

Minutes of the Antrim Planning Board Meeting May 26, 1988

Present: Mike Oldershaw, Judy Pratt, William McCulloch, Robert Watterson, Phil Dwight, John Jones, David Butler, Rod Zwirner, Chairman pro tem, and Rachel Reinstein and Edwin Rowehl, Selectmen, and Phil Runyon, Planning Board Counsel.

Representing Great Brook Cluster Subdivision: Robert Cloutier, Normand LaPlante, Kenneth Cloutier and their lawyer, Jay Leonard.

Rod Zwirner, Chairman pro tem, opened the meeting at 7:30 P.M. The first order of business being the Great Brook Cluster Subdivision. Mike Oldershaw moved to adjourn to consult with counsel, second William McCulloch, so moved.

Rod Zwirner, Chairman pro tem, reopened the meeting at 8:45 P.M. The Chairman read a letter drafted by Board Counsel to the Applicant. Phil Dwight moved that the Board accept the letter as it's opinion of the status of the Great Brook Application, Mike Oldershaw, second, so moved. Jay Leonard argued about the requirements as listed in the letter he stated his opinion that the Applicant had met the requirements per page 8 of the Zoning Regulations from the preliminary standpoint. Phil Runyon, Planning Board Counsel argued that all the requirements have to be met as listed on page 37 of the Subdivision Regulations. The discussion then turned to West Street and what will be required of the Applicant. After a lengthy discussion of whose responsibility it is to update West Street, it was established that the Applicant's responsibility was in the area of Jameson Avenue up to his development. Phil Runyon commented that dealing with a major development like this was new to the Board and they (the Board) would like to make an informed decision. At this point the Applicant and their Attorney adjourned for a conference. On rejoining the meeting Jay Leonard, Applicant's Counsel, stated that they will rely on the engineers and the Road Agent to determine the cost of improvement of West Street in the most cost efficient way. There was additional discussion about the Conservation lot and questions about lots 23, 24, 25, is 65' adequate to build a house. The Applicant will have to meet with the Sewer and Water Commissioners to get firm input on the requirements for sewer and water. It was established that if the Applicant completed the checklist as provided in the Subdivision Regulations, and provided the Board with a Complete Application it is possible to hold a Public Hearing for Preliminary and Final Approval on the same night. Mike Oldershaw suggested that the Applicant might want to present their Application to the Board first before scheduling a Public Hearing. The final conclusion arrived at by the meeting was that the Applicant would contact the engineers, B. G. Miller and Cowan and Cricenti, The Road Agent, and get a firm estimate of the cost of road improvement. The Applicant will go through the checklist and provide the Board with the information listed in this list. The Applicant will then contact the Board and do what is necessary to get on the agenda to schedule a Public Hearing. An abutter to the development commented that they were glad to hear that the road and sidewalk issue were a concern, as safety was an issue.

Maja Gamitri Realty Trust represented by Gary Bergeron and his attorney Mr. Pappas were the next item on the agenda. Attorney Runyon explained that the originally submitted Application had been appealed by an abutter represented by Silas Little, Attorney. The Appeal was not being withdrawn but on the strength of the Applicant submitting an amended plan the legal action will be mute and there will be a formal release if the

Application is approved and no appeal is made within the 30 day period. Attorney Runyon stated that he is in agreement with the other party's opinion that it is close enough in concept to be considered under the original Application. Attorney Runyon also read a statement from Gary Bergeron. Mike Oldershaw stated that he did not accept what had been read. His opinion is that the Board has never given final approval to the Plan. The Board has given conditional approval only. The Applicant understands this. The Revised Ammended Application is for 7 units in the Inn and 7 single family units each on its own lot with a 5 foot courtledge, in the same category as a cluster or condominium. The Applicant stated that his lawyers had gone through the Ordinance and say that this complies with the Ordinance. This will have the same density but no mixed use. This will now be a Home Owners Association. It was established that prior to a Public Hearing there will have to be some documentation from the attorney as to the legality. A Public Hearing will be scheduled for June 23, 1988

The Board spoke to Attorney Runyon about the conflict of interest as it applies to the Blair Application. The Attorney's answer was that in this case the Board will need a temporary Attorney, and if there is litigation both parties will have to seek other Counsel.

Richard Herman met with the Board to discuss his plans for his property on Liberty Farm Road. He had specific questions about improving a Class VI road for the purpose of subdividing 38 acres on that road. He would like to improve about 1800 feet but wants to leave a gravel surface as the rest of the road is gravel. Mike Oldershaw pointed out that the Subdivision Division Regulations require a tar surface. After some discussion it was agreed that the Board get some input from counsel. Mr. Herman stated that he would like to develop the property slowly in a way that would please the Town.

Mike Oldershaw moved to accept the minutes of the previous meeting second Phil Dwight, so moved.

Meeting adjourned at 10:45 P.M.

Respectfully submitted,

Barbara L. Elia, Secretary  
Antrim Planning Board