

MINUTES OF PLANNING BOARD MEETING

APRIL 6, 2000

Members Present: Bob Bethel
 Denise Dargie
 Spencer Garrett
 Hugh Giffin
 Tom Mangieri
 Ed Rowehl, Chairman
 Eric Tenney, Ex-Officio

Chairman Rowehl opened the meeting at 7:00 PM.

The first order of business presented by Mr. Rowehl was the selection of a Chairman for the forthcoming term. A motion was made by Mr. Giffin to elect Mr. Rowehl as Chairman. The motion was seconded by Mr. Mangieri. The motion was passed unanimously on a voice vote.

Mr. Rowehl brought up the matter of a possible conflict of interest on the Knapton application for a subdivision. Ms. Dargie, a Board Member, works as the Town Clerk for the Town of Hillsborough and Mr. Knapton is a Selectman in Hillsboro. Mr. Rowehl stated that he had consulted with counsel who did not feel that Ms. Dargie's position constituted a conflict of interest. After some discussion among the board members it was felt that it was not necessary to vote on whether or not Ms. Dargie should recuse herself on the Knapton matter. The consensus was that past policy was and should continue to be that whether or not a member should recuse themselves was a decision for each member to make.

Mr. Rowehl stated that there had been a complaint that Mr. Giffin had been delaying the acceptance of the Knapton Subdivision application. Mr. Rowehl said he had reviewed the previous minutes concerning the Knapton application and had determined that there was no evidence that Mr. Giffin had in anyway delayed the hearings.

Mr. Rowehl called for the acceptance of the minutes of the 3/2/00 meeting.

Mr. Mangieri said that his statement (the last sentence of paragraph 6, page 2) was incomplete. It should read "Due to the sensitive nature of the land with steep slopes and wetlands I am concerned that the zoning minimums may not be adequate".

Mr. Knapton pointed out that the first sentence in paragraph 3 page 3 was incorrect. It should read "Mr. Mellen stated that If State approval is given, what more does the board need?" The statement was erroneously attributed to Mr. Mangieri.

Approval of the 3/2/00 minutes was postponed until the 5/4/00 meeting pending the above corrections.

Mr. Rowehl discussed the 3/23/00 meeting of the planning board, which was a Master Plan Work Session. He stated that the board recommends public hearings will be held on April 27, 2000 and April 29, 2000 at Town Hall. Mr. Beblowski requested that the meetings be put off for one week because of school vacations. He felt a number of residents would be out of town. Mr. Giffin indicated that to postpone the meetings would conflict with SWRPC schedules and regularly scheduled meetings of the board. After a brief discussion Mr. Garrett made a motion to hold the meetings on the proposed dates. The motion was seconded by Mr. Mangieri and unanimously approved by voice vote.

PUBLIC HEARING:

At 7:30 P.M. Mr. Rowehl opened the public hearing on the application of Cynthia Kettle for a Minor Site Plan Review at 31 High St. Tax Map 1A lot 33 in Rural District. Upon Mr. Rowehl's request, Ms. Kettle gave a brief description of the project. The proposal is to add a 6' x 39' addition to the existing garage and close in a 6' x 16' area encompassing the stair and deck behind the garage. The proposed use would be for a Cosmetology School which would employ one full time employee (Ms. Kettle) and one part time employee. Enrollment would be up to fifteen students and yearly sessions would begin in the month of September and last approximately ten and one half months. Classes would run from 8:00 A.M. to 4:00 P.M. An off street parking area of 2,922 square feet would be provided for instructors, students and clients.

Mr. Rowehl asked if there was anyone who wished to speak in support of the application. Ms. Miller stated that an abutter had come into the town offices and gave verbal approval to the project but was not able to attend the public hearing. Mr. Rowehl then asked if there was any opposition to the application. There was none.

Mr. Rowehl then asked the Board for questions and/or comments. He then read from the Zoning Regulations that portion which allowed home based business in the Rural District. He then introduced the Building Inspector's report which stated that the project would be in accordance with the Town of Antrim's Zoning and Building Rules and Regulations.. Mr. Bethel asked if there would be any subterranean portion of the building to which Ms. Kettle replied there would be none. Mr. Bethel asked if the Fire Chief had been contacted and had she inquired about air quality codes. Ms. Kettle replied that they would since that was a prerequisite to being licensed by the state. Mr. Mangieri asked if there was sufficient parking for fifteen students. Mr. Giffin estimated that it would be tight for 15 cars but would suffice. Ms. Kettle said there was room to expand the parking area if necessary.

Mr. Rowehl then closed the Public Hearing. He asked the Board members if there were any more questions. There being none Mr. Rowehl called for a motion to accept the application. Mr. Bethel so moved and Ms. Dargie seconded the motion. The roll call vote was Mr. Bethel - yea, Mr. Mangier - yea, Mr. Garret - yea, Ms. Dargie - yea, Mr. Tenney - yea, Mr. Giffin - yea and Mr. Rowehl - yea.. The motion to accept the application was passed. Mr. Rowehl then called for a motion to approve the application. Mr. Giffin so moved and Ms. Dargie seconded the motion. The roll call vote was Mr. Bethel - yea, Mr. Mangier - yea, Mr. Garrett - yea, Ms. Dargie - yea, Mr. Tenney - yea, Mr. Giffin - yea and Mr. Rowehl - yea.. The motion to approve the application was passed.

Ms. Kettle was told that she would receive an approval notice in writing and she was advised to obtain the necessary building permits. This concluded the site plan review public hearing.

Mr. Rowehl then called for the continuation of the Public Hearing on the matter of the Knapton application for a Major Subdivision. Mr. Rowehl stated that the Board had received communications from Antrim's Chief of Police, Fire Chief and Road Agent. All three documents indicated that granting the subdivision would not adversely effect services provided by the town. Mr. Rowehl introduced a memo from Carol Ogilvie from the Southwest Regional Planning Commission. Ms. Ogilvie stated that based on a review of the minutes of previous meetings and the plans for the subdivision she could "see no grounds that the Board would have to deny the application". A letter was also received from Meridian Land Services reporting the results of a review of the proposed subdivision.

Mr. Rowehl stated that on the private road adjacent to the proposed subdivision there are 34 lots, some seasonal and some year around. He felt that the argument that an additional eight lots would double the traffic volume was not valid. Mr. Rowehl then read the letter from Meridian in its entirety. His only concern was the suggestion by Meridian that the well site on lot 1 (as well as other lots) could be moved to increase the setback distance.

Mr. Mangieri was concerned about the statement in the Meridian letter that there might be additional wetlands on Lots 5, 7, & 8. He noted the recommendation in the letter that "These areas should be further investigated by the applicants to accurately depict these wetland areas on the plans as the 4,000 sq. ft. area

on lot 7 and may be effected and the proposed driveways for lots 5 & 8 may also be effected by these wetland areas”.

Mr. Mellen said there was a possibility of additional wetlands but they had not investigated it as yet as they had just received the Meridian report. Mr. Rowehl asked if the applicant would be willing to take another look at the wetlands. Mr. Mellen replied that they would if the Board requested that they do so. Mr. Rowehl then asked for further comments from the Board.

Mr. Griffin was concerned that if the subdivision was approved with the existing septic and well sites it might imply prior approval to future buyers.. Mr. Mellen stated that the proposed locations met the regulations of what could be done – not what will be done. Further development of the property would require the approval of the Department of Environmental Protection.

Mr. Rowehl asked how the concerns of the Conservation Commission regarding gradients would be addressed. Mr. Mellen stated that the builder would have to have a septic system approved by the State prior to installation.

Mr. Giffin referenced the portion of the Meridian report suggesting the relocation of well sites. He was concerned that the Town of Antrim might be held liable for the location of the septic and well sites if the existing plans were approved. He would prefer that the plans be upgraded. Peter Mellen stated that the Meridian letter only recommended the relocation of the well site on Lot 1.

Mr. Mangieri asked if the Conservation Commission has responded to the Meridian letter. Mr. Beblowski said they had not as they had not seen the letter as yet.

Mr. Rowehl raised the question as to whether or not a conditional approval could be granted. Mr. Mellen then stated (for the benefit of the audience as well as the board) that the letters from the Fire Chief, Police Chief, Road Agent and Southwest Regional Planning Commission all indicated that there would be no problem if the subdivision was approved. He further stated that the 25 foot setback for the easement had been supplied to the State. He asked that a conditional approval be granted contingent upon approval of the easement draft and a review of the wetlands. Mr. Mangieri stated that he felt the location of the wetlands should be addressed further.

Mr. Beblowski asked that Mr. Knapton amend the plans as recommended in the Meridian report. Mr. Beblowski further stated that the Conservation Commission was not holding up the approval as had been intimated. He noted that the application was accepted in March and that it now was only April.. Peter Mellen reviewed a series of scheduled events with the Conservation Commission which indicated a number of delays and he felt that the Commission was not responsive to the requested schedule of meetings. Mr. Beblowski stated that delays in scheduling meetings were attributed to illnesses on the part of Commission members families. Mr. Beblowski further stated that the Conservation Commission did not have to render an opinion on the Meridian letter although he did concur with the findings in the letter based on what he had heard this evening.

At this point Mr. Giffin stated that the Board should continue with the business at hand and not with the problems between the applicant and various board. Mr. Mangieri stated that he was still concerned about the possibility of additional wetlands. Mr. Giffin stated he shared Mr. Mangieri’s concern and that he would like to talk to Mr. Ferwerda (author of the Meridian letter) to see if changes need to be made to the plans.

Ms. Dargie stated that we have everything we need and why was the Board holding up approval. Mr. Bethel asked Mr. Mellen what would be done if in fact there were actually additional wetlands. Mr. Mellen replied that nothing would be done – they are just there.. Mr. Mangieri felt that the letter raised doubts as to the accuracy of the depiction of the wetlands. Mr. Rowehl again stated that he would like to find a way to give conditional approval. Mr. Garrett stated that the Board has 65 days from the acceptance of the application and if the location of the wetlands is the last concern the Board has it would be best to resolve the issue. Mr. Mangieri suggested that the hearing be continued until the May meeting and he would be

willing to meet with Mr. Ferwerda. Mr. Giffin said he would contact Mr. Ferwerda who would in turn contact Mr. Mellen who would schedule a time to meet. Mr. Giffin felt that there should be a definite answer to the size and location of the wetlands. Peter Mellen stated that if additional wetlands were found, it would have to be determined if they would effect the septic regulations. Therefore the next step would be to find out where the wetlands are, which Mellen would do, and if necessary generate a new set of plans. At this point Mr. Knapton presented the existing plans to the board which showed no wetlands where the Meridian report claimed they existed.

Mr. Giffin made a motion to contact Mr. Ferwerda of Meridian Land Services and clarify the questionable wetland areas that are in his report and if necessary meet with Ms. Rabideau. The hearing to be continued on May 4, 2000 at 7:30 PM. Mr. Mangieri seconded the motion. A roll call vote was take. Mr. Bethel – abstained, Mr. Mangieri – aye, Ms. Dargie – abstained, Mr. Garrett – aye, Mr. Giffin – aye, Mr. Tenney – no and Mr. Rowehl – no. The motion was carried

Mr. Knapton asked if conditional approval could be given which would incorporate Mr. Giffin's requirements. He was advised that a vote was taken to proceed as above.

Mr. Rowehl closed the public session of the meeting and moved to other business.

A motion was made, seconded and approved by voice vote to pay the dues to the Southwest Regional Planning Conference for the forthcoming year.

A motion was made by Mr. Giffin seconded by Mr. Mangieri and approved by voice vote to cancel the April 20, 2000 meeting of the Board.

A motion was made, seconded and approved by voice vote to adjourn the meeting. Mr. Rowehl adjourned the meeting at 8:55 P.M.

Respectfully submitted;



Paul L. Vasques, Secretary
Antrim Planning Board