

1                                   **ANTRIM ZONING BOARD OF ADJUSTMENT**

2                                   **Public Hearing and Public Meeting**

3                                   **Tuesday, July 12, 2022**

4                                   **DRAFT MINUTES**

5   **Members & Planning Staff present:**

6   Diane Kendall (Chair), Janet McEwen, Doris (Shelly) Nelkens, and Michael Ott,  
7   (Members), and David Clater (Alternate Member).

8   Carol Ogilvie (Consultant), William Bryk (Administrative Assistant to the Land Use  
9   Boards)

10 **Members/Staff absent:**

11 Bob Holmes (Vice Chair).

12 **Others present:**

13 Zander Kempf (Antrim Mills, Applicant); Jessica McNeill (Wilcox & Barton, Consulting  
14 Engineers to Antrim Mills), Selectman Tom Davis; Fire Chief Marshal Gale; Police Chief  
15 Brian Lord; Mark D. Murdough, Planning Board Chair; John Anderson, Planning Board  
16 Vice-Chair; Aimée Mullahy and Marissa Frosch, Planning Board Members; Bob  
17 Edwards, Capital Improvement Program Committee Member; Scott Jobo, Abutter;  
18 Stephen Burkhardt, T. Burrows, Mark Frosch, Tim Rowehl, Maureen Watts, and Dennis  
19 Young, Residents.

20 **CTO:** The Chair called the meeting to order at 7:00 PM.

21 **Business Meeting:**

22 **Agenda items:**

- 23       • **Application from Antrim Commons, 42 Main Street, Tax Map 104-**  
24 **106, 104-106-001, and 104-003 in the Village Business District for**  
25 **variance relief from the following for a mixed-use project of 36**  
26 **residential units and 20,000 sq. ft. of commercial development with**  
27 **associated parking and amenities:**  
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29       • Art. IV.C.C(1) to allow 21 dwelling units on Lot 106 where 8.35 are allowed  
30       and 15 dwelling units on Lot 106-1 where 2 are allowed;  
31       • Art. IV.3.A to allow the existing front setback on Lot 106 to remain at 0 for the  
32       existing structure and proposed parking area;

- Art. IV.C.4 to allow for maximum lot coverages above 40% on Lots 3, 106 & 106-1 where 30% is allowed for multi-family and 40% is allowed for non-residential uses.
- Art. XV.B.1.A to allow 33 parking spaces where 42 are required on Lot 106 and 17 spaces were 32 are required on Lot 106-1;
- Art. XV.A.2 to allow compact car spaces on Lots 106 and 3 where 9'x18' are required;
- Art. XV.A.4 to allow parking spaces on Lot 3 to support the uses on Lots 106 and 106-1; Art. XV.A. 10 to allow total parking spaces of 86 where 122 spaces are required;
- Art. XV.E. to allow parking areas on Lots 3 and 106 to be closer than 10 feet to the ROW where a 10-foot planting strip is required; and
- To consider any other business that may lawfully come before the Board.

7:01 PM: The Chair introduced the Board Members to the audience. She explained the procedural distinction between a quorum and a full board and the Applicant's right to have the Application considered by a full Board. She then explained the procedure of the public hearing, e.g., requesting remarks from abutters in favor of the Application, abutters opposing the Application, and further comments. The hearing would then be closed, the Board meeting commenced, and the Board eventually vote on the variance applications.

7:10 PM: The Chair asked the Administrative Assistant to read the meeting notice and explain the posting requirements.

7:15 PM: Mr. Kempf formally submitted the Applicant's proposal. He described the project, which will include residential and commercial occupants, a coffee shop, office and co-working space, and other commercial uses. He envisioned Antrim Mills as a central piece of the local community. He had sought to maximize the on-site parking spaces, developing and constructing landscaping strips, preserving neighbors' privacy with fences six feet tall, and with substantial numbers of trees as foliage buffers. He sought a density variance for economies of scale to make the project financially feasible.

Observing that the Antrim Commons buildings dated from 1875, he intended to preserve their historical appearance. He intended walkways and park space. The parking lot on 42 Main Street's south side would be reshaped as the primary entrance, with a small loading dock.

The Riverwalk element of the project would be illuminated for safety 24 hours a day, seven days a week. He would demolish unsound structures on the property. The

optimal number of parking spaces had been calculated to the standards set by the Institute of Transportation Engineers (ITE). The studio and one-bedroom units would each have one space; the two bedroom units, two spaces.

He expects to have a restaurant as a tenant. Its parking's peak capacity would be 20 cars. He anticipates that 44 percent of the residential spaces will be available for daytime use.

7:30 PM: Mr. Clater asked whether the parking spaces for residential tenants would be reserved or open. Mr. Kempf replied that they would be open at the beginning. With experience, he would happily revisit the issue. In calculating the number of parking spaces, he had taken into account the space required for buffers.

Ms. Nelkens observed that grocery shopping for residents in 104-003, the building west of the Great Brook, would involve crossing the Great Brook to pick up groceries and return. Mr. Kempf is negotiating with MaineLine Graphics (MLG) about possible tenant use of its parking lot.

Mr. Kempf noted that all of Antrim Commons is in the Shoreland District. The oldest building, 104-003, will have ten parking spaces and one parking space compliant with the Americans with Disabilities Act (ADA). Overall, nine to ten spaces will be ADA-compliant.

Ms. McEwen asked whether, as the ADA encompasses disabilities not readily visible, the Applicant had designated spaces for such persons. Ms. McNeill, the Applicant's engineer, said the project is ADA-compliant. There will be no interior parking at 42 Main Street. The ramps proposed for 42 Main Street's parking lot will alleviate the existing steep slopes. Vans will be the only commercial vehicles allowed to deliver to 42 Main Street.

7:45 PM: Mr. Kempf said that the project is already over budget. The Applicant has already planned for stormwater alleviation. There will be no further paving at the 42 Main Street Parking Lot. The existing bridge frame north of 104-003 will support pedestrian and bicycle traffic once the bridge is constructed. The frame is inadequate for automobile traffic. The parking lot off Aiken Street is plotted for 43 spaces. Of those, 20 will be smaller with width of eight feet and 15 feet long.

A Member commented that the smaller spaces' width seemed fine but their length was problematic.

Mr. Kempf said that, by restoring the area along the Great Brook's bank, he expected to create 14 small parking spaces. Map & Lot #106-001 will have no spaces for compact cars.

103 A resident asked about installing electric automobile chargers. Mr. Kempf said that he  
104 expected to install them eventually but the price of equipment and installation was  
105 shockingly expensive. In the meantime, the utility work on the project includes  
106 installing power lines sufficient to support chargers in the future. He would enforce  
107 parking regulations to avoid congestion. He wanted a well-designed project with happy  
108 tenants.

109 8:00 PM: Mr. Clater said he believed the Applicant's parking lots would be full most of  
110 the time. Ms. McEwen asked about lease restrictions or dedicated parking, with at least  
111 one space per tenants. Mr. Kempf replied that he was building 36 units with 36  
112 dedicated parking spaces.

113 A resident commented that not crossing Main Street was safer than crossing it. The  
114 resident asked about installing a traffic light. Would not a two-bedroom apartment  
115 require at least two spaces? Or would the residents have one space at the project and  
116 park their second car somewhere else? Mr. Kempf said the two-bedroom apartments  
117 would have two spaces. Alternatives would require the Town to obtain the State  
118 authorization for additional signage authorization. DOT will install pedestrian warning  
119 signage in the middle of Main Street/Route 202. Additional fixed lighting in the area  
120 will drastically reduce pedestrian accidents. He's installing a second cobra head street  
121 lamp on a pole near 42 Main Street. Large vehicles will be prohibited from the property.

122 Ms. Nelkens said much of the location was a former brownfield with an active use  
123 restriction. Mr. Kempf replied that the State had authorized the industrial, commercial,  
124 and residential use of the properties, requiring only that the soil be tested semiannually  
125 for contaminants. Riverwalk, with its handrail, was elevated above Great Brook, not a  
126 means of descent to the water.

127 Mr. Kempf emphasized that he sought only variances, not special exceptions, for the  
128 Antrim Commons project.

129 Snow removal will be the responsibility of the property manager.

130 Ms. Ogilvie read the proposed articles as revised during the hearing.

131 The Chair then invited the abutters in favor of the application to speak. Mr. Jobo,  
132 MLG's owner, generally favored Antrim Commons. He said that allowing 104-003's  
133 further deterioration would be unwise. He admitted concerns about parking and  
134 liability issues over the tractor-trailers who deliver and remove materials at MLG's  
135 plant.

136 The Chair then invited the abutters opposed to the application to speak. There were  
137 none.

8:30 PM: Mr. Kempf described Stewart Property Management, the prospective on-site property manager, as a specialist in affordable housing management throughout New England. No trailers or recreational vehicles will be allowed on the property. The property will be a benefit to the Town through an increased tax yield.

He explained that taxes will be tied to rents with an *ad valorem* tax<sup>1</sup> on commercial tenants. Selectman Davis didn't see much about the total number of units and saw no independent professionals reviewing the substance of the application.

Maureen Watts, Resident, said that with 44 percent of all employees presently working from home, she doubted that Antrim Commons's parking lots would be freely available during the day.

The Chair restated the five criteria for the approval of a zoning variance.

Mr. Murdough said he wondered how parking for staff and for customers would work out with only 20 spaces. Ms. McNeill replied that as one stall requires 50 square feet, the total space available mandated 20 spaces.

Mr. Anderson supported the Application. He said that the peak commercial time is not when people are at home and that the presences of customers and residents would not overlap.

8:45 PM: The Chair closed the hearing. She reviewed the ZBA's worksheet of guidelines for each criterion. She ruled that the ZBA would vote upon each application separately. She then recited each criterion, setting forth the details that would govern the ZBA's decision.

• ***Motion to Adjourn:***

8: 55 PM: Ms. Nelkens moved and another Member seconded a motion to adjourn to July 19, 2022 at 7:00 PM. All Members present voted for the motion save Ms. McEwen , who opposed it. The ZBA's future business on July 19, 2022 would be its continued deliberations on the Application.

Respectfully submitted,  
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<sup>1</sup> *Ad valorem*, Latin for "according to value," is a property tax based on the value of a property.