

*September 13, 1990*

Present: Judith Pratt, Chairman; Nancy Timko; Rod Zwirner; Bruce Jeffery; David Essex; Ed Rowehl, ex officio.

The Chairman opened the meeting at 7:30 P.M. and introduced the Board. Nancy Timko, Rod Zwirner, Bruce Jeffery, David Essex, Ed Rowehl, ex officio, and Judith Pratt, Chairman.

Wayno Olson, owner, Steve Schacht, builder: Site Plan Review for a 14 x 36 addition or 504 square feet, which will extend into the basement of the store. Steve Schacht submitted drawings of the proposal and testified that the Applicant has complied with all the codes and licensing requirements. There are 67 parking spaces now and the plan is to add ten more beside the the mill pond. There will be no disturbance of the surface, which is part gravel and part tar to accommodate the additional parking. The Fire Chief has given approval of the plan in writing. Schacht stated that the addition will provide more dining area as the bar and lounge will be moved to the new location. This addition will extend four feet beyond existing building. Speaking in favor, Wayno Olson, owner of the building. Olson testified that the Rynborn runs a fine restaurant and that there has been no major problems since it has been at this location, but the owners have a band on Thursday nights, which has resulted in some complaints from the neighbors about the noise. As it is presently laid out the area is close to the water and the noise carries. If the change is allowed the area will be substantially underground and this will contain the noise. It was established that the band plays until 12:45. Olson also stated that the dark areas where there has been a problem with people drinking, will be lit. Gary Gagnon, Antrim Police Department stated that the operators of the Rynborn Restaurant have been cooperative relative to the noise problem, and expressed the belief that the fact that the entertainment area will be underground will alleviate the noise problem. Gagnon also testified that both business' have been supportive of the Town and that the change will be good for business. Bob Gladding spoke in favor of the proposal. Abutter, Bob Allison, expressed his concerns with the problems with the parking area. He referred to the drinking in the parking lot and the noise when the band plays on Thursday night. Mark Gelardi, owner of the gas station next door testified that he has been at his location for two years and has never had any problems. He referred to the need for a business to grow. Steve Schacht pointed out that the Rynborn does not sell bottle or canned beers to be taken into the parking lot and expressed the opinion that the restaurant is not happy with the situation. Olson expressed the opinion that additional lighting will discourage the problem with drinking in the parking lot. In answer to a question from the Chair, Wayno stated that he intends to light up the area so that can control the problem. He also stated that the lighting will be placed so that it does not shine on the abutters and will light up the area by the entrance. The Public Hearing was closed. The Chair asked for comments from the Board. Rowehl raised the question of accesses. Schacht answered that there are two accesses, the number of which has been approved by the Fire

Chief. There are smoke detectors and other safety features. It was established that the bar will be moved downstairs and the area presently used by the bar will become part of the dining-room. There were questions about drainage and parking. After much discussion it was determined that there is adequate parking. Essex expressed further concerns about the parking arrangements. It was established that the restaurant opens at 11:30 A.M. Police Officer Gagnon testified that there has never been a parking problem at this location. There were further questions relative to the parking lot. Wayno Olson testified that the store has been at this location since 1967 and that he purchased two apartment buildings, which were torn down to create the present parking area in 1971. The area now occupied by the restaurant has been in existence since 1975. Wayno testified that trucks have been going around the building since 1971. Rod Zwirner moved to accept the application as complete. Bruce Jeffrey second. So moved. To further questions about the surface of the parking lot, it was established that the existence of this parking area is grandfathered. David Essex moved to approve the addition to Rynborn Restaurant and the increase in the number of parking spaces. Nancy Timko second. So moved.

**Harry Page:** Continued public hearing for a Subdivision on Route 31 and Old Pound Road. Page provided the Board with updated plans for this subdivision. All the changes requested by the Board have been made. Nancy Timko moved to accept the completed Application. Bruce Jeffery second. So moved. Bruce Jeffery moved to approve the subdivision of the property of Harry Page, tax map 5 lots 1270 and 1271, into three lots, lots 3A and 3B to be combined as a single lot of 5.03 acres, lot 1 of 6.4 acres and lot 2 of 11.25 acres. Rod Zwirner second. So moved.

**Robert Gladding:** Continued public hearing for Site Plan Review to increase parking at the professional building at the corner of Prospect Street and Route 202. Mr. Gladding has chosen to delete the previously proposed parking on the edge of the Prospect Street and place it in the center of the lot. Greg Goff spoke in support of the proposal. Gladding presented the approval of the additional curb cut from the Road Agent. Nancy Timko moved to accept the application as complete. Rod Zwirner second. So moved. Ed Rowehl moved to conditionally approve the additional parking spaces on the property of Robert Gladding on Route 202 and Prospect Street subject to a variance for the paving of the parking lot. Second Nancy Timko. So moved.

**Asbel Adkins** discussed his application for a Home based business on Clinton Road. The Chair advised Adkins that parking should be on the interior of the lot, and the need for two parking spaces was determined. Mr. Adkins will complete his application and submit it to the Board.

**Donald Leach** with a request to operate a flea market on route 202 at the Airport road. The subject of a grandfathered use was raised and it was established that the property has not been used

for a flea market for over a year. Leach maintains that it has been used as a flea market for the last twenty years, and he has been using the property in this manner as long as he has owned it. It was established that site plan review is needed.

Ed Rowehl stepped down from the Board for the matter of discussion of the Great Brook Subdivision. The Chair reported that a letter was sent to Cloutier relative to the possibility of the need for a traffic review. Chair has been reviewing the plans but until the report of the Sewer and Water Department has been received deliberations cannot be started. There was some discussion of the right of way for the second entrance which does not have a buffer zone. After reviewing the zoning ordinance it was established the the applicant will have to get a variance from the Board of Adjustment as the Planning Board cannot legally waive any provision of the Zoning Ordinance. The Board agreed that the Chair should write a letter to the Board of Adjustment recommending the approval of the variance. The Great Brook Subdivision hearing is continued until September 20, 1990. Ed Rowehl rejoined the Board.

Zoning change for Institutional Use. The subcommittee presented a copy of a draft for an Article to be added to the Ordinance. Bruce Jeffery made the presentation that this action was taken to help with the sale of Hawthorne College, the use for which was not provided for in the Zoning Ordinance. The area North of Route 9 and East of Liberty Farm Road was considered as suitable for this use. The Subcommittee has talked to the Board Attorney, Silas Little to address the problem with spot zoning. David Essex explained that two other uses have been added to the existing uses. There was discussion of the regulation of a prison if one were to be established in this area. It was pointed out that the area could start at the East of the Boundary for the rural Conservation District. Greg Goff questioned the reference to standards for the operation of a minimum security prison and asked if the Board had any qualms about this provision being below Antrim Standards. The Board agreed that it is satisfied that these standards are stable and reliable. He also asked that given the outline and lot requirements, is the Board satisfied that Hawthorne College will qualify? The Subcommittee concurred that the great majority complies and in their opinion this proposal will work. The consensus was that the committee is not aware of any problem and that this proposal <sup>might</sup> could accommodate any organization that would apply under this Article. Harry Page commented on ACA Standards. Jan Boatwright asked that the area involved be defined. It was established that the area concerned will be North of Route 9 and East of a line one thousand (1000) feet West of Liberty Farm Road East to the Hillsboro Town Line. ~~Peter Beblosky~~ commented on a quote from the paper relative to the fact that Federal Prisons will not come into any Town unless they are invited. He further commented that anything that is done to make it inviting for federal prisons would be hazardous. There was further discussion of this possibility. It was noted that this subject was addressed because the Board feels that the

Richard  
Black

voters of the Town should have a choice. Phil Dwight commented on the fact that all the other permitted uses are to be included in this amendment. There was discussion about the expense of special meetings and the fact that this proposal could be presented in March. Keith Boatwright commented on the speed with which this proposal has been presented. The fact that the college is out of business and facing foreclosure was noted. The Chair commented that the general feeling was that the use was grandfathered for a year. The necessity of including a prison as a permitted use was questioned. Peter <sup>Richard Black</sup> Beplosky asked that subject be presented in two parts, and after rewriting the proposal it was agreed to present it as two questions. Subcommittee member, Nancy Timko, commented that this is well thought out and should be posted in time to be voted on at the General Election in November. Selectman, Ed Rowehl, commented on the costs for a Special Town Meeting. McNeil made some comments on the status of the proposal after the decision is made. The consensus was that if it is voted out this will be the end of the subject. The Chair stated that if this were voted down it will be some time before it is reconsidered. Boatwright commented that Camp Sachem among other parcels could be considered for this use. It was pointed out that Camp Sachem lies in a different zone. David Essex commented that there are only some camp buildings at Camp Sachem. Phil Dwight expressed the opinion that it should be a clear vote and that the two issues, "Institutional Use" and "Prison Use" should be kept separate. The Board agreed to Vote to post Article XIII. The fact that a Federal Prison would not pay any taxes was noted. The Board also agreed to post a revised definition for "Institutional Use", and to renumber the subsequent Articles. David Essex moved to post an amendment to the Zoning Ordinance, Article XIII as follows:

**A. Purpose**

1. The institutional District is intended to provide for the orderly establishment of institutional uses in Antrim. The Institutional District is an overlay of all those parts of Antrim both north of Route 9 and East of a line one thousand (1000) feet West of Liberty Farm Road.
2. The Institutional District shall be considered as overlaying any other districts established in the above area. Any use permitted in the portions of the district so overlaid shall continue to be permitted.

**B. Permitted Uses**

1. Hospitals
2. Camps
3. Shelter Houses
4. Conference Centers
5. Colleges
6. Primary and Secondary Schools

C. Lot Requirements

1. Minimum lot size: 15 acres
2. Minimum lot depth: 300 feet
3. Minimum setback on all sides: 100 feet
4. Minimum lot frontage: 300 feet
5. Maximum building height: 35 feet or two and one half stories whichever is less.
6. Maximum permanent resident density: 6 per acre

To repeal Article III, B., 60 and to substitute the following:

Article III, B.

60. Institutional Use: Public or private use or institution such as but not limited to a church, library, public or private school, hospital, shelter house, conference center.

To renumber all subsequent articles and references thereto as follows:

II. If Article XIII is passed, to amend Article XIII to add:

B. 7. Privately owned minimum and low security correctional facilities provided that:

a. Operation of the correctional facility will meet or exceed requirements of the American Corrections Association for minimum and low security correctional facilities.

b. The correctional facility buildings and grounds will meet or exceed requirements of the American Corrections Association for minimum and low security correctional facilities.

D. Lot requirements for privately owned minimum or low security correctional facilities:

1. Minimum lot size: 100 acres
2. Minimum lot depth: 500 feet
3. Minimum setback all sides: 100 feet
4. Minimum lot frontage: 300 feet
5. Maximum building height: 35 feet or two and one half stories whichever is less
6. Maximum permanent resident density: 3 per acre.

Rod Zwirner second. So moved unanimously. This amendment posted September 13, 1990. First public hearing as required by RSA 675:7 scheduled to be held September 28 at 7:30 P.M. at Town Hall.

Minutes of September 13<sup>6</sup>, 1990 will be addressed at the next meeting.

Correspondence: Notice of Hearing on changes to Route 202 to be held September 27.

Letter from Selectmen granting an extension in the matter of the Great Brook Subdivision.

Meeting adjourned at 11:50 P.M.

Respectfully submitted,  
Barbara Elia, Secretary