

The Board of Adjustment convened on Tuesday, November 9, 1976 at 7:30 P.M. at the Antrim Town Hall to hear the petition of Joseph Kevit and Charles Werth, prospective purchasers, (Case No. 24) to establish a year-round camp site, minimum 1/3 acre lot on a year-long lease on 117 acres on Old Butman Road in Antrim. The roll call was as follows:

Emery S. Doane	- Present
Eugene Bried	- Present
Benjamin Pratt	- Present
Ralph Proctor	- Present
Carole Webber	- Present
Catherine C. T. Dik, Clerk & Alternate	- Present
Robert B. Flanders, Alternate	- Absent
Patricia Novak, Alternate	- Present

The meeting was called to order by Chairman Emery S. Doane at 7:35 P.M. and the Clerk read the application and reported that notices were sent by certified mail, return receipt requested, to the petitioners and the following abutters:

Pamela Bagloe  
 Donald and Antoinette Edwards  
 Heirs of Elmer Merrill c/o A. W. Merrill  
 Winslow S. Caughey  
 Byron W. Caughey Memorial Camp Commission  
 c/o Robert Caughey  
 Richard Withington  
 Land/Vest Inc. Trustee

and that all receipts had been received; by regular mail to all members of this Board, the Selectmen, Town Clerk, Town Counsel, Chairman of the Planning Board, and Building Inspector. Notice was published in the Peterborough Transcript for October 28, 1976 on page 8 and posted on the Town Bulletin Board.

Mr. Werth then presented his case. He said the basic operation is of a recreational park based on a yearly basis with a minimum traffic effect. Everyone will know where it is; there will be no signs. They all will be recreational vehicles with no septic connections to each; they will be self-contained trailers for only recreational camping uses. It will bring people here spending money in our businesses. Taxes on the property will go up with no expenses to the town. It will be self maintained. A park this size will need maintenance and services. Several full-time jobs will originate in the

park. He showed a blueprint depicting the development in three phases totalling 122 lots. Mrs. Novak asked if this is the number of units that will not be exceeded. Reply, yes and it may take three years to reach this. The number is reduced from what was first mentioned at the Planning Board meeting thus making a larger recreational area. Mr. Doane remarked that the topography of the land is up and down, rocky and perhaps swampy. Reply, not swampy. It is all right for camp sites. The Conservation Department has a soil survey on it and say it is suitable for camp sites. The soil is rated 43. It is only restricted by degree of slope. The Chairman asked if Mr. Kevit had anything to add. Reply, nothing.

Mrs. Donahue asked, am I right there are to be no sewers, and it will be a year-round operation? Answer, some may leave their trailers there all year but not live continually in them. Mrs. Donahue said she is concerned about health problems, police problems, that Antrim not become a receptacle for the undesirable, rock concerts to be held there, what recreation use, what about taxes. Reply, I am sure the taxes will be increased considerably. These other concerns will be restricted in the lease. It has not been drawn up yet. A trailer is a self-contained unit which would have to be dumped out. Anyone would be thrown out if they dumped in the woods.

Mr. Schacht said let me make it clear, first, I am a real estate agent involved in the sale of this land. It is something out in the wild and will not destroy anything already there. There will be a twelve acre buffer zone. This gives an opportunity to restrict it very well. This area could be sold for a number of things such as a development, school, etc. This is a situation where you are drawing to the town quite a traffic flow that can be very productive to the town at no cost. There is no way to have school children. Land/Vest has a development restricting to five acres. Mrs. Novak asked Mr. Schacht if he had sold any lots across the street. Reply, Mr. Withington has bought a lot and only one parcel of the subdivision across the way about

half a mile away on the Old Hancock Road (Fitzgerald). Nothing on the Old Butman Road has been sold.

Mrs. Sue Craig introduced herself as on the Town Parks and Recreation Commission. She said she was concerned to realize where this land is, and I think somewhat I understand it would have some bearing on our Gregg Lake population during the summer months. People who come to camp from the city would want to go swimming. Our Gregg Lake area is very small and we would like to limit it to the residents of Antrim. There is a picnic area on the Point. Camp Sachem is near and I am sure people from there enjoy our parking and picnic areas and many times our townspeople cannot use them. Mr. Werth replied, we are environment oriented. We plan to give lectures on the environment. The Fish and Game Department will give them. We want to teach the children about conservation. This is part of the program. Mrs. Craig remarked, I sympathize with you. I am not the most popular person during the summer. Even adult people who should be responsible people are not. I know you will have a lot of policing to do in order to make the recreation area clean.

Mr. Doane asked if they had any contemplated use of the Gregg Lake area, and the answer was no. If the Town limits it to Antrim residents then, of course, we could not use it. Would you have any direct access to the Lake? Answer, no we would have to go around by road.

Mr. Bagloe pointed out that out of the 117 acres there are 76 not accounted for in your plan. What else will it be used for?

Mr. McClean - Referring to the Zoning regulations of the Town of Antrim under special exception it says the proposed use shall be similar to those in the district. Mr. Werth replied that it says camp grounds are permitted.

Mr. Edwards - The road that leads up to a point behind Mr. Bagloe's barn, what is going to happen to that? Mr. Werth - In our sales agreement we have to improve 800 feet. Mr. Edwards - From Pleasant Street the road

turns to dirt and is very narrow. It cannot take two cars at the same time, especially two trailers. Mr. Bagloe asked what side of the road do you propose to place the light poles? Reply, that is up to the electric company to place the poles. There is a right of way in your deed. Mr. Bagloe replied that the poles to my house are set way, way in on my property, and I honestly can say I am not going to have them place more poles on my property. He asked Mr. Gregg how do you think this camp site can maintain the natural beauty of your property and maintain a settlement of high quality? A large part of this property is no more than 800 feet from this camp site. Do you think this is going to improve your property? Mr. Gregg replied that from the traffic standpoint it could affect our property, but from visibility I cannot say it affects our property. It is 100% wooded and would be totally non-visual from any public right of way. No trees would be cut. There is a 100 foot buffer with nothing within 100 feet of a property line on that plan. Mr. Bagloe remarked that the only access is the Old Butman Road. It is an abandoned road and the Town has no interest in it whatsoever. If I take the middle of that road are you going to allow them to take 50 feet on your side of the road? Mr. Gregg, yes we would. He also remarked that the layout should not be construed as a subdivision. It is merely a plan of proposed parcels to be leased. If this were to be subdivided this would have to be brought before the Planning Board. On the sale of this park parcel we have the same covenants that apply across the street and basically states there shall be no permanent mobile homes, no parcels less than five acres which will be in the deed to these gentlemen to protect the environment. Our company does not take any particular stand on the proposed alternate use. We are only the seller of the property. The use for this particular property is proper,--very private. Mr. Doane asked Mr. Gregg if he would object to the Board reading those covenants, and as there was no objection Mr. Pratt did so. Mr. Doane asked Mr. Gregg if he could identify any areas where these covenants do not apply. Answer, one paragraph

pertains to this camping area that does not apply to the area across the street, and there are some covenants across the street that do not pertain to the campsite--architectural, for instance.

Mr. McClean asked what would prevent them from increasing the number of sites, and Mr. Werth said if he should wish to he would come to the Board of Adjustment again.

Mrs. Nichols remarked that the main problem is the traffic and condition of the roads. As for other problems, these little squares will have to be cleared for the trailers. People buying \$3000 - \$10,000 trailers will live in them. People live in these parks all summer long. They will not abuse it.

Mr. Clarke remarked that there will be additional police costs and additional costs at the beach, but there will be additional taxes which will be brought in. The percentage of cost I think will probably be minimal. We cannot increase our tax base without some cost.

Mr. Doane said he took some measurements on Pleasant Street and Old Butman Road and found that the distance between two walls to be  $2\frac{1}{2}$  rods which is the old standard measurement. The gravelled area on Pleasant Street which is about .4 of a mile in length has various widths from 11 to 18 feet. Unless the Town can put some money into improving that road it would be hazardous for trailers to pass and repass. Mr. Clarke replied that some money should be put into that road to make it safe for that traffic.

Mr. McClean asked what the total investment would be and Mr. Werth replied that that was none of his business.

Mrs. Craig: Suppose I have a travel trailer and put it in there on a stationary spot of land. I am going to leave it there. Is this considered a permanent home? I could take my trailer there and could leave it there for a year. Mr. Werth replied that it will not have any permanent hook-up whatsoever. It must be a moveable vehicle. Mrs. Craig asked is there anything

on the books that I have 45 days on out-of-state registration plates?

Mr. Werth did not know and Mrs. Craig said she thought he would find there is.

Mrs. Madden asked how much are they going to charge for rent, and Mr. Werth replied \$500 a year.

The Chairman then read from the Zoning Ordinance the definitions of a dwelling, a travel trailer, a mobile home park, and a trailer park. Mr. Werth said that they would not have transients but yearly rentals for financial plans, etc. To place a travel trailer it is necessary to have a permit from the Selectmen who would have to issue a written permit.

Mr. Brian Hennessy, a resident on Pleasant Street, said it would be madness to use Pleasant Street for travel trailer use,--that road either east or west of Old Hancock Road.

Mr. Edwards noted that on the plan the amenities are mentioned as picnic tables, trails, zoo. Would these be completed for the first phase? Answer, first priorities would be sites, road, electricity. The others would be over a three year period. What would determine the beginning of phase 2 and phase 3? Reply, income.

Mr. Merrill asked what are these people going to do when they get up there for a weekend? What about snowmobiling? What about abutters? Is their land to be used as a public park? I cannot keep anything up there on the high land now. I would have to erect a Berlin wall.

Mr. McLean: The use will not adversely affect the neighborhood.

Mrs. Novak: With each lease are these regulations you propose attached to it? On evicting can you just say you are not abiding by our rules? Do you think you can tell them to move out on seven days basis? I do not think you can do that on a yearly basis.

Mr. Bried asked can you legally hook onto that trailer and haul it out?

Mr. Withington said that he knows nothing about this except that he received the legal notice of the hearing. However, I am nervous. How many

people are allowed on a third of an acre? Can they register to vote in the Town? Can they roam all over my land? Now people go deer hunting and go to the beaches. I bought the land for the beauty. I was forced to sell the farmhouse because it was broken into repeatedly. If you have a hundred people there may be ten percent or one percent that are not desirable. Old Butman Road cannot now be driven over. Mr. Caughey has land abutting. It would be tempting to go over it to the Lake. I think it would depreciate the Land/Vest property in that area. Emerald Lake in Hillsborough started this way. It is a problem now, and many people wish they were not in it. If people hire a third of an acre lot there are no restrictions on the number of people on each lot. Reply, one family to a lot. Mr. Withington said families are large--many aunts, uncles, grandparents, grandchildren, cousins

Mr. Bagloe asked is there anything to prevent them from pitching a tent for their children and friends? Someone who buys a five acre lot and puts up a good house will have much more pride in his property with intent to settle down. The Town has to decide whether they want this or a camp site.

Mrs. Donahue asked what about a laundramat? Our tiny one could not accommodate all these people. Answer, there are three major bathhouses planned with laundry facilities in each. She also asked if there will be a caretaker on the grounds and the answer was one will visit each day as required by the State.

Mrs. Craig: I am certainly for recreation. However, I, too, am a wee bit nervous about this proposed park. Actually what is the difference between this recreation park and a permanent one? If I should rent for \$500 a year I can stay there 365 days out of the year. Actually I could live there. If we have 122 lots, many might like to do this. Mr. Werth replied that there are retired people who spend the summer here and go to Florida in the winter. Some people with self-contained trailers like to keep the space and leave it there all year around but the park is closed.

Mrs. Craig: If you closed in the winter they could not come up.

Mr. Bagloe: In the terms of self-contained travel trailer, those on wheels are something they could bring up every weekend and take out every weekend.

Mr. McClean: Do you have any idea how much taxes this would bring? Dollarwise what it would bring in? Answer, they would have to buy food, hardware, maybe have bank accounts.

Before the Chairman read a letter from the Planning Board dated October 28, 1976 he remarked that he did not understand it and if anyone from the Planning Board could explain it he would be grateful. As far as he sees it, it says "yes" and it says "no", and is useless to us. We might as well make it into a paper airplane. Mr. Edwards said there was great discussion relative to this, and some had a lot of questions and some did not think we knew enough about it. Based on all that, the vote actually was a no vote. Another letter was not written, but it was regretted this one was sent. Mrs. Novak said the Planning Board did take a vote and everyone was in the negative on it. Mr. Doan requested that the Planning Board be more affirmative and informative and if they cannot come up with a direct conclusion they should say so.

Robert Watterson asked does the Planning Board have the option to turn away a petition? Does it have to go to the Board of Adjustment? The Chairman replied, in the case of a special exception the Planning Board shall find the use appropriate for the area. There are six requirements to be considered by the Board of Adjustment: The proposed use is similar to those permitted in the district; the Planning Board has found the site appropriate for the use, but the Town Counsel has said definitively that we are not bound by their decision; the use as developed will not adversely affect the neighborhood; there will be no nuisance or serious hazard to vehicles or pedestrians; adequate and appropriate facilities will be provided for the proper operation of the proposed use; and the proposed use shall comply with all the frontage, set back, minimum land area, sanitary protection, sign, parking and/or other applicable requirements.



for itself or its most similar use. With all the information given tonight, and we will take any more you wish to present, we will have to consider in the light of these requirements. We will not be able to give a decision tonight so I suggest it is not worthwhile for you to wait the couple of hours more we shall be working, but we will continue the executive meeting one week from tonight and then give our decision.

Mr. Bagloe: Referring to the preliminary layout, are there any plans for a road where your land begins and where Old Butman Road ends? Technically there is no road but four-wheel drive vehicles do go up there. Can the Town refuse to take that road over? Answer: We are not asking the Town to; we will take care of it.

The Chairman then asked the Board if they had any questions. Mrs. Webber: Have you had any previous experience in running a camping area? Answer, no. The garbage must be collected every week. I think we would have to find out whether Bennington would mind as it would have to go to the Bennington land fill. Are you going to provide picnic tables, picnic grills? Answer: Tables. Will you allow outside fires? Would you provide the wood? Answer, yes, they would not be allowed to chop down any trees. You must provide sufficient water for cooking and drinking. Do you know already your supply? Reply, no I do not. The State requires 300 gallons per unit per day. That is a lot of water. Are you going to give permission for pets? How about dogs? There is a leash law. Will you permit snowmobiles, trail bikes, boats with motors to be used on the lakes? Answer, I could not prevent them from bringing them.

Mr. Proctor had no questions.

Mr. Bried: These roadways within your camp ground would be year-round, all season roads? Answer: Yes, one way would be 12 feet wide; two-way 15 feet. In one area of your proposed grounds it appears you would have to do a great deal of work to put the roadways through in accordance with your

plan. Reply, Yes, it is stony. I realize State Pollution Control would have to give you permission. They control the whole thing. Answer, I am supposed to be getting a letter saying that if these are self-contained trailers I would not need their approval. How long can these trailers contain? About a week, but it all depends on the unit. At some camp grounds they come around and pump you out. Yes, for a dumping station we could have a large septic system designed by a Sanitary Engineer. Or a large tank that would be pumped out periodically. Mr. Bried said he could visualize people staying all year round. There is nothing to prevent that. Reply, no, if they want to put up with the inconvenience. How would I write it up to prevent that? People come in with a trailer without any expenses.

Mrs. Webber: What if four college boys think it would be less expensive than living at the college? Would you permit that? Yes, I could not stop them. Mrs. Webber: They could stay year after year. Is there anything to prevent that? Answer, no.

Mrs. Gould: Some people might wish to live there, not 365 days, but beyond the school vacation. How could you prevent them from sending their children to our school as more or less permanent residents? She further stated that we chose this area several years ago because it is a small town and had a lot of open space around it. One inducement is that these people would spend a lot of money in the Town. What is there to spend it on?

Mrs. Webber addressed Mr. Schacht and Mr. Clarke. It is very important for us to know what would be the tax return to the community as opposed to \$30-40,000 homes on five-acres plots (and I do not expect all these people would have seven children). Mr. Clarke: I could not answer because I do not know enough about camp park's assessment. Mrs. Webber feels that this is the most important question tonight. Could you possibly have a general ballpark figure for the continued meeting next week? If we do not know we cannot use that as an argument that this would be an advantage to the Town. Mr. Doane

interjected, also future tax revenue as opposed to present. Mr. Clarke said he could give these figures. He added that he does not know of anything that could be put into the Town that would not bring some additional cost. That would have to be weighed against the income from it.

The Chairman asked Mr. Clarke if he would have any comment on the condition of Pleasant Street west and the improvement of it. Reply, I am sure if this is a good investment and we could benefit from it, it would pay to put some money into it.

The Chairman asked Chief Craig if he had any comment on the traffic. He said we have plenty of problems now and I should not like to see trailers going up and down that road. Mr. Werth remarked that there could be a volunteer fire group there. Mr. Craig said, but not volunteer police. There are specific requirements to be a policeman.

Mr. Kevit asked if Land/Vest improve this land (other than the camp site) are they going to leave the road as it is? Mr. Edwards asked Mr. Kevit if he had not said that it is adequate for 122 lots now. Yes, but they are not going to be travelling up and down every day. Mr. Edwards remarked that it is not adequate now; someone will have to pull over.

Mr. Bagloe: I realize you have to improve Pleasant Street from the cross road up. What are you going to do from there on? Mr. Werth's reply was we are not asking the Town to do anything. We are going to do it; it will be a private road. What if you sell a lot up there and the Town decides it cannot get a snowplow there. Answer, we have an arrangement that one year from last September 30 we will have completed a gravel road.

Mr. Watterson: The main thing we are concerned with is taxes. They maintain they will increase the taxes. However, if \$30,000 houses are built each will have a tax bill of at least \$1,000.

Mrs. Craig: There are two things I would like to say. I think I have an answer to Mrs. Webber's comments in regard to the land fill at Bennington.

I believe we are taxed for our use based on the population. And as far as the children going to Conval if people stay at this park they are going to send them to Conval. Mr. Kevit: It will be in the contract they cannot do that.

Mrs. Nichols: As far as living with two children in a travel trailer, you are on wheels with no foundation and have extremely cold floors. It is not practical or logical to live in a travel trailer all year long. Mrs. Webber remarked that she had used a travel trailer on a trip to Florida with her family and found it very comfortable. It merely took a lot of patience.

Mr. Clarke: On the question of dumping refuse in Bennington I do not think we would have much trouble with Bennington. They would have to count their camps too.

Chief Craig: About it could be twelve months on a recreational basis, there would be hunting, snowmobiles, skiing and summer activities. And they could send their children to our school. Some of these shacks on the back roads are nowhere near as warm as these trailers.

Mr. McLean would like to have the Town Counsel consulted regarding the school question.

The Chairman would like to have a show of hands (not to be considered a vote) of those in favor and those opposed. Mr. Edwards wanted to know about the vote and the weight of it, but Mrs. Schacht felt that this was not necessary or proper.

At 9:40 P.M. the hearing was closed, and it was announced that we would continue one week from tonight, November 16, 1976, at 7:30 P.M.

At 9:50 P.M. the Board met in executive session. After the hearing was closed Mr. Rymes remarked to Mrs. Webber that in spite of the fact that he would profit from added business he was not in favor of the project. And Mr. Edwards remarked to Mrs. Novak and Mrs. Dik that he was very troubled by the fact that there would not be any amenities available when the camp site opened.

Mr. Pratt would like to know how you finance a thing like that. If you were in a position to loan money and if it did not succeed you do not have a house you can foreclose on. It looks like a very risky business. Mrs. Novak remarked that she had a feeling these people were acting as a straw. Mr. Bried remarked that so far as sanitation goes we do not have any responsibility there. The State is very strict. Mrs. Novak said you cannot as a landlord go and take a person's trailer and move it out. It is tangible personal property, not like renting a house. If you rent for a week you can get a person out in a week's time. Notice to quit gets them out on the basis of the period of rental. You are not supposed to refuse a person. Mr. Pratt: Haven't we got to look to the income from the land as it stands now. What services the land requires now--essentially nothing--and what income the Town derives from it. Then look at services, problems and income if this is granted. Then you would look at problems, income, expenses if developed into house lots. Then we would be only part way in coming to a potential conclusion that you might approve this, but the Board must look very, very carefully at the over all impact on the Town. Conversely, if you thought you were perhaps going to disapprove that because the present use or alternate uses would be more beneficial to the Town would be the basis for disapproving it. Then if that is a possible course of action what legal, legitimate grounds for disapproval? Mr. Bried wonders if they had an expert advice them as to the suitability of the terrain for a camp site. Mr. Pratt: If the exception is provided in the Ordinance and the requirements are met, then we cannot deny it.

Taking one positive view, if we grant it how can we justify it to the townspeople? Does it bring money to the business people in the Town? This is why we need the figures we will get next week.

Mrs. Webber feels we must think of the quality of the people coming. What will they do for the Town?

Mr. Bried: Looking at the plan to make all those roads and sites they are going to make a tremendous impact on the area. Mr. Pratt: Is it a legitimate concern of this Board to wonder if these people have the background and capability to properly operate such a thing on such a scale? If this is approved and these people make a start and then do not make a go of it and sell for the same purposes, the new people would not have to come to this Board again. If this started to go down hill it would have to be pretty bad before the Town could step in to stop it. There is a lot of potential impact on the abutters. It is very near a most attractive part of Gregg Lake and it is going to be very difficult to keep the people from it. If someone brings one of these travel trailers and leaves it there and has nowhere else as a residence why cannot he claim this as his residence? Would it be possible for Messrs. Kevit and Werth to put something in their lease that he could not stay more than a percentage of time here?

Mrs. Webber said that 122 units at \$500 a year brings \$61,000. With all their expenses I do not think they would make very much money. It would not be enough for me to have all that work,--not a good enough return for my money.

Mrs. Novak feels strongly that Mr. Schacht is in tremendous conflict of interest. How could he be in favor of this project and think it good for the Town when he had so much to say against one mobile home in his neighborhood?

Mr. Proctor asked, is it possible to take the position as Mr. Withington did. We have to concur, based on the testimony given, that it will have an adverse impact on his property.

Mr. Doane remarked how can the Planning Board take a vote and come up with two answers? Mrs. Webber: It was either yes or no and no one was in favor. Mrs. Novak said it was at the end of the evening, everyone was getting tired, and it was pushed through. The letter should never have been sent in that form and apologized for the Board.

Mr. Pratt remarked that a couple of people have suggested that if we deny this they will appeal. It is just important enough so that we be very careful of our grounds.

The Clerk was instructed to telephone next Monday evening to remind all members of the Board present at this meeting of the continuance of the meeting on Tuesday, November 16, 1976 at 7:30 P.M. in the Town Hall, and to post two notices in the town.

The meeting was adjourned at 10:40 P.M. to reconvene at 7:30 P.M. on Tuesday, November 16, 1976 at the Town Hall.

Respectfully submitted,

*Catherine C. T. Dik*

Catherine C. T. Dik, Clerk