

1 ANTRIM PLANNING BOARD

2 Meeting

3 Thursday, April 18, 2024

4 MINUTES

5 **Members & Planning Staff present:**

6 Mark D. Murdough (Chair), John Anderson (Vice Chair) Bob Edwards (Ex-Officio), Lynne Rosansky  
7 (Member), Michael Devine (Member), Carol Ogilvie (Planning Consultant)

8 **Present over ZOOM:** Rebecca Hull (Alternate Member)

9 **Members/Staff Absent:** William Fluhr (Member; Ken Rubin (Member)

10 **Others present:** Patrick Battaglia, Applicant; Jon Lefebvre, Fieldstone Land Consultants; Dennis  
11 Young; Shelley Nelkens; Matt Miller, Water/Sewer Superintendent; Sherry Miller; and Ken Morse

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13 **CTO:** Chair Murdough called the meeting to order at 7:00 PM. The first item of business is the  
14 continued public hearing for the Battaglia subdivision

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16 **I. Continued Public Hearing for Battaglia Foundation, Inc.**

17 Chair Murdough invited Mr. Lefebvre to present changes that had been made to the plan since the last  
18 meeting. Mr. Lefebvre pointed out three changes:

- 19 1. The property line for the lot line adjustment has been straightened to better accommodate the  
20 driveway.
- 21 2. The tie-in to the sewer line has been adjusted to accommodate the requirements of the Water &  
22 Sewer Superintendent.
- 23 3. Finally, he noted that permits are still pending from NH DOT and DES for the curb cuts and the  
24 wetlands crossing and disturbance.

25 Chair Murdough brought up the letter from the Antrim Conservation Commission (ACC) with the request  
26 for some sort of natural resource benefit to offset the impacts of the wetland disturbances, to which he  
27 proposed the possible establishment of an easement for a pedestrian pathway from the project to  
28 Mescilbrooks Road. His thought was that this could be one technique to get pedestrian traffic off of  
29 Route 202. Mr. Lefebvre responded that, first of all, he could not agree to this without consulting with his  
30 client. Furthermore, in his opinion, they have designed the plan to result in the least possible wetland  
31 impacts and that the driveway is crossing at the narrowest point.

32 Chair Murdough also noted that the ACC suggested that one lot (55-6) should be taken away due to the  
33 likely proximity of the house to the wetland buffer. Mr. Lefebvre responded that all of the lots are on  
34 Town water and sewer, so even though the lot is smaller, there is room for a house because there will not  
35 be a well or leach field to accommodate. He would be happy to discuss this with ACC, if need be.

36 Mr. Edwards stated he understood that a sidewalk would be voluntary on the part of the applicant. Mr.  
37 Lefebvre agreed and said that he would speak with his client about this. He does, however, believe that  
38 the layout of the lots provides opportunity for walking.

39 Mr. Anderson noted that, while he thought an easement would be nice, it is not a requirement, and is not a  
40 significant issue for him.

At this point the Chair asked for any other comments from the Board, to which there were none. He then opened the comment period to the public.

Mr. Miller stated that the sewer issues have all been addressed to his satisfaction. Mr. Lefebvre added that DES will require that everything will be in place prior to the issuance of any permits.

Mr. Anderson stated that the Planning Board has a great interest in consolidating residential use in the water/sewer district, and it did appear that this site could accommodate additional density. He asks whether the applicant would consider putting in duplexes as opposed to single-family homes. Mr. Lefebvre responded that it absolutely would be possible. He noted that getting financing for duplexes can be problematic; and that selling can also be an issue, depending on the ownership arrangement. Nevertheless, anything that can be done to increase housing options is positive.

Mr. Edwards asked how many duplexes would be possible (seven) and about the impact on Route 202. Mr. Lefebvre responded that from DOT's perspective, there would be no noticeable impact and would not affect the permits, since the driveways are already designed for shared use.

At 7:24 P.M. the Board recessed so that Mr. Lefebvre and his client could confer with his client.

Ms. Hull (over Zoom) stated her support for duplexes, but also thinks a path away from Route 202 is essential; in her opinion, all neighborhoods should have sidewalks for the children in particular. Mr. Miller pointed out that this is a rural area, that Antrim has no sidewalks outside of the downtown, and to require them for this project would not be fair. Mr. Edwards pointed out that the Town's regulations do not require it.

Mr. Lefebvre and Mr. Battaglia rejoined the meeting. Mr. Lefebvre noted that, despite the absence of sidewalks, there will be plenty of space on the parcel for kids to walk. He also stated that his client is willing to consider duplexes, but does not want to be put in a position where they are required, if he has difficulty getting them constructed. As for an easement for a path, it is perhaps late in the game to consider that, as it would involve other property owners; nevertheless, he believes that the plan as designed provides a natural resource benefit.

Chair Murdough stated that if there were no further questions or comments from either the public or the Board, he would entertain a motion to close the public hearing and move into deliberation.

*On a motion by John Anderson/seconded by Mike Devine, the Board voted to close the public hearing at 7:33 P.M., with all in favor by roll call vote.*

Chair Murdough stated that this proposal is comprised of three separate applications, and they would be voting on each one individually.

#### 1. Lot Line Adjustment

Mr. Anderson stated that the easement would require multiple crossings, so it is not practical. He really likes the project, and even though he would like to see additional housing, even with single-family homes, it is an increase in housing and helps increase density in the downtown.

*On a motion by Bob Edwards /seconded by John Anderson, the Board voted to approve the application for the lot line adjustment, with all in favor by roll call vote.*

#### 2. Special Use Permit for Wetlands

Mr. Anderson stated that the Board should review and consider each of the six criteria spelled out in the Ordinance:

1. DES approval is pending. This would be a condition for approval.
2. The Water & Sewer Department and the ACC have submitted reports to the Planning Board. This criterion is met.

3. Applicant states that this is met. The narrowest crossing was designed. There was no way to avoid the disturbance and the crossing was necessary in order to use the backside of the lot.
4. Drainage is addressed on site, and it is not increased. Building pockets will have minimal impact. They are protecting wetlands to the best of their ability. No water will shed off of the land onto the road or onto abutting properties.
5. Same as above. Also, there are no leach fields on the site.
6. Best Management Practices will be used for erosion control.

Mr. Edwards stated that he is comfortable with DES approval, and asked what role DES plays in oversight. Mr. Lefebvre responded that DES does site inspections; furthermore, this is an expedited permit with DES because the impact is so minimal.

*On a motion by John Anderson /seconded by Bob Edwards, the Board voted to approve the application for the special use permit for the wetland crossing and disturbance, with all in favor by roll call vote, subject to the following conditions:*

1. *DES wetland approval will be submitted to the Land Use Office prior to signing the plan.*
2. *The applicant agrees to meet with the ACC to consider any possible mitigation measures.*
3. *Best Management Practices will be adhered to during and after construction to ensure minimal impacts.*

### 3. Subdivision

Mr. Edwards stated that his only issue is the curb cuts, but he is comfortable with the DOT process. Mr. Lefebvre provided some detail on the DOT process and what must be acceptable before a curb cut is permitted.

*On a motion by John Anderson, respectfully requesting that there is a strong preference for duplexes/seconded by Mike Devine, the Board voted to approve the application for a seven-lot subdivision with all in favor, by roll call vote, subject to the following conditions:*

1. *The DOT permit for the three curb cuts will be submitted to the Land Use Office prior to signing of the plans.*
2. *The Driveways will be constructed according to the requirements of the Road Agent and Fire Chief.*
3. *The approval is subject to requirements of the Water & Sewer Superintendent for hook-ups to the Town system.*
4. *There will be a note on the plan to the effect that the approval is to allow either single-family or duplex units.*

A question was raised about road names for the driveways per E-911. Mr. Edwards stated that the Select Board takes recommendations from the Fire Chief and the suggested names from the applicant prior to making a decision.

Mr. Lefebvre thanked the Board for its cooperation in processing this application.

## **II. Conceptual Consultation**

An informal discussion with Winslow House LLC for a potential subdivision of Map 288 Lot 103 into three lots, and a lot line adjustment for Map 228 Lot 023.

John Winslow introduced himself and stated that the subject properties had been in his family for many years and they have three potential scenarios to discuss with the Board:

1. A lot line adjustment with abutter Gordon Allen. This would swap part of back land to Mr. Allen in return for a piece of land on Smith Road.
2. A 20-acre parcel to be subdivided into three lots, one of which would be accessed by a Right-of-Way, since the alternative access off of Smith Road would be topographically difficult. This lot would also require a wetland crossing for the driveway.
3. Finally, there would potentially be a separate two-lot subdivision related to the lot line adjustment.

Mr. Anderson raised the issue of the wetland crossing. He pointed out that the Town's ordinance only allows a crossing if there is no alternative, and that the applicant must demonstrate that all other possibilities have been exhausted. He pointed out that if one of the lot line were shifted, the wetland could be avoided. It was noted that if the driveway were relocated, it would be closer to the abutter to the north; Mr. Morse, who stated he was interested in purchasing that parcel, would not want the driveway that close to his line. Mr. Anderson responded that the Planning Board is required to follow the law, to which Mr. Morse replied that if he doesn't want the driveway, how is that not complying with the law.

Mr. Winslow again pointed out the difficulties in accessing the lot from Smith Road, and posed the question that if the ACC agreed that a wetland crossing was less impactful than creating access from Smith Road, would the Planning Board take that into consideration. Chair Murdough stated that it would be part of their consideration.

Ms. Rosansky noted that if the wetland denial eliminated the option for a buildable lot, then the only alternative is to cross the wetland. Mr. Anderson reiterated that there is an alternative. Ms. Rosansky stated that if there are no plans at this time to build on Lot 1, then perhaps Mr. Winslow should rethink the subdivision as currently conceived. Proceed with one change at a time and avoid the wetland crossing.

Chair Murdough advised Mr. Winslow to speak with ACC, the Police Chief, and Road Agent before coming back to the Planning Board.

### **III. Review Draft Minutes**

Chair Murdough asked the members to review the minutes of 3/21/2024 and the minutes of the 3/30/24 site visit, and note if there are comments/corrections to the minutes. It was noted that the minutes of 3/21/24 were not in the packet, but rather the minutes of 3/7/24, which were already approved. The minutes of 3/21/24 will be reviewed at the next meeting

*On a motion by Bob Edwards/seconded by John Anderson, the Board voted to approve the minutes of 3/30/24 with all in favor.*

### **IV. Discussion of Proposed Amendment to RSA 674:7**

Tabled to the next meeting

### **V. 2024 Planning Board Work Program**

- a. Master Plan. Chair Murdough stated that there is a draft now, and the Board needs to set a date for the next workshop. This will be postponed until Mr. Rubin is present.
- b. Housing. Chair Murdough reported that he and Mr. Anderson have been collecting and preparing materials for a Board discussion on this topic. It was suggested that everyone should pick a focus of particular interest to them and be the "champion" of that, doing the research and reporting back to the full Board. Interest expressed at this time are:

169 John Anderson - Short-term Rentals and the RV Ordinance.  
170 Lynne Rosansky - Cluster Development and Tiny Houses  
171 Rebecca Hull – Walkability and smaller houses.

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173 **VI. Reports**

174 a. Planning Consultant. Ms. Ogilvie noted that it was time to review the annual Excavation  
175 Reports and determine whether any action on the part of the Board is warranted. She will  
176 have that for the next meeting. Mr. Anderson asked about a non-permitted operation, to  
177 which Ms. Ogilvie replied that it depends on dates of specific activity; this would need to be  
178 researched and quantified.

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180 **VII. Other Business**

181 a. Chair Murdough noted that ITW is on the next agenda.  
182 b. The CIP will need two pb members to serve. Mr. Devine will think about it.  
183 c. Complete Streets kicked off on Monday, the 15<sup>th</sup>. Chair Murdough updated Board on the  
184 initial meeting and plans for upcoming outreach efforts. There will be about five months of  
185 work, concluding with a draft policy to go to the Select Board. He sees this as a street-level  
186 master plan that provides direction on best practices to manage new roads as well as existing.  
187 d. Dennis Young. He would like to be considered as an alternate. He believes that his interest  
188 in the town would make him a good member. He has been in Antrim full-time for two years.  
189 *On a motion by John Anderson/seconded by Lynne Rosansky the Board voted to appoint*  
190 *Dennis Young as alternate member, with all in favor.*  
191 e. TIF. Mr. Anderson reported that with the passing of the TIF Plan at Town Meeting, a  
192 committee now needs to be established. He has spoken with several people who have  
193 expressed interest in serving. The Board will propose a slate of candidates to the Select  
194 Board. The next step is to get the assessments for the district quantified.  
195 f. Chair Murdough raised the topic of the ongoing lack of a person in the Land Use Assistant  
196 role. A former assistant has been filling in three days a week for 2 hours each day; when  
197 school is out that will be reduced to two days a week. This does not include attendance at  
198 meetings for taking the minutes. This leads to a disconnect between what happens at the  
199 meetings and what happens in the office. He believes that the position should be holistic,  
200 combining the administrative and the planning functions. A full-time person in the office  
201 being involved in all aspects of the work would also be able to take advantage of  
202 opportunities that are available through grants, for example. There is a lot going on in  
203 Antrim right now and the Town is missing out on potential opportunities, as well as simply  
204 being able to completely fulfill the role of a land use assistant. He does understand that  
205 finding the right person is a challenge. This is also about planning ahead since the Board  
206 needs to reckon with the eventual retiring of Ms. Ogilvie, and there is no succession plan in  
207 place.  
208 Ms. Rosansky expressed concern about how the job would be described. She felt that  
209 advertising for a grant writer was too narrow, that if someone can write good minutes, they  
210 should also be able to write grants; in other words, strong writing skills are required.

211 Ms. Ogilvie stated that, in her opinion, there is enough work in Antrim for a full-time person  
212 in the Land Use Office. Just from the work she does for the Town – and the work she doesn't  
213 do because of time and budget constraints, she sees the opportunities and the potential.

214 Mr. Anderson stated that they needed to think holistically, that this position would be a bigger  
215 benefit to the entire town, not just for the planning and zoning boards. Ms. Rosansky added  
216 that more skills will mean more pay for the employee. It was also noted that it is difficult to  
217 find someone either willing to take on part-time work, for someone who is qualified.

218 It was left that Chair Murdough and Mr. Anderson will draft a job description for the Board  
219 to review at the next meeting.

220 g. Mr. Edwards reported that he had had a conversation with Zander Kempf regarding the  
221 Antrim Mills project. It is not looking good. The tax credits funds have been cancelled due  
222 to lack of construction. Mr. Kempf encountered difficulties when soil testing revealed that  
223 the wooden structure would have to be demolished because the soil would not support the  
224 construction. All in all, unanticipated issues and costs resulted, and the project is in limbo. It  
225 is still on the market, but it is uncertain what will happen.

226

227 **Motion to adjourn:**

228 *At 9:32 P.M. on a motion by John Anderson/seconded by Lynne Rosansky, the Board voted to adjourn,*  
229 *with all in favor.*

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231 Respectfully submitted,

232 Carol Ogilvie

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234 **Approved May 2, 2024**