON KAK CORP. HE REFERS TO THE CASE OF BECK VS TOWN OF ANTRIM; COPIES PROVIDED. THE SELECTMEN WILL HAVE TO TAKE ACTION ON THIS PROPOSAL, ACCORDING TO THE CHAIRMAN, WITH RECOMMENDATIONS FROM THE PLANNING BOARD.
- ④ SEE CHAIRMAN'S NOTES ON REQUEST TO CHANGE A DUPLEX TO A CONDOMINIUM. CY LITTLE ADVISES THAT WE'RE NOT REQUIRED TO ISSUE SUBDIVISION PERMIT, AS THERE ARE FEWER THAN FOUR (4) DWELLING UNITS. OWNER REQUESTS LETTER FROM PLANNING BOARD TO ~~THE~~ BANK.

CONTINUED

5. SEE CHAIRMAN'S NOTES ON CY LITTLE'S COMMENTS RE CLOUTIER'S PROPOSAL FOR 28-UNIT DEVELOPMENT (REVISED).
6. CHAIRMAN PROPOSES THAT ALL MOTIONS FOR SUBDIVISION PLANS BE IN WRITING TO AVOID CONFUSION AND MISUNDERSTANDINGS AS TO WHAT IS BEING APPROVED. (CONSIDER THIS POINT WHEN ALL MEMBERS ARE PRESENT.) DELIBERATION SHOULD BE IN PUBLIC, BUT WITHOUT INTERRUPTION BY THOSE PRESENT. SEE JUDY'S NOTES TO THIS EFFECT.
7. ED ROWETH REPORTS THAT WE MUST HAVE A PUBLIC HEARING BEFORE TREES ON MEETINGHOUSE HILL ROAD CAN BE CUT, BECAUSE IT'S A SCENIC ROAD.
8. THE ARTICLE "IMPACT OF FAIR HOUSING AMENDMENTS ON LAND-USE REGS" DISTRIBUTED BY CHAIRMAN SUGGESTS A NEED TO CHANGE OUR DEFINITIONS OF "FAMILY" AND "GROUP RESIDENCE".
9. DISCUSSION OF "CHANGES IN ZONING".
10. Meet on Nov. 30 but omit meeting 28th of Dec.

Nov. 16

Flood Plain Insurance

~~60.3 D~~ 60.3 D

### Announcements

Joint meeting for Barbara Zeigler Est. - Dec. 5  
S. Little will give us information on legal costs before  
end of month.

Debant Lane - belongs to town. Selectmen have  
the final decision - planning board advisory only.  
If road is in suitable condition for travel,  
there may be a question if this is a  
class VI road even if it has not been  
maintained by town.

ZBA gave permission to build by granting  
a special exception and this cannot be  
overturned by planning board. If selectmen  
do not allow them to use Debant Lane  
they will have to get dredge and fill permit  
and come in off West St.

Duplex to condominiums - can I sign off  
for Planning Board.

Cloutier -

Called because he wants engineer to  
represent Pl. Board -

Little reaffirms that no decisions can be  
made before we have completed application.

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check with Shultz

We can assign engineers to review application at that time but we need to get fees up front. Conceptual hearing with abutters notified but no decisions before that time,

### Procedures for meetings

All motions for sub. or site plans in writing before they are voted upon.

Deliberations must be closed to public so that the board is not interrupted by comments from floor. (Allow questions to be answered by presenter if needed. When deliberations are complete, a statement of conclusions on the motion will be presented before any vote.

Members of the public can then make a brief statement.

This will allow board to amend motion if they so desire before the vote is taken.

Seneca Road - Meeting House Hill

Public Hearing before Pl.B. to cut trees  
"dead or alive"