

## JOINT MEETING

### ANTRIM PLANNING BOARD & ANTRIM ZONING BOARD OF ADJUSTMENT

Minutes of the October 16, 2003 meeting

Planning Board Members present:

Scott Burnside  
Ed Rowehl

Mike Genest

Mike Oldershaw

Planning Board Members absent:

Fred Anderson  
Spencer Garrett

Bob Bethel  
Tom Mangieri

Jen Cunningham  
Dan Valley

Zoning Board Members present:

Ron Haggett  
Paul Young

Ben Pratt

John Kendall

Zoning Board Members absent:

Tom Cochran  
Don Winchester

Carol Court

Tim Quachenbush

Public Attendees:

Dennis McKenney, Surveyor  
Jeffrey Enman, PSNH

Robert Bryer

Chairman Rowehl opened the joint meeting of the Planning and Zoning Boards at 7:00 PM and appointed Mr. Oldershaw to sit for Mr. Mangieri. The first order of business was a public hearing on the request by Robert W. & Jerilyn M. Bryer for a Minor Subdivision. The applicant proposes to subdivide property on the south side of Pleasant Street, Tax Map 1A, Lot 49 in the Residential and Rural Districts into two (2) lots. Mr. Rowehl indicated that the Wetland District Ordinance could not be met and the Planning Board could not accept the application of Mr. Bryer unless a variance was granted by the Zoning Board. He then recessed the Planning Board meeting and turned the chair over to Mr. Pratt, Chairman of the Zoning Board of Adjustment.

Mr. Pratt introduced the Zoning Board members and the request by Mr. Bryer for a variance from Article XI, Section F (Wetland District) ordinance. The ordinance requires that single family homes with four bedrooms or less have 68,000 square feet of suitable soil. The proposed lot 49-1 only has 61,000 square feet of such soil. Mr. McKenney

pointed out that Section F allows the granting of a variance based on the Model Subdivision Regulations for Soil-Based Lot Size. The model regulation allows for a lot size of 36,000 square feet, hence the 61,000 square feet available far exceeds the model requirements. There were no abutters in attendance to speak either in favor or in opposition to the application. After a brief discussion of the subdivision, Mr. Pratt called for a roll call vote on the five conditions to be considered when granting a variance.

1. There would not be a diminution in value of surrounding properties as a result of the granting of this variance. Roll call vote: Ron Haggett – aye, John Kendall – aye, Ben Pratt – aye, Paul Young – aye.
2. The granting of this variance would not be contrary to the public interest. Roll call vote: Ron Haggett – aye, John Kendall – aye, Ben Pratt – aye, Paul Young – aye.
- 3a. The zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment. Roll call vote: Ron Haggett – aye, John Kendall – aye, Ben Pratt – aye, Paul Young – aye.
- 3b. There is not a fair and substantial relationship between the general purposes of the zoning ordinance and the specific restriction on the property. Roll call vote: Ron Haggett – aye, John Kendall – aye, Ben Pratt – aye, Paul Young – aye.
- 3c. The variance would not injure the public or private rights of others. Roll call vote: Ron Haggett – aye, John Kendall – aye, Ben Pratt – aye, Paul Young – aye
4. By granting this variance substantial justice would be done. Roll call vote: Ron Haggett – aye, John Kendall – aye, Ben Pratt – aye, Paul Young – aye.
5. The use contemplated by the petitioner as a result of obtaining this variance would not be contrary to the spirit of the ordinance. Roll call vote: Ron Haggett – aye, John Kendall – aye, Ben Pratt – aye, Paul Young – aye.

Mr. Pratt stated that the variance had been granted and turned the meeting over to Mr. Rowehl who reconvened the Planning Board. Mr. McKenney reviewed the subdivision drawings. The Board agreed to accept a separate drawing with contour lines for the file rather than superimpose the contour lines on the final Mylar. The Board then reviewed the check list and certain items were required to be placed on the final Mylar. Mr. Oldershaw moved to accept the application of Robert W. & Jerilyn M. Bryer Planning Board File # 2003-011 for a minor subdivision of property located on Pleasant Street, Antrim, NH 03440, Tax Map 1A Lot 49 located in the Rural & Residential District. The applicant proposes to subdivide the property into two (2) lots. Mr. Burnside seconded the motion. Roll call vote: Scott Burnside – aye, Mike Genest – aye, Mike Oldershaw – aye, Ed Rowehl – aye.

Mr. Burnside moved to conditionally approve the application of Robert W. & Jerilyn M. Bryer Planning Board File # 2003-011 for a minor subdivision of property located on Pleasant Street, Antrim, NH 03440, Tax Map 1A Lot 49 located in the Rural & Residential District. The applicant proposes to subdivide the property into two (2) 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 October 16, 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 following items will be noted on the final Mylar presented for signature.
  - a. The classification of Pleasant Street shall be noted.
  - b. The location of all buffers & setbacks will be shown by dashed lines.
  - c. The location of all soil test pits, test borings & percolation test pits will be shown.
  - d. The results of percolation tests will be shown

Mr. Oldershaw seconded the motion. Role call vote: Scott Burnside – aye, Mike Genest – aye, Mike Oldershaw – aye, Ed Rowehl – aye.

Mr. Rowehl opened the public hearing on the request of Public Service Co. of New Hampshire to remove and trim trees to install lines on Elm Avenue and to construct a one-pole extension on Liberty Farm Road. Both roads are designated as scenic roads. Mr. Enman stated that they had a request to install their lines on a two pole extension for a customer on Elm Avenue. They also had a requirement to build a one pole line extension to serve a new customer on Liberty Farm Road. After a brief discuss Mr. Enman was advised that the Board saw no problems with the proposed work other then their standing concern that debris be removed from the sites. Mr. Enman also agreed to trim and/or remove trees at the Grapevine which would be flagged by Mr. Burnside.

Mr. Oldershaw moved to approve the minutes of the October 2, 2003 meeting as corrected. Mr. Burnside seconded the motion which was passed. The Secretary then reviewed a letter from the Code Enforcement Officer to Fairfield Whiting, Jr. regarding code violations On Map 7, lots 81 and 82 and a brochure for the December 4, 2003 seminar being held by the NH Land Surveyors Assoc.

The Board then addressed Mr. Valley’s letter of October 1, 2003 requesting a waiver from the Subdivision Regulation bonding requirements. After considerable discussion it was the consensus of the Board that the regulation requirements would be met if Mr. Valley provided a surety in conformance with paragraph 4 of Section VII of the Antrim Subdivision & Site Plan Review Regulations.

Mr. Oldershaw moved that the following be added to the Subdivision and Site Plan Review Regulations as Section IX, paragraph G.6:

“If a road is to be offered up for acceptance by the Town it must be paved per paragraph H.12 and certified by a professional engineer that it meets Class V specifications at the time of acceptance.”

The motion was seconded by Mr. Genest and passed. The Board then struggled with the wording of Section VI, paragraph B which requires certification by any inspecting party. It was decided that many factors were involved and that further study should be done before recommending any changes.

The Secretary reviewed changes to the ordinances and regulations that had been approved by the Board during the past year. It was decided that the first public hearing on the changes should be held as the regularly scheduled monthly meeting on December 4, 2003. Mr. Oldershaw asked the Secretary to provide the members with the details of the changes to refresh their memories.

It was determined that if Zimmerman/Weston were only restoring their excavation site, they only had to file a "Notice of Intent to Excavate" and a restoration plan. It would not be necessary to complete an application for a town permit to operate an excavation site.

Mr. Burnside made a motion to adjourn which was seconded by Mr. Genest. Mr. Rowehl adjourned the meeting at 8:55 PM.

Respectfully submitted,

Paul L. Vasques, Secretary  
Antrim Planning Board and Zoning Board of Adjustment