

ANTRIM PLANNING BOARD

Minutes of the September 18, 2003 meeting

Planning Board Members present:

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| Fred Anderson | Scott Burnside | Spencer Garrett |
| Mike Genest | Mike Oldershaw | Ed Rowehl |
| Dan Valley | | |

Planning Board Members absent:

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| Bob Bethel | Jen Cunningham | Tom Mangieri |
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Public Attendees:

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| Bill Prokop | Matthew. Flemming | Alice Flemming |
| Dave Penny | Anne Wilder | Wayno Olson |
| Kevin Auen | Jim Bingham | Ellen Bingham |
| John Vadurro | Frank Vadurro | Robert Todd, Surveyor |
| Gayle Rochford, Surveyor | | |

Chairman Rowehl opened the meeting at 7:05 PM. He designated Mr. Valley to sit for Mr. Bethel, Mr. Oldershaw to sit for Mr. Mangieri and introduced the members of the Board. The first order of business was a public hearing on the request by Daniel Valley for a Major Subdivision. The applicant proposes to subdivide property off of Elm Avenue, Antrim, NH, Tax Map 4, Lot 40-1 in the Rural District into six (6) lots. Mr. Rowehl explained the procedure to be followed and asked Ms. Rochford to make her presentation on behalf of Mr. Valley. Mr. Valley recused himself from the Board because of his interest in the application. Ms. Rochford presented a plot plan of the subdivision. She explained that Mr. Valley planned to subdivide a fifty-acre tract of land into six lots. Two of the lots would have less than five acres and State approval had been obtained for these lots. She indicated that the proposed road would be built to Class V specifications but would remain a private road. The roadway would be less than 100,000 square feet so it did not require state approval. The wetlands on lot 40-1-2 had been delineated. There were minor wetlands along Cochran Brook, which were not delineated. Mr. Rowehl indicated that some members of the Board had conducted a site review. Mr. Rowehl asked if there were any abutters who wished to speak in support of the application.

Mr. Olsen said that he was in favor of the application. He pointed out that there would be minimal expense to the Town, it would produce tax revenue and could not but benefit the abutters. He felt the entire subdivision was well planned. Mr. and Mrs. Flemming reviewed the plans and Mr. Flemming stated that he thought the project was a "good build" and he supported the application. Mr. Auen stated that he was not in opposition to the subdivision but wondered if he would be able to obtain an easement across the property to access his land in the event that he wanted to build a home for his son. He was advised that this was a civil matter and such an easement had no bearing on the

granting of the subdivision and it would be a matter between him and Mr. Valley. Mr. Rowehl asked if there were any abutters who wished to speak in opposition to the application.

Mr. Bingham asked if the water aquifer table could support such subdivision. Ms. Rochford indicated that there was a high water table per the test pits that were dug. The existing well on lot 40-1-6 was at five hundred feet producing four and a half gallons per minute, on the Brown property across Elm Avenue it was at seven hundred and fifty feet producing three gallons per minute, and on the abutting Flemming property it was at three hundred and fifty feet producing fifteen gallons per minute. Mr. Bingham was also concerned about the amount of traffic the subdivision would generate on Elm Avenue. The Secretary read from a letter provided by the Police Chief, which stated "The traffic flow from six single family dwellings in that location can be handled easily by Elm Ave." and "The line of sight where you have accessed Elm Ave. is good".

Mr. Prokop spoke as an individual but stated that he was biased. He said that while planning to build a new home he wanted to stay in Antrim. This subdivision affords large open spaces, views, protects wildlife and is conservation friendly. The plans also call for a good association agreement, which will provide a high level of maintenance. He pointed out that the Fire Chief, Police Chief and Road agent had submitted letters to the Board supporting the application and he would be proud and happy to live there. Since there were no other comments from the public, Mr. Rowehl closed the public portion of the hearing and the Board entered into deliberation.

Mr. Rowehl expressed concern that the width of the entrance to the road from Elm Avenue might not be wide enough to permit large vehicles such as moving vans to negotiate the turn. Ms. Rochford indicated that the entrance to the road is planned to be sixty-two feet wide. She indicated that as a result of discussions with the road agent they were planning to install a longer culvert to permit a wider entrance. Mr. Rowehl asked if the subdivision requirements for lot sizes and frontages had been met. Ms. Rochford indicated that they had been. Mr. Rowehl pointed out that this was the first major subdivision before the Board that required a new road. Since the regulations require a Class V road, the board would have to insure that it would be built to Class V specifications. This would be accomplished in accordance with Section VII, paragraph B of the Antrim Subdivision and Site Plan Review Regulations. Mr. Oldershaw felt that this particular matter could be dealt with later and that in the meantime the Secretary could provide Mr. Valley with a list of certified engineers. Mr. Burnside felt that this decision should be made now and that was the consensus of the Board. Mr. Rowehl felt that a bond should be posted to insure the completion of the road. He felt that an estimate of the cost could be obtained from a certified engineer. Mr. Oldershaw agreed with this approach. The Board reviewed the checklist for the subdivision. Ms. Rochford requested certain waivers to the regulations, which were granted. A record of said waivers is in Planning Board file #2003-009.

Mr. Oldershaw moved to accept the application of Daniel Valley, Planning Board File # 2003-009 for a major subdivision of property located off of Elm Avenue, Antrim, NH

03440, Tax Map 4 Lot 40-1 located in the Rural District. The applicant proposes to subdivide the property into six (6) lots. Mr. Genest seconded the motion. Roll call vote: Mr. Anderson – aye, Mr. Burnside – aye, Mr. Garrett – aye, Mr. Genest – aye, Mr. Oldershaw – aye.

Mr. Garrett moved to approve the application of Daniel Valley Planning Board File # 2003-009 for a major subdivision of property located off of Elm Avenue, Antrim, NH 03440, Tax Map 4 Lot 40-1 located in the Rural District. The applicant proposes to subdivide the property into six (6) lots.

The following conditions apply to this approval:

1. Planning Board requirements, commitments and agreements made by the applicant and/or his agent as recorded in the meeting minutes dated September 18, 2003 as they pertain to this application are a conditional part of this approval.
2. The applicant is to obtain a building permit for any construction or alterations and adhere to all building, health and fire codes.
3. The acreage for lot 40 – 1 –2 is to be designated on the final drawings.
4. The final drawings shall show provisions for storm water drainage.
5. A copy of the Association Agreement shall be submitted to the Planning Board within ninety days of this approval.

Mr. Burnside seconded the motion. Roll call vote: Mr. Anderson – aye, Mr. Burnside – aye, Mr. Garrett – aye, Mr. Genest – aye, Mr. Oldershaw – aye.

Mr. Todd presented a proposed subdivision on behalf of Mr. Vadurro for property designated as Map 1C, lot 13 into three lots. Mr. Vadurro was considering the purchase of the property. The proposed subdivision would meet the requirements of lot size and road frontages. Although there would be the required frontage off of Hilton Avenue for lot #3, a driveway would have to be placed across wetlands. Mr. Todd asked if it would be feasible to access the lot #3 by providing a driveway easement from the lot #2. Mr. Todd was advised that such an easement would be a civil matter written into the deed and would be acceptable for the subdivision he proposed.

Mr. Oldershaw moved to accept the minutes of the September 4, 2003 meeting as corrected. Mr. Anderson seconded the motion, which was passed. The Board then engaged in a dialog with the Selectmen regarding the matter of code enforcement. The Board expressed concern that a number of issues were not being resolved and perhaps Mr. Parsons required more hours. Mr. Penny indicated that they were reviewing the workload of the Building Inspector/Code Enforcement office to evaluate the number of hours required to perform the job. Mr. Oldershaw felt that perhaps the cases should be prioritized. A specific issue was the lack of response from Zimmerman/Weston to reclaim their excavation sit. Mr. Prokop felt that the Planning Board should vote to formally advise the Selectmen to pursue the matter through legal channels. He suggested that the Secretary contact Town Counsel for guidance in drafting the proper notification the Mr. Zimmerman. The Board finally agreed to wait until after the October 2nd meeting

at which Mr. Zimmerman has asked to appear. Based on Mr. Zimmerman's presentation the Board would decide on what course of action to take.

The Board then reviewed the matter of the agreement between the Town and Steel Pond Development for the excavation of sand. Mr. Oldershaw asked who would be appraising the inventory. He also asked why the Town had not presented the Board with a reclamation plan at this time. Mr. Prokop said that town counsel advised the Selectmen that a reclamation plan was not required from the Town. Mr. Oldershaw felt that RSA 155:E was specific on that point and wondered what the basis for town counsel's position was. Mr. Prokop said he would look into the matter. Mr. Burnside wondered how the town was going to cover the cost of reclamation as he felt the town was paying an excessive amount for the sand. The discussion then revolved around the entire matter of the Board's role in enforcing the excavation site regulations and how to proceed. Mr. Burnside said that in the process of reviewing town's files on excavation sites he discovered a number of errors in the documentation. He felt that before any enforcement action could be taken with the site operators it would be necessary to organize all the excavation site files by specific locations. Once that is done an approach can be developed for each site. The task of organizing the files was delegated to the Secretary who will start with the Chauncey and Harriman sites and report back to the Board.

A discussion ensued regarding the general procedure to be followed to initiate code enforcement issues. It was concluded that the Secretary should bring code violations to the attention of the Planning Board who in turn would formally request the Selectmen to proceed with the appropriate enforcement action.

Mr. Prokop pointed out that the Master Plan called for the Planning Board to do periodic updates and also to encourage the development of cluster housing. The Secretary noted that recent changes were being proposed in the ordinances, which would encourage and facilitate the growth of cluster housing.

Mr. Anderson moved that the meeting be adjourned. Mr. Garrett seconded the motion, which was passed. Mr. Rowehl adjourned the meeting at 9:25 PM.

Respectfully submitted,

Paul L. Vasques, Secretary
Antrim Planning Board.