

Minutes of the Antrim Board of Adjustment Meeting September 19, 1989

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

Continued Public Hearing Case #134, K.D.K. Corporation, Kevin Ricupero for a Special Exception concerning Article VI, Section B.3.c. of the Antrim Zoning Ordinance. The Applicant proposes to construct a six-unit apartment building on property located on West Street in the Residential District. The Chairman opened the hearing at 7:40 and provided the Board with a copy of the decision for the Variance portion of the original hearing. He introduced himself and introduced the Board that will be sitting for this hearing, Tom Curran, Marianne Moery, Joseph Timko, Patricia Hammond-Grant, Acting Clerk, and David Penny, Acting Chairman. The first hearing held on April 11, 1989 with a site review following on the 15th and the decision being made on April 18, 1989. The Chair outlined the procedure for holding a Public Hearing. The Clerk, Patricia Hammond-Grant read the application for a six unit apartment building. Notification was made in the Peterborough Transcript on September 7, 1989. Certified mail was sent to the abutters with all receipts returned except those of Ella Davies, Kevin Ricupero, and June Ann Peterson. The Chair read the decision made by the Board on the application for a Variance. This decision being made on April 18, 1989. Penny read the Article in question, Article VI, Section B.3.c. of the Antrim Zoning Ordinance as it applies to the Residential District. He also read Article XII, Special Exceptions. Penny felt the need to read Article XVIII which addresses the power of the Board of Adjustment to grant Special Exceptions. Don Mellon presented the case for the Applicant Kevin Ricupero. He presented an amended plan as far as the location of the buildings is concerned. This plan is for a six unit apartment building on a 3.0 acre parcel. Mellon addressed the list of requirements as requested in the granting of the Variance. He showed the public the change of the location of the building. He addressed the desirability of the DeBart Lane access. This plan has been discussed with the Sewer and Water Commissioners and all utilities will come in through the DeBart Lane access. A dredge and fill permit will not be necessary as a result of the new plan. Final grades and drainage have been laid out, with all possibilities considered. The plan shows all profiles for the sewer and construction detailing for the road. There will be no additional runoff to Great Brook. The plan shows the proposed lighting for the plan. Detail for finished landscaping for the building is also noted on the plan. It has been noted on the plan that drainage patterns will not be substantially altered as a result of this plan. The Chairman also commented on the fact that the Planning Board has enacted a Site Plan Review Regulation in the interim. Moira Passucci criticized the plan and expressed her displeasure with the placement of the apartment building to the back of the lot and as a result is located closer to her property. The building will be located 47 feet from her property

line. She questioned the possibility of the Grove Street Bridge accommodating the additional traffic as a result of this project. She asked about fencing in the back of her property to prevent people from crossing her property to get to the school. Mellon showed that some of the woods have been left as a screen on the sides of the plan. Pascucci asked how this will not adversely affect her property values. The Chair addressed the question of property values and stated the fact that the location of the building does not enter into the discussion except as it applies to the the correct setbacks. Marty Smith asked about the use of DeBart Lane. Mellon stated that it will be upgraded. Smith asked what the requirements are. Mellon explained what is required and that drainage is provided. It was established that the width of the road is presently fourteen feet. The right of way is presently thirty feet. Smith had reservations about the use of Debart lane as it goes by his house and has concern for the special needs people at the Monadnock Workshop. He spoke to emergency vehicles and the use of the Grove Street Bridge. He also questioned why this access is better for water and sewer. Smith argued the point that he does not believe that DeBart Lane is the best access. Pascucci had another question about the Grove Street Bridge and car traffic and the possible expense of repairing the bridge. Penny asked about the cleaning up of the clear cut lot. Ricupero said that the lot will be destumped and cleaned up. Ella Davies expressed her concern with the wetland in her backyard. Passcucci stated the need for trees to absorb the standing water. Ed Pascucci asked about the Variance allowing the six unit apartment building. He feels that this is excessive. Penny asked why. Pascuccci asked why the minimum frontage. Penny addressed the fact that the minimum frontage is to keep houses from being located too closely together. Penny raised the subject that one of the major concerns of the abutters was foot traffic. He asked what could be done to keep children from going through the property. Ricupero spoke to a pathway through his property to West Street. Hammond-Grant asked about the lay of the land. Ricupero asked about a stonewall. Smith had other comments on the desirability of using DeBart Lane. The Chair asked for further comments or questions and he asked Ricupero if he will be willing to erect a barrier or fence. Ricupero is in accord. Smith asked if in the construction of the road that the applicant will assure him that it will not interfere with his property. Smith asked about drainage. Mellon stated that the drainage will not be worse and that it will remain as it is. Pascuci asked about any changes to the parking lot or building size. Ricupero stated that the parking lot is larger but the building size is the same. Tom Curran asked about the Planning Board and what it will consider it its site review. Curran addressed the fire equipment problem. He also addressed the dumpster and suggested that it be placed in the middle or the property so as not to enroach on the neighbors property. Penny asked about the abutters preference for a fence it it were required. Pascucci stated that it needs to be a barrier fence, stockade or one of the green chain link fences, higher than a three foot fence. Tom Curran asked about the length of DeBart

Lane and how it compares to Hilton Ave. Smith stated that there is not much difference. Mellon referred to the tax map. 180 feet longer. There being no further comments The Chair summarized the testimony. Ricupero stated his agreement with the replacement of the dumpster. Pascucci asked about fire hydrants which were pointed out on the plan by Mellon. Mellon asked to impress on the assembly that this proposal complies with the Town Ordinances as voted by the Town of Antrim. The Chair stated in the event there is a need to adjourn for a later date the date and time of this meeting will be posted and that all decisions will be made in public. Penny closed the public portion of this hearing. The meeting was recessed.

The Chairman called the meeting to order at 9:15 and the Board went into deliberations. The Board reviewed the plan. Tom Curran addressed the subject of greenspace and the location of the dumpster. There was also some discussion of the lighting. The possibility of barrier fencing. Chairman Penny raised two concerns. Traffic generated, drainage if it is an issue. Curran is of the opinion that the area close to West St. could be drained out. The feeling was that this is not the board's purview. Curran is of the opinion that the damage to the drainage has been done and perhaps the Board can address it. The consensus of the Board was that the drainage is not the concern of this Board. Joe Timko asked about traffic in general. He is of the opinion that this will not create congestion. It will increase the traffic mostly in the construction period. The consensus is that there is no traffic problem. The Board addressed the problem of the Bridge on Grove Street the feeling of the Board is that the number of units will not increase traffic to any degree. It was established that there are other multi-family dwellings in the area. Curran again addressed his concern with the placement of the dumpster his concern is with noise and odor. He suggested that it be placed on the other end of the parking lot. Penny addressed the requirement for a fence. Tom Curran recommended that the Board suggest a vegetative buffer. Marianne Moery suggested that the Board strongly recommend that a buffer be required. Penny stated that the new plan would only leave one unit exposed to the neighbors. Curran again spoke to the desirability of a vegetative barrier. The consensus is that traffic is not a problem. the only two items are the dumpster and the vegetative buffer. Tom Curran addressed the outline for a Special Exception in the Board of Adjustment Handbook. Marianne Moery moved: that the Special Exception requested by KDK Corporation to Article VI, Section B.3.c. of the Zoning Ordinance be granted, since multi-family dwellings are allowed by the Ordinance and the required special conditions defined in Article XII have been met. The Board recommends that: 1. KDK Corporation consider moving the dumpster to a site more central to the property minimizing potential effects on abutters; 2. KDK Corporation provide additional landscaping that would further increase the privacy screen between their property and the abutters. 3. Given that standing water has increased in the area of the West Street

frontage due to the logging for this project the KDK Corporation improve the drainage to Great Brook to alleviate the standing water. Tom Curran second. The vote: Patricia Hammond-Grant, yes; Joseph Timko, yes; David Penny, yes; Marianne Moery, yes.

Meeting adjourned at 10:15 P.M.

Respectfully submitted,

Barbara Elia, Secretary