

Minutes of the Antrim Planning Board Meeting June 21, 1990

Present: Judith Pratt, Chairman; Ed Rowehl, ex officio; William Suydam, Alternate ex officio; Rod Zwirner; Nancy Timko. David Essex; Barbara Elia, Alternate.

The Chairman opened the meeting at 7:30 Robert Watterson and Dennis McKenney met with the board to discuss the plans for the subdivision of the Lily Pond Ledges lot, which lies within the Rural Conservation District and the Rural Residential District. They had questions relative to which of the two districts apply when property lies within the two districts. Watterson informed the Board that the Lily Pond Ledges group does not intend to develop to the maximum density. He indicated that the road will lie in the Rural Zone and he asked which regulations would apply to the abutting lots. Watterson pointed out that the proposed lots will be larger than required because of the wetlands and steep slopes and that they will meet all requirements except for the district lines. The frontage will be in the Rural District as the road lies in the Rural District. Watterson questioned the need for 300 foot frontage. It was indicated that as long as both sides of the road are in the Rural District and the size of the lots is such that it will not affect the density they could be considered as rural lots. Steep slopes and the dry contiguous areas will have to be considered in the size of the lots. Generally speaking the lots will have to comply with the rules of the district in which they lay. The State requirements were discussed and Rod Zwirner brought up the subject of a walking easement to the cemetery. It was observed that the location of the right of way to the cemetery is not indicated on the deed. Watterson expressed his objection to easements on property and indicated that he would not want to use this procedure. There was further discussion of a conservation easement. Watterson had additional questions about the procedure for annexation and asked if two hearings will have to be held. The Board was informed that Selectman, Don Phelps has helped with the layout of the road and is an abutter to the property in case this could be construed as a conflict. Chairman, Judith Pratt will consult with Board Attorney, Silas Little and get some input on the questions raised.

Harry Page met with the Board to discuss his property on Old Pound Road. He plans to subdivide a 22.5 acre parcel into three lots and to tie the house and the barn across the street together so that they can't be sold separately, the reason being that the leach field for the house is on the barn side of the road. Page also indicated that as a real estate broker he plans to approach the Minuteman Council relative to the development of their property at Gregg Lake.

The Chair, Judith Pratt, opened discussion on the Great Brook Cluster Development on West Street. Selectman, Ed Rowehl ex officio member to the Board stepped down as he is an abutter. Selectman, William Suydam, Alternate ex officio member took

Rowehl's seat. The Chair reported her conversation with Attorney Silas Little to the Board, which indicated that there should be a separate subdivision of the 7.276 acre lot. Little also suggested that the developer could add acreage from the residential area (approximately 40,000 square feet) to satisfy the acreage requirement to support 28 lots in a cluster situation. He also commented on the triangular shaped lot near the road. The Chair addressed the estimates of cost which include provisions for sewer and water, the timing of the project, and the length of time that the approval will be in effect. The subject of bonding for improvements was raised and it was established that a determination of the amount of a bond for the water pipe on West Street, the water pipe within the project, sewer pipe and pumping stations #1 and #2, the road, erosion control, and supervision of construction will have to be made. The Applicant will also have to negotiate an agreement with the water and sewer department as to the cost of maintenance until enough lots are sold to support the maintenance of the pumping stations. The Chair has also talked with Bernie Waugh, Attorney with New Hampshire Municipal Association, and he has advised that, if approved, the project should be started within one year and finished in three years. A copy of a letter from the WSPCD indicates that the water permit expires two years from the date of issuance. The sewer permit has not been received. It was noted that West Street is scheduled for upgrading in 1991 and that the sewer and water pipes should be laid before this is done. The need for a temporary cul-de-sac, should the project be done in temporary stages, and the fact that all bonds are to be posted before final plans can be signed was expressed. The Chair stated that the bond can be released, in an amount that will protect the Town, as the project progresses. The Chair expressed the need for an agreement with the Water and Sewer Commissioners, a warranty for the work, a review of a planner and an engineer's review of the road. The Board will require that the final plan show all easements and "as built" plans of sewer and water and drainage. The "Cluster Development Agreements" will also have to be in the hands of the Board. The Chair will write a letter to the Sewer and Water Commissioners outlining the pertinent items, and at some point will be in contact with B. G. Miller to get an estimate for the review. It was observed that this is probably the largest project that has come before the Board and a need to protect the Town was expressed. The Board agreed to schedule a site review of the project on Saturday June 23 at 8:00 A.M. The Chair asked Rod Zwirner to conduct this review as he is familiar with the area. Abutter Wendy Carey will be notified of this review at her request. David Essex had a question relative to the employment of an engineer to review the project. The Chair informed him that the election of the engineer for review was the Board's decision. The developer has a right to question the cost if he feels that it is unreasonable and to make suggestions, but it is the Board's decision. Applicant, Robert Cloutier was given an opportunity to address the Board. He questioned the statements made relative to the subdivision, and questioned why the triangular piece of land and the drainage were discussed. He

also asked about his participation in the improvements required as a result of this proposal and questioned the time frame for the start up and completion of this development. He argued that the language in the Ordinance does not except the area for roads. The consensus of the Board being that it is the intention of the Ordinance. He suggested that some land could be dedicated to the Conservation Commission as had been suggested under the previous application. Cloutier also questioned the need for bonding upon approval and suggested that bonding should be done ^{when} the project is started. He reviewed the plan with the Board and pointed out the location of the easements. Cloutier stated that it would be almost impossible to phase this development and he called the Board's attention to existing problems with pressure on the line. He expressed his reservations with the use of B.G. Miller as a consultant by the Board and when asked by Selectman, William Suydam, Alternate ex officio member of the Board, for his suggestions, Cloutier expressed a desire to cooperate with the Board. Cloutier indicated that he will be consulting with his lawyer about the different points made this evening and Chairman, Judith Pratt, suggested that perhaps the Board's attorney and the Applicant's attorney could discuss the matter. The subject of ground control and the cost of same was discussed. Bill Suydam read the Article in the Zoning Ordinance on Cluster Developments. Cloutier asked the Board for fairness. Discussion was ended and the adjourned public hearing for the Great Brook Cluster Development was continued until June 28, 1990.

William Suydam, Alternate ex officio member to the Board stepped down and Edwin Rowehl rejoined the Board. The minutes of the June 14, 1990 meeting were addressed. David Essex pointed out that the words "area of green space" should be replaced with the word "density" where it is used in a statement made by abutter, Ed Rowehl on page one of the minutes. Rod Zwirner moved to accept the minutes as corrected. Second Nancy Timko. David Essex, yes; Rod Zwirner, yes; Nancy Timko, yes; Judith Pratt, yes; and Ed Rowehl, abstain.

Motion to adjourn at 10:00 P.M.

Respectfully submitted,
Barbara Elia, Secretary