

Minutes of the Antrim Planning Board Meeting April 15, 1993

Present: David Essex, Chairman; Wayne deKoning; Thomas David, ex officio; Judith Pratt; Rodman Zwirner, Alternate sitting for Ed Rowehl.

Chairman David Essex opened the meeting at 7:30 P.M. The first order of business was to swear in Rod Zwirner as an Alternate which was accomplished.

Tom Dowling: Public Hearing concerning a Site Plan Review to locate a Veterinary Clinic on property owned by Marie Slugaski and located on Route 202 in the Highway Business District, Tax Map 1B Lot 580. A letter from Marie Slugaski owner of the property in regard to questions that might arise relative to the septic system was introduced. Tom Dowling presented his proposal which is for an out-patient veterinary clinic. He stated that services to be provided would include spaying/neutering, shots, and routine lacerations. Kenneling is not being considered at this time. The Fire Chief has inspected the property. Board Member Wayne deKoning presented some information relative to the Septic System for this property and some requirements for Veterinary Clinics. He stated that, after consulting with Steve McCann of the Subsurface Systems Bureau it was determined that: a change of use would require a redesign of the present system and that veterinary clinics require floor drains and a U.I.C. (Underground Injection Control) Permit. Tom Davis asked the applicant for documentation for the method of disposing of medical wastes, i.e., syringes etc. The Applicant responded that he will be using the Monadnock Hospital. He was requested to provide something in writing stating that the hospital will be willing to accept the medical waste. Dowling was assured that there is a need for such a facility but the requirements must be met. Judith Pratt raised the subject of permitted uses and special exception uses in the different Zoning Districts and the need to review them to see that they are specifically outlined as the Board intended. There was a question about this use being a permitted use in the Highway Business District. It was determined that all uses permitted in the Village Business District are permitted in the Highway Business District. The consensus of the Board was that this use could be considered a professional office, a use permitted in the Village Business District. Rod Zwirner commented that treatment would be tendered to small animals and they will not be kept overnight. Judith Pratt commented on the need for clarification of the status of the septic system and some written agreement for the disposal of medical wastes and the nature of transportation. The Board determined that the hearing will be continued until May 6, 1993 at 7:30 P.M. at which time Dr. Dowling will provide the Board with the following items:

1. Standard Septic Approval from State of N.H.W.S.P.C.D.
2. State Approval for the Disposal of Waste (U.I.C.)
3. Letter re: acceptance of medical waste (syringes, etc.)

4. Written statement from the fire chief.

For the record Board Member, Wayne deKoning stated that in investigating the septic situation he spoke to Tim Ferwarda, P.E. This information was given to Ms. Slugaski who confronted deKoning and the rest is in the record. Steve McCann of the Subsurface Systems Bureau informed deKoning that a former employee reported that the septic design is not on file and the system is not in compliance. See letter dated February 2, 1993 and other correspondence with State agencies.

Hugh Giffin was sworn as an Alternate and he sat for Marie Slugaski.

Eric Tenney and Benjamin Pratt, Sewer and Water Commissioners met with the Board to discuss future planning for Sewer and Water Improvements. Judith Pratt commented that sewer and water is available in the VBD and RD only and she suggested that the Board could consider determining lot size by the availability of water and sewer services. She commented on the desirability of sewage as opposed to septic systems. Tenney agreed that there have been some subdivisions which would have been more desirable had the Planning Board required that sewer services as well as water services be brought to the developments. He stated that the present system would support an increase but cautioned that the mains should be of sufficient size. There was further discussion of how the cost should be borne and the Commissioners suggested that the Board consider the direction of growth that would be best for the town.

Eric Tenney asked the Board about a sign for his farmstand on Route 202. In outlining the VBD by lot line it seems that the Tenney property was left in the Rural District which will cause a problem if he replaces his sign with another. He was advised that he will probably need a Variance. Judith Pratt moved that the Planning Board write a letter to the Board of Adjustment to the effect that: due to an oversight of the Planning Board the Tenney Farm property on Route 202 was left out of the Village Business District. The Board will endeavor to correct this error at the next Town Meeting. Second Hugh Giffin. The vote; Judith Pratt, yes; Hugh Giffin, yes; Tom Davis, yes; Wayne deKoning, yes; Rod Zwirner, yes. So moved unanimously.

Master Plan: Due to the lateness of the hour Chairman David Essex just outlined the points that the Board will have to address in updating the Master Plan, i.e.:

1. Population projections - SWRPC projections way off considering the 1990 census.
2. Construction Materials Inventory as mandated by the State.
3. Future of land use

4. Expansion of the VBD

5. Economic development - There some was discussion of the Goodell Company buildings and the Town's options in this matter.

Minutes of March 25, 1993 were addressed. Tom Davis moved to accept the minutes as presented. Judith Pratt second. So moved unanimously.

Application of Donald Mellen for Stephen R. Schacht for a minor subdivision was addressed. Public Hearing scheduled for May 6 at 7:30 P.M.

Hugh Giffin made the motion to adjourn. Rod Zwirner second. Meeting adjourned at 9:45.

Respectfully submitted,
Barbara Elia, Secretary



April 15, 1993

Town of Antrim
Planning Board

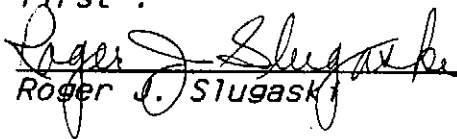
We are unable to attend the public hearing this evening, but wanted to clarify a point that we understand will be addressed by the board.

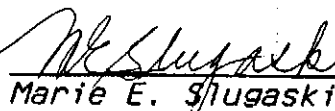
The leach field on our septic system is 20x20 and overbuilt to allow for expansion; it is currently rated for 6 employees. With a one bedroom apartment in the building this would be slightly short of the required flow rate.

Water Supply and Pollution Control has advised that an approved design in place in the event of failure would satisfy their needs and a permit would be issued. It should be noted that when they were contacted prior to installation of the apartment they indicated that the system should be able to handle the flow since it's capacity is so close to that required and they never told us that we needed a permit.

The entire point is now moot, however, since the one bedroom apartment is going to be converted to office space and there will only be Dr. Dowling and two people in the real estate office; half the capacity of the system. This conversion will take place within the next thirty days.

It has come to our attention that a planning board member was calling around making inquiries concerning our septic system. One would think that since Marie is also a member of that board it would be a common courtesy to address questions to us first.


Roger J. Slugaski


Marie E. Slugaski



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

603-271-3503 FAX 603-271-2867

TDD Access: Relay NH 1-800-735-2964



April 9, 1993

Wayne DeKoning
c/o O'Neil's Realty
500 West Main Street, PO Box 392
Hillsborough, NH 03244

Re: Your Correspondence of April 1, 1993

Dear Mr. DeKoning:

Please find enclosed copies of applicable state statute RSA 485-A:38 and rule Env-Ws 1004.13 concerning Expansion of Existing Use and Increase Load on Sewage Disposal Systems. This statute and rule would apply as concerns the conversion of the Antrim Realty Office to a proposed veterinary clinic.

In addition to a construction approval for a proposed septic system, a U.I.C. (Underground Injection Control) Permit is required for veterinary clinics. Information concerning this permit may be obtained from the Groundwater Protection Bureau.

Please be advised that state records for the Antrim Realty Building, Approval #92324 (copy enclosed) show an approved sewage flow of 156 GPD, which is less than the flow generated by a one bedroom apartment, an office, and a gift shop as currently exists in the building. This discrepancy remains to be resolved by the owner of the building.

If you have further questions, please do not hesitate to contact me at 271-3501.

Sincerely,

Steve E. McCann
Sanitarian II
Subsurface Systems Bureau

SEM/sal
Enclosures

AIR RESOURCES DIV.
64 No. Main Street
Caller Box 2033
Concord, N.H. 03302-2033
Tel. 603-271-1370
Fax 603-271-1381

WASTE MANAGEMENT DIV.
6 Hazen Drive
Concord, N.H. 03301
Tel. 603-271-2900
Fax 603-271-2456

WATER RESOURCES DIV.
64 No. Main Street
P.O. Box 2008
Concord, N.H. 03302-2008
Tel. 603-271-3406
Fax 603-271-1381

WATER SUPPLY & POLLUTION CONTROL DIV.
P.O. Box 95
Concord, N.H. 03302-0095
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April 7, 1993

Mr. Wayne DeKoning
Antrim Planning Board
P.O. Box 392
Hillsboro, NH 03244

SUBJECT: Veterinarian wastewater discharging to a septic system

Dear Mr. DeKoning:

On March 25, 1993, you contacted the Department of Environmental Services (DES) regarding their provisions over the discharge of veterinarian wastewater to a subsurface leachfield system. Please be advised that such a discharge would need approval from two bureaus within the DES' Water Supply and Pollution Control Division.

Prior to commencing any modifications in the design of a septic system or the waste received by a septic system, an owner must first submit an "Application for Expansion of Existing Use" in accordance with the provisions of Section 13 of Env-Ws 1004, Subdivision and Individual Sewage Disposal System Design Rules. The Subsurface Bureau administers these regulations. Jim Falicon, supervisor of the Subsurface Bureau, can be contacted at 271-3501 with any questions you may have on these rules.

Owners of facilities that discharge nondomestic wastewater which does not contain a regulated contaminant, as can be the case with veterinarian wastewater, shall register the discharge with the division as outlined Section 32 of Env-Ws 410, Groundwater Protection Rules. The Groundwater Protection Bureau administers this set of regulations. Any questions on Env-Ws 410 can be directed to me at 271-3644.

I hope this answers your question of March 25, 1993. Thank-you for your environmental concerns. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,

Patricia A. Reichard

Patricia A. Reichard
Groundwater Protection Bureau

PAR:pr
cc: Harry T. Stewart, P.E., GPB Administrator
James Falicon, SSB
Route: George Lombardo, P.E., GPB

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Department of Environmental Services
Water Supply & Pollution Control
PO BOX 95
Concord, NH 03302-0095
Attn: Steve McCann
RE: Septic requirements Antrim Realty building. Approval
#92324.

Dear Steve:

Pursuant to our recent telephone conversation regarding septic requirements for a veterinary clinic at the above referenced property, would you please send me the requirements to meet the state standards for this property?

Application has been made to the Antrim Planning Board to add a veterinary clinic to this property which has a one bedroom apartment, an office, and until March, a gift shop.

The veterinary clinic will replace the gift shop.

I have enclosed a plot plan of the subject property from the town files. Any information you can send will be appreciated.

If you have any questions please call me at 478 5550.

Sincerely,

Wayne DeKoning

Wayne DeKoning
Member Antrim Planning Board



January 23, 1993

Mr. Steven McCann
State of New Hampshire
Department of Environmental Services
P.O. Box 95
Concord, NH 03302-0095

Dear Mr. McCann;

I am in receipt of your letter of 21 January concerning Increase of Sewage Loading.

I am a real estate broker as well as a member of the Planning Board of the Town of Antrim, so I was very careful to follow all the rules concerning the apartment we built in this building. Mr. Art Stenburg was here for every phase with us. There is a septic design for the system that was installed here prior to our ownership. I spoke with Jay Bass at Water Supply and Pollution Control and we went over the design and the use that the system would have as a result of the apartment. He determined that the system would handle the use with no problem.

It would be very interesting to me to know how our apartment came to your attention. It is no secret, we went to the ZBA and the Planning Board in Antrim and had a building permit for the work that was done.

Please, call or write if you have any questions or need for us to do anything further.

Very truly yours;


Marie E. Sluzaski

cc: Mr. Art Stenburg, Antrim Town Office



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January 21, 1993

Marie Slugaski
PO Box 514
Antrim, NH 03440

RE: Increase of Sewage Loading

Dear Ms. Slugaski:

It has come to the Department of Environmental Services' attention that you may be in the process of constructing an apartment on a commercial property owned by you located on Route 202 in Antrim, NH.

Such construction, unless prior approval has been issued, may be considered to be in violation of RSA 485-A:38, Approval to Increase Load on a Sewage Disposal System. Administrative Rule Env-Ws 1004.12 requires application to the Division for expansion of existing use.

Should you have any questions regarding this letter, please contact me within ten (10) days at 271-3501.

Sincerely,

Steven McCann
Sanitarian II

SM/db

cc: Building Inspector, Antrim Town Office, PO Box 248, Antrim, NH 03440



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DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

603-271-3503 FAX 603-271-2867

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February 2, 1993



Marie E. Slugaski
Antrim Realty
PO Box 515, Route 202
Antrim, NH 03440

Re: Increase of Sewage Loading

Dear Ms. Slugaski:

According to Department records Construction Approval #92324 was issued on April 7, 1981 and approval for operation was issued on June 3, 1981 for the septic system servicing your property on Route 202 in Antrim. This approval is for a garage with 6 employees for a total flow of 156 gallons per day.

The flow for a one-bedroom apartment is 225 gallons per day as established in Env-Ws 1008.02(c) Daily Flow Volume, Table 1008-1. This flow should be added to any generated by the two commercial enterprises gift shop and realty office on the property.

This combined flow is in excess of the approved septic system and requires compliance with RSA 485-A:38, approval to increase load on a sewage disposal system and Administrative Rule Env-Ws 1004.12 application of expansion of existing use (copies enclosed).

In the event Department records are in error or you have another approval for operation for the septic system, any information you can provide will be helpful in resolving this matter.

Please be advised that this matter was brought to the Department's attention through a written complaint.

If you have any further questions, please feel free to contact me at 271-3501.

Sincerely,

Steve E. McCann
Sanitarian II
Subsurface Systems Bureau

SEM/sal
Enclosures

cc: Art Stenburg, Town of Antrim

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ENVIRONMENTAL Fact Sheet



NHDES Technical Bulletin

WMD-1991-1

DISPOSAL OF DEAD ANIMALS

Recent enforcement activities by the N.H. Department of Environmental Services (DES) have raised questions regarding the agency's policy relating to the disposal of animal carcasses. RSA Chapter 149-M requires that all facilities engaged in the disposal of solid waste, such as landfills, obtain a permit from the DES Waste Management Division. Dead animals are considered solid waste by definition in this statute. However, the DES does not understand it to be the intent of the New Hampshire Legislature to require a permit for activities such as the burial of a family dog in the back yard. This fact sheet is intended to describe DES' policies and outline acceptable management practices for the disposal of animal carcasses.

- **On-Site Disposal: Small Volumes**

The burial of family pets or a small number of large animal carcasses at the same location as their death may be allowed without a permit from the DES. Burial must be at least seventy-five (75) feet from any water supply, be four feet above the seasonal high groundwater table to maximize aerobic decomposition, and be covered by at least two feet of clean soil. Prior to burial, local authorities such as the town health officer or zoning administrator must be contacted to ensure compliance with any town zoning or health ordinances.

- **On-Site Disposal: Large Volumes**

For the one-time disposal on-site of a large number of carcasses, such as when a herd or flock must be destroyed, no permit from DES is required and the same burial requirements as for small volumes apply. However, this disposal must take place only under the auspices of the local health officer and with the approval of the New Hampshire State Veterinarian's office (271-2404). It is further recommended that "quick lime" be applied during burial to reduce odors and promote decomposition.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 1004.13 Application for Expansion of Existing Use, Including Conversion to Full-time Occupancy.

(a) Each applicant for expansion approval under RSA 485-A:38 shall submit the following information:

(1) name, address, business and complete telephone number of applicant and, if applicant is not the owner, whom he represents;

(2) name, address and complete telephone number of owner of lot on which the structure which is proposed to be expanded or occupied on a full-time basis exists;

(3) lot and subdivision number and tax map and lot number of property on which the structure which is proposed to be expanded or occupied on a full-time basis exists;

(4) if the structure is served by an existing state-approved subsurface sewage disposal system which meets the requirements of Chapter Env-Ws 1000 et seq., a copy of the latest applicable state-approved plans and specifications, construction approval and operation approval for the system;

(5) if the structure is not served by an existing state-approved subsurface sewage disposal system, an application for approval of a design for a new system in accordance with Chapter Env-Ws 1000 et seq.; and

(6) a statement that either the state-approved plans and specifications for an existing system or the design for a new system, as applicable, meets the minimum standards for use or occupancy of the town or city in which the lot is located.

(b) Each application shall be signed by the applicant.

(c) The owner shall agree to and sign the following statement on the "Application for Expansion of Existing Use" prior to submission of the application:

The undersigned certify that we are the present owners of the property which is the subject of this application and that we have reviewed any associated plans and that the plans are in accordance with our needs and desires. The undersigned fully understand that should this application be approved, no waivers to this application for expansion of existing use will be allowed, and any changes will require a new submission, review and approval.

Source. (See Revision Note at chapter heading for Env-Ws 1000) #4926, eff 9-5-90

under the provisions of RSA 147 or upon local officials certified by the division under the provisions of RSA 485-A:42.

HISTORY

Source. 1989, 339:1, eff. Jan. 1, 1990.

485-A:38 Approval to Increase Load on a Sewage Disposal System.

I. Prior to expanding any structure or occupying any existing structure on a full-time basis, which would increase the load on a sewage disposal system, the owner of such structure shall submit an application for approval of the sewage disposal system to the division. Application for approval shall include one of the following:

(a) Evidence that the existing sewage disposal system meets the requirements of the division for the intended usage or the town's minimum standards for use or occupancy prescribed under RSA 48-A:11, whichever is more stringent.

(b) The design for a new system which meets the requirements of the division for the intended use or the town's minimum standards for use or occupancy, whichever is more stringent.

II. The fee for application under this section shall not exceed fees charged for new design applications.

III. The division shall adopt rules under RSA 541-A requiring a person to comply with the provisions of paragraph I before taking any action which would increase the load on a sewage disposal system.

HISTORY

Source. 1989, 339:1, eff. Jan. 1, 1990.

485-A:39 Waterfront Property Sale; Site Assessment Study.

I. Prior to the execution of a purchase and sale agreement for any developed waterfront property using a septic disposal system, the owner of the property shall, at his expense, engage a permitted subsurface sewer or waste disposal system designer to perform a site assessment study to determine if the site meets the current standards for septic disposal systems established by the division. The site assessment study shall include an on-site inspection.

II. The site assessment study form shall become a part of the purchase and sale agreement.

III. The site assessment study form, with stated findings, shall be given to the buyer and receipt of the form shall be acknowledged in writing by the buyer.

IV. Failure of the seller or the seller's agent to notify the buyer of the findings or deliver approved plans of the septic disposal system pursuant to paragraph III of this section shall be a violation and, notwithstanding RSA 651:2, shall be punishable by a fine not to exceed \$500.

V. The site assessment study shall consist of 3 sections:

(a) Section A shall include the name, address, and telephone number of the seller and the seller's agent and the location and a brief description of the property, including the tax map reference and lot number.