

Minutes of the Antrim Planning Board Meeting January 2, 1992

Present: Judith Pratt, Chairman; Nancy Timko; Ed Rowehl, ex officio; Rod Zwirner; Hugh Giffin; David Essex.

The Chairman opened the meeting at 7:30 P.M. and introduced the Board.

Great Brook Subdivision, Planning Board File #9003, represented by Robert Cloutier: A Public Hearing for an Extension of the Planning Board Approval granted July 1991. Ed Rowehl stepped down from the Board as he is an abutter to the property in question. Robert Cloutier presented the proposal which is for an extension of the time limit provided in the approval. Cloutier cited the economic times as a reason for the extension, and explained that it is almost impossible to get bonding in the present economic climate. Cloutier also expressed the opinion that the original five and one half to six months allowed was not sufficient to get things started. He commented that the permits could expire but that the Board could grant an extension contingent upon the permits being current. He referred to the statement made by Norman LaPlante when the approval was granted to the effect that he was not happy with the approval as given. Cloutier also referred to the suit brought by Great Brook against the Town which seeks a finding from the courts not financial gain. The Chair provided the Applicant with a copy of a proposed motion and asked for comments from the Board. Chairman Pratt commented that in all probability West Street will not be worked on in 1992 as the Town has other commitments for the funds and the financial constraints of the Sewer and Water Department. Bob Cloutier asked for an explanation of item #3 and it was explained that the Developer will resurface the road if the pavement is disturbed, after reconstruction, for the installation of utilities for the development. There was some discussion of the renewal of permits with the consensus being that this will be overseen by the State. It was established that this development would not be affected by the Wetlands and Steep Slopes amendments to be proposed at the March 1992 Town Meeting.

David Essex moved that the conditional approval, granted in July 1991, of the subdivision entitled "Great Brook Subdivision" of land of Robert Cloutier, Kenneth Cloutier, and Normand LaPlante, tax map 1C, lot 610, Antrim, New Hampshire, based on surveyors' set of plans prepared by Robert B. Todd, Inc., dated March 27, 1990 last revised May 21, 1991, and a set of engineering drawings prepared by Cowan and Cricenti Engineering Associates, Inc., entitled "Great Brook Subdivision, Antrim, New Hampshire, Project #89-099" with a last revision date of 4/9/91 (17 sheets) plus corrected sheet 10 dated 6/6/91 and subdivision of lot 610-28 into a cluster subdivision of 27 single family residential lots and an open space lot to be known as lot 610-28 will become final pursuant to the following:

1. No amendment or change to the Town of Antrim Zoning Ordinance has occurred which would not allow the subdivision as a permitted use within the district.
2. The figures for the cost of improvements both on-site and off-site have been recomputed to reflect current construction costs and the bond, escrow and contribution figures adjusted accordingly.
3. In the event the Town of Antrim has improved West Street prior to Messrs. Cloutier et al. posting the bonds, making the contribution and obtaining final approval and further provided that there has been no change in the Zoning Ordinance, then the application shall be denied unless Messrs. Cloutier et al. post with the Town additional sums to assure the repavement of the entire width of West Street for the length of West Street that is disturbed for the installation of the utilities within the street necessary to service the subdivision.
4. Except as expressly changed by the stipulation, all the terms and conditions of the approval granted by the Planning Board to the subdivision are hereby ratified and affirmed and remain in full force and effect.

Second Hugh Giffin. David asked how this will effect the appeal of the Board's decision made by Cloutier, Cloutier and LaPlante. Robert Cloutier commented that this appeal has only asked for a finding from the courts as to the legality of the requirements of the approval, that is, the time stipulation, the up front cash funds, and the amount of bonding, which the Applicants feel is prohibitive. Cloutier indicated that this extension could affect a couple of the issues. The vote: David Essex, yes; Hugh Giffin, yes; Nancy Timko, yes; Rod Zwirner, yes; Judith Pratt, yes. So moved unanimously. The Chairman closed this public hearing and Ed Rowehl rejoined the Board.

Public Hearing--Zoning Amendments to be presented to the voters at the March 1992 Town Meeting. Richard Block representing the Conservation Commission, Matt Chauncey and Chris Baker-Salmon were the representatives of the public attending this hearing. Copies of the proposals were made available to the public for their comments.

Chris Baker-Salmon indicated a concern with the changes proposed for the Steep Slopes and Wetlands Districts. He expressed the opinion that the Model Subdivision Regulation created by the Rockingham County Conservation Commission was not accurately followed. The Chair explained that this document was used as a guideline and that the Board established reasonable figures to avoid the necessity of requiring Hi Intensity Soil Surveys. After further argument from Baker-Salmon the Chair reiterated that the intent of the Board was to provide a reasonable figure without the necessity of a soil survey.

Richard Block, representing the Conservation Commission also spoke to the changes proposed for the Wetlands and Steep Slopes Districts. The Conservation Commission had made a recommendation to add a statement referring to minimum lot size. The consensus of the Board was that this was addressed in the opening statement of both Articles and this would only be excess verbiage. Block expressed the Commission's concern that it be made clear that the minimum lot size should be that of the district in which a property is located. The Chair restated the Board's conclusion that this would only create excess verbiage.

Matt Chauncey also expressed an interest in the Wetlands and Steep Slope Districts and the reference to dry contiguous land. He referenced a drainage ditch on his property and how it will be affected by this regulation. The Chair pointed out that it could be contained in a culvert. Chauncey discussed beaver dams and how they change a landscape.

The Board discussed the proposed amendments and addressed the questions raised by Attorney Silas Little.

Side yard setback for residential uses in the Highway Business District. The consensus of the Board was to leave it as it is proposed.

Deletion of Section D. of the Lakefront Residential District and the question about problems that could arise relative to parking. After some discussion the Board agreed to let it stand as proposed.

The Changes proposed for Article XIV, Supplemental Regulations were discussed and the Board agreed not to change the proposed wording.

David Essex moved to present the changes to the voters, in three questions, at the March 1992 Town Meeting. Hugh Giffin second. The vote: Ed Rowehl, yes; David Essex, yes; Hugh Giffin, yes; Nancy Timko, yes; Rod Zwirner, yes; Judith Pratt, yes. So moved unanimously.

The Chair informed the Board that the time for signing up to run for office is from January 22 until January 31, and that there will be two/three year slots open, and one/one year position due to the resignation of Thelma Nichols.

Minutes of January 2, 1992: Hugh Giffin moved to approve the minutes as presented. David Essex second. So moved unanimously.

Rod Zwirner made the motion to adjourn. Nancy Timko second. Meeting adjourned at 9:30 P.M.

Proposed Amendments to the Antrim Zoning Ordinance to be presented at Town Meeting 1992

Article III Definitions

Add:

147. Grandfathered Structure: (See non-conforming structure)

Article V - Highway Business District

Delete: C,1.

e. Minimum side yard setback: Fifty (50) feet from property lines or a minimum distance between adjacent buildings of one hundred (100) feet, whichever is greater.

Substitute: C,1.

e. Minimum side yard setback: twenty (20) feet from property lines for residential property and fifty (50) feet from property lines for commercial and industrial property.

Article VIII - Lakefront Residential District

Delete:

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.

Change:

E. to D.
F. to E.

Article XI - Wetlands District

Delete: 5.A.

b. No construction or ground disturbance shall occur within twenty-five (25) feet or greater based on recommendation of the Hillsborough County Soil Conservation Service of the wetland areas defined in this article. This twenty-five (25) foot buffer zone shall be parallel to and surveyed from the edge of the wetland on a horizontal

plane; that for the purposes of protection the buffer zone shall be subject to the same regulations that apply to the filling and uses of wetlands.

Add: 5.A.

b. No construction or ground disturbance shall occur within twenty-five (25) feet or greater based on recommendation of the Hillsborough County Soil Conservation Service of the wetland areas defined in this article, except for those items listed in 6,A. of this Article. This twenty-five (25) foot buffer zone shall be parallel to and surveyed from the edge of the wetland on a horizontal plane; that for the purposes of protection the buffer zone shall be subject to the same regulations that apply to the filling and uses of wetlands.

Article XIV - Supplemental Regulations

Delete: A.15.

c. The front yard requirements heretofore established shall be adjusted in the following cases:

(1) Where forty percent (40%) or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have observed (with a variation of five feet or less) a front yard greater in depth than herein required, new buildings shall not be erected closer to the street than the front yard so established by the existing buildings.

(2) Where forty percent (40%) or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have not observed a front yard as described above then:

Change:

A.15,c,(2)i to A.15.c.(1)

A.15,c,(2)ii to A.15,c,(2)

Delete: A,17

i. The building may be enlarged by six hundred (600) square feet, or less, of additional exterior space as long as it does not change the residential character of the dwelling, and the addition conforms with the architectural design of the residence.

Substitute: A.17

i. the building may be enlarged by six hundred (600) square feet, or less, of additional floor area as long as it does not change the residential character of the dwelling and the addition conforms with architectural design of the residence.

Article X - Steep Slopes District

Delete:

4. Minimum Lot Size:

a. Single family detached dwelling units: 90,000 square feet in which there must be 40,000 contiguous square feet of non group 5 soils, poorly drained soils, or non group 6 soils, floodplain soil or very poorly drained soils, with a slope less than 15% or 65,000 contiguous square feet of non group 5 soils or non group 6 soils with a slope less than 25%.

b. Duplex Dwellings: 130,000 square feet in which there must be 65,000 contiguous square feet of non group 5 soils, poorly drained soils, or non group 6 soils, floodplain soil or very poorly drained soils with a slope less than 15% or 90,000 contiguous square feet of non group 5 soils or non group 6 soils with a slope less than 25%.

Substitute:

4. Minimum Lot Size: In areas not served by public water and sewer and where there are wetlands and/or steep slopes, the area of contiguous non group 5, poorly drained soils, or non group 6 soils, floodplain or very poorly drained soils, shall meet the following requirements:

a. Single family homes with four bedrooms or less shall have 68,000 square feet with a slope less than 8%, 76,000 square feet with a slope 8 - 15% or 86,000 square feet with a slope more than 15% and less than 25%.

b. Single family homes with more than four bedrooms shall have 15% more area for each additional bedroom over and above that required for four bedroom single family homes.

c. Duplex dwellings with a total of not more than five bedrooms shall have 95,000 square feet with a slope less than 8%, 100,000 square feet with a slope 8 - 15% or 120,000 square feet with a slope more than 15% and less than 25%.

Note: A variance can be granted based on the results of a High Intensity Soil Survey and the Model Subdivision Regulations for Soil Based Lot Size, Rockingham County Conservation District, June 1991.

Article XI - Wetlands District

Delete: 5.B

a. In areas not served by public water and sewer, an area equal to 75% of the minimum lot size in the underlying district shall be contiguous dry land.

b. In areas served by public water and sewer an area equal to 50% of the minimum lot size shall be contiguous dry land.

Substitute: 5.B.

a. In areas not served by public water and sewer and where there are wetlands and/or steep slopes, the area of contiguous non group 5, poorly drained soils, or non group 6 soils, floodplain or very poorly drained soils, shall meet the following requirements:

(1) Single family homes with four bedrooms or less shall have 68,000 square feet with a slope less than 8%, 76,000 square feet with a slope 8 - 15% or 86,000 square feet with a slope more than 15% and less than 25%.

(2) Single family homes with more than four bedrooms shall have 15% more area for each additional bedroom over and above that required for four bedroom single family homes.

(3) Duplex dwellings with a total of not more than five bedrooms shall have 95,000 square feet with a slope less than 8%, 100,000 square feet with a slope 8 - 15% or 120,000 square feet with a slope more than 15% and less than 25%.

Note: A variance can be granted based on the results of a High Intensity Soil Survey and the Model Subdivision Regulations for Soil Based Lot Size, Rockingham County Conservation District, June 1991

Judith Pratt, Chairman
Antrim Planning Board