

Minutes of the Antrim Board of Adjustment Meeting April 18, 1989

Present: Joseph Timko; Tom Curran; Marianne Moery; Patricia Hammond-Grant, Clerk; David Penny, Acting Chairman.

The Chairman opened the meeting at 7:45 P.M. and presented the Board with copies of a written response from the Board of Selectmen as to the status of DeBart Lane, a copy of the Conservation Commission letter regarding the Ricupero proposal and a copy of the recommendation from the Planning Board.

The Chair opened deliberations on Case #134 a request by Kevin Ricupero for a Variance concerning Article VI, Section C.l.c.4 and a Special Exception concerning Article VI, Section B.3.c. The Applicant proposes to construct a six unit apartment building with less than 200 foot frontage required. The Board, comprised of Joseph Timko, Tom Curran, Marianne Moery, Patricia Hammond-Grant, Clerk, and David Penny, Acting Chairman, addressed the five points for granting a Variance. Diminution of surrounding property. It was pointed out that some of the dwellings in the neighborhood are large houses. Points made that the driveway next to the Davies house on West Street was a concern, The 50 foot buffer zone is important, landscaping, impact on the water table. Tom Curran suggested that there is an opportunity for underground drainage and the abutters could be invited to participate at their own expense in any plans for such drainage. The point was made that while the Board could consider the Variance to the frontage requirement they could not consider the Special Exception for multi-family dwelling without further engineering. The point was made that nothing could be built on this lot without a Variance on the frontage requirement. The consensus being that there will be no diminution of value to surrounding properties. Public Interest was the next point addressed. Tom Curran stated that this type of housing was not presently available in Antrim. This plan is for better quality housing and there is potential gain. The consensus was that this would be more attractive housing and has a potential benefit. Hardship was taken up next. The condos on Forest Street were mentioned as a comparative project as it pertains to additional traffic. The point was made that the property could not be used without a Variance. This is a large area with minimal frontage. The consensus of the Board was that the lack of frontage is a problem. The Board referred to the Guidebook for Board of Adjustments page 8 in regard to the road front requirements. It was established that the frontage requirement is to control density. Tom Curran stated that there is a hardship to the owner of the property as the lot is shaped differently. The Consensus of the Board was that to deny the Variance would create a hardship. Spirit and intent of the Ordinance was addressed. Marianne Moery pointed out that the lot size was sufficient to accommodate the proposal. Patricia Hammond-Grant spoke to the advantage of it being set back. Tom Curran pointed out that the Ordinance does not discourage such a proposal. The fact that potential problems with fire protection would have to be addressed was made. The location of the egress was discussed. The West Street entrance was debated with the problems of proximity to the Davies property and flooding in the area of West Street being pointed out. The Board feels that the DeBart Lane frontage would make a more desirable entrance. The consensus being that a Variance could be granted for either entrance.

The consensus of the Board was that it is in the spirit and intent of the Ordinance. On the point of Substantial Justice the Chair consulted the handbook and it was pointed out that surrounding properties would not be affected one way or the other. The consensus being that substantial justice would be done if the Variance were granted. Benefit to Public Interest was addressed. The point that there is a demand for rental units and this is a nice location. The consensus being that this would be a benefit to the public interest. The point was made that the Variance is merited but there must be some oversight by the Town in respect to the drainage of the property. The Town will also need to give a sound recommendation on the method of egress to the property. The Fire Department, Road Agent, Selectmen, and Planning Board should be involved. The Chair pointed out the options that the Board had, one of them being that the Board could grant the Variance and require more engineering before granting the Special Exception. The Board was in accord, and agreed that there should be further engineering studies before the Board could consider the Special Exception. The need for a site plan was stated. Tom Curran moved to grant a Variance to Article VI, Section C.1.c.4 concerning minimum lot frontage. The Board has considered all five conditions necessary for a Variance and all five have been met. The Board feels that the following information is needed before considering the Special Exception under Article VI, Section B.3.c.

- 1) A site plan of the lot-including drainage, building, parking lot, and utilities hookups.
- 2) Obtaining a dredge and fill permit from N.H. Wetlands Board.
- 3) Engage a qualified civil engineer to design the driveway and sewer and water connections and drainage system for the property as a whole.
- 4) That the engineer certify that the drainage for those constructions has been appropriately designed to handle all runoff from the existing wetlands, and additional runoff which may result (during construction and afterwards) as a result of removing trees from the property, and from the building and parking areas, in such a way that the runoff will drain into Great Brook, or deposit of silt or other materials into Great Brook Pond.

The Board recommends that DeBart Lane to Grove Street be the access to the property. Marianne Moery second. The vote: Patricia Hammond-Grant, yes; Marianne Moery, yes; Joseph Timko, yes; Tom Curran, yes; David Penny, yes. The vote was unanimous. The Applicant thanked the Board and agreed to work with the Board in the matter of the Special Exception. The meeting was adjourned until such time as the Applicant has the required engineering at that time it will be reposted for a reopened Public Hearing on the Special Exception. It was agreed that the abutters will be renotified of the adjourned Public Hearing. Marianne Moery moved to adjourn at 10:00 P.M.

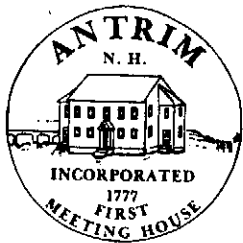
Respectfully submitted,

Barbara Elia
Board of Adjustment

Board of Adjustment

We looked at this plan on March 2. We felt there should be just one major entrance on West Street but some form of screening should be provided for the house next to the drive. This is a very poor plan which does not show precise details.

Judy Pratt



TOWN OF ANTRIM

OFFICE of the SELECTMEN

Antrim, N. H. 03440

April 13, 1989

Zoning Board of Adjustment
Antrim, NH 03440

RE: Dibart Lane

Dear Sirs & Ladies:

In answer to your request for the status of Dibart Lane, the following is submitted.

At the Annual Town Meeting on March 14, 1967, Article 9 was approved accepting Dibart Lane. (See attached copy of part of the minutes of that meeting).

With the exception of the section from Hilton Avenue to the first house (approximately 100') the Town of Antrim does not maintain Dibart Lane. It is therefore a Class VI road. It's width has been determined to be 30 feet.

I beleive this will satisfy your needs. If not, do not hesitate to ask for further information.

Yours truly,

A handwritten signature in cursive script that reads 'Edwin F. Rowehl'.

Edwin F. Rowehl
Chairman Board of Selectmen

EFR/mac

1967Annual Town MeetingMinutes cont.Article 8.
cont.

Moved by Theodore Hardwick, seconded by Harry Clough, that \$4,500.00 be raised and appropriated for the maintenance of the Fire Department for the ensuing year.

So Voted

Article 9

To see if the Town will vote to accept the roads built by Roger Hilton, known now as Hilton Ave., and DeBart Lane. Hilton Ave., leading from Hilton Ave., back to Grove Street or take any other action thereon — Submitted by Antrim Planning Board

Moved by Robert Flanders, seconded by Harold P. Grant, that the town accept these roads.

So Voted (Standing, 68-15)

Article 10.

To see if the Town will vote to raise and appropriate the sum of \$400.00 to

Dan Watt, Chairperson
Antrim Conservation Commission
Gregg Lake Road
Antrim NH 03440

April 5, 1989

Kevin Ricupero
K.D.K. Corporation
PO Box 253
Bennington NH 03442

Dear Mr. Ricupero,

Thank you for inviting me to visit your West Street construction site with you last Sunday. I appreciate your cooperation with the Conservation Commission to clarify our mutual concerns, and avoid any future delays and confusions as the project proceeds. At your request, and at the request of abutters, Mrs. Woods and Mrs. Plourde, Conservation Commission members, Rod Zwirner, Dan Watt and Peter Beblowski have visited the West Street property, to consider the implications that construction of driveways, buildings and parking lot may have on the wetlands that are part of the property and on runoff into Great Brook. This letter summarizes the Conservation Commission's recommendations about the site.

It is our observation that part of the property, including sections in which construction of driveways, and water and sewer connections will occur, contains standing water and appears to constitute a wetland area. For this reason, we request that you obtain a dredge and fill permit from the NH Wetlands board before removing any stumps, or undertaking any further construction in the wetland area.

In addition, we are concerned about the potential impact of runoff due to removal of trees from the property, and construction of buildings, driveways and parking areas. We are concerned about potential erosion of the banks of Great Brook due to increased water flow, and possible deposit of additional silt into Great Brook and Great Brook Pond.

However, we feel that all of these concerns can be addressed by a properly engineered design and building of the proposed construction. Therefore we will recommend that the NH Wetlands Board approve your dredge and fill permit, and that appropriate town agencies approve your plans and building permits, subject to the following conditions:

1. that you engage a qualified civil engineer to design the driveway and sewer and water connections, and a drainage system for the property as a whole;

2. that the engineer certify that the drainage for those constructions has been appropriately designed to handle all runoff from the existing wetlands, and additional runoff which may result (during construction and afterwards) as a result of removing trees from the property, and from the building and parking areas, in such a way that the runoff will drain into Great Brook without causing any additional erosion of the banks of Great Brook, or deposit of silt or other materials into Great Brook or Great Brook Pond.

We welcome your intention, expressed in your conversation with me on April 2, 1989, to do everything necessary to build an attractive and appropriately landscaped property on the site. In particular, we appreciate your plan to replant trees on the property, which will make it more attractive, and serve to absorb future runoff.

In conclusion, we have observed potential problems regarding wetlands and runoff, and we believe that they can be resolved by proper engineering and landscaping. If these activities are carried out as described above, we have no addition reservations, as a Conservation Commission, about the development you have proposed, providing it meets all other conditions and requirements which have been or may be set by other town boards and officials.

Thanks again for your cooperation. Please feel free to contact me if you have any further questions.

Sincerely,

Dan Watt

Dan Watt

Chairperson, Antrim Conservation Commission

Copies to:

Antrim Planning Board
Antrim Zoning Board of Adjustment
Antrim Board of Selectmen
NH Wetlands Board
Abutters: Mrs. Charles Wood, Mrs. Mona Plourde