

1 ANTRIM PLANNING BOARD

2 Public Meeting

3 Thursday, March 21, 2024

4 MINUTES

5 Members & Planning Staff present:

6 Mark D. Murdough (Chair), John Anderson (Vice Chair) Bob Edwards (Ex-Officio), William Fluhr
7 (Member), Lynne Rosansky (Member), Michael Devine (Member), Ken Rubin (Member), Rebecca Hull
8 (Alternate), Carol Ogilvie (Planning Consultant)

9 **Present over ZOOM:**

10 Members/Staff Absent:

11 Others present: Jessica Timmons (Ledger Transcript), Dennis Young (Self)

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13 CTO: Chair Murdough called the meeting to order at 7:00 PM.

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15 **I. Election of Officers**

16 Chair Murdough stated that the first order of business is to elect Officers for the Board, the first being
17 Chair and Vice-Chair.

18 Chair: *Ms. Rosansky nominated Mark Murdough as Chair/seconded by Bill Fluhr, all in favor by roll*
19 *call vote.*

20 Vice-Chair: *Mr. Edwards nominated John Anderson as Vice-Chair/seconded by Lynne Rosansky, all in*
21 *favor by roll call vote.*

22 Chair Murdough then stated that the Board's Bylaws also include a Secretary position, but that this is
23 currently not filled and has not been. He asked what the Board's opinion of this position that holds the
24 Secretary responsible for the Board minutes in the absence of staff. Ms. Rosansky stated that she is very
25 much opposed to this, that a Board member should not be responsible for taking the minutes. She would
26 not be opposed to the Secretary reviewing the minutes, but not being responsible for taking them.

27 A discussion ensued regarding the reason this position was created (when a previous Land Use Assistant
28 left the job), that this position is currently vacant, and whether the Select Board should be advertising to
29 fill this position. The situation as it currently exists is that Chair Murdough took the minutes when
30 previous staff were not fulfilling that function; and since that position has been vacant, Ms. Ogilvie has
31 been taking the minutes. Mr. Edwards asked if it is the intent of the Board to have this Assistant position
32 filled, to which both Chair Murdough and Vice-Chair Anderson replied yes, at the previous 20-hour per
33 week status.

34 The Board returned to the question of the Secretary's office in the Board's Bylaws, and whether the
35 position should be retained or removed.

36 *On a motion by John Anderson/seconded by Lynne Rosansky, the Board voted to table this discussion*
37 *until the Bylaws section of the Agenda, with all in favor.*

II. Review Draft Minutes

Chair Murdough asked the members to review the minutes of 3/7/2024 and note if there are comments/corrections to the minutes. Mr. Edwards stated that he would like to propose changes that are, in his opinion, for clarity and that do not affect the substance of the minutes, as follows:

Line 33: After “Road Agent” insert “on a submission defining the proposed scope of work”

Line 34: After “liability” insert “of the maintenance requirements similar in form to the Agreement that presently exists.”

Line 42: Correct the typo at the end of the sentence.

Line 45: Add “satisfactorily” after the word “completed.”

Line 51: Replace the sentence with the following: “The Applicant will submit a Road Maintenance Agreement that will be reviewed and approved by Antrim’s legal counsel, the Select Board, and Antrim’s Road Agent. Said approved Agreement will be referenced in all lot deeds to be recorded at the Hillsborough County Registry of Deeds.”

Line 56: After the word “work” add “for review and acceptance by the Select Board and Road Agent”

Line 57: Replace with “All specified road improvements will be inspected and approved in phases acceptable to the Road Agent. Upon final completion of the road, the Road Agent will inspect and approve all final work and recommend to the Select Board if the bond is to be released at that time.

Line 58: Insert an additional line to read: “Applicant shall submit a payment and performance bond in form and amount acceptable to the Select Board. Said bond shall be approved prior to any construction activity on Thompson Road and shall, at all times, remain in full force and effect until released in writing by the Select Board. For clarity purposes, the required bond amount shall be determined at the sole discretion of the Road Agent and Select Board.”

The Board then discussed whether these changes were merely clarifying or substantive. Ms. Ogilvie reviewed Mr. Edwards’ comments and concluded that, in her opinion, lines 33, 34, 42, and 45 were simply clarifying; line 51 (Condition #1) was a different sentence, but it appears to be merely a different way of saying the same thing -therefore no substantive change. Lines 57 and 58, however, she felt were more than clarifying, in that they made statements that were not actually spoken nor agreed to during the deliberation.

Mr. Anderson suggested that in the future, when there were decisions that included the Select Board, the draft Notice of Decision should be forwarded to the Select Board for review prior to the Planning Board signing off on it, to which all agreed.

On a motion by John Anderson/seconded by Lynne Rosansky, the Board voted to approve the minutes of 3/7/24 as amended, with all in favor.

Ken Rubin arrived at 7:47

III. Planning Board Bylaws

Chair Murdough posed the question to the Board regarding the planned review of the Bylaws, considering that he had been advised by the Town Administrator that due to a pending court case, the Board should table this review until that case is settled.

Mr. Anderson suggested that, in his opinion, there were one or two minor changes that could be addressed now. The first change he proposed is in Section 7.6 relating to the duration of the Board meetings, as follows:

“7.6 Planning Board meetings typically adjourn by 9:00 p.m. The Chair may allow existing discussions to extend if they are nearing a conclusion. To ensure timely adjournment, new agenda items will not be introduced after 9:00 p.m. Exceptions include staff reports, urgent correspondence requiring Board attention, and essential end-of-meeting business. Unfinished business can be carried forward to the next regular meeting or a date chosen by the Board.”

On a motion by Lynne Rosansky/seconded by Michael Devine, the Board voted to approve Mr. Anderson’s proposed language, with all in favor.

The second change is in Section 3.1.d regarding the role of the Secretary. He proposed language to reflect Ms. Rosansky’s objections to the Secretary (being a Board member) being responsible for preparing the minutes. Discussion ensued on the challenges the Board has faced for several years now without a reliable minute taker, including that there is no back-up plan if the Planning Staff is absent. Ms. Rosansky reiterated her view that the Select Board need to hire a person for that job, that it absolutely should not be the responsibility of a Board member.

Ms. Ogilvie interjected and pointed to Section 14 that deals with Records. She suggested that the issue of minute taking could be folded into this section and that after the Board has had some time to review this, it could be considered. The Board agreed with this and the Chair noted that this item would be tabled until the meeting of April 18th.

IV. Schedule Site Visit for Battaglia

Chair Murdough stated that the Battaglia public hearing has been continued to April 4th and the Board still needed to conduct a site visit prior to the hearing. He suggests that it be on a weekend so that they can take advantage of daylight and have enough time to properly view the site. The Board agreed to Saturday, March 30th beginning at 9:00 A.M.

V. 2024 Topics: Revisit after Town Meeting

Chair Murdough began by noting that subdivision and road standards had already been discussed to some extent this evening. He felt that, in order to address the remaining items on the work program list, that a different approach is needed. There is a lot of work to do, and some of the items have been outstanding for some time. He wondered if dividing the meeting time might help – the first hour for business/public hearings, and the second hour for a workshop.

Moving down the list, there was no consensus as to whether amending the sign ordinance was a priority. Two topics that did generated interest were the master plan and housing. Chair Murdough stated that he was comfortable with setting aside meeting time for a workshop and that they would start with housing.

VI. Planning Administrative Report. Ms. Ogilvie stated that she had nothing to report.

VII. Other.

a. Correspondence

- i. Chair Murdough stated that he had received a letter from the Select Board regarding the ITW cell tower. Many complaints have come in stating that the facility is not in compliance with conditions of approval from 2015, in that it is not in fact operational. The letter identifies deficiencies and areas of non-compliance. The Select Board is asking the Planning Board to follow its ordinance that outlines the process for decommissioning and

126 removing a non-compliant facility. Mr. Anderson asked if the Town attorney had weighed
127 in on this issue, to which Mr. Edwards replied he had not. Mr. Anderson felt that the
128 Planning Board needed an opinion from the Town Attorney.

129 Mr. Rubin asked what the goal is, to which Mr. Edwards responded that it was to provide
130 service to that area of town, as was proposed in the application. Mr. Rubin asked how
131 removal achieves that goal. Would it not be better to work with the company to achieve
132 compliance. Chair Murdough requested a copy of the contract with ITW before responding
133 to the Select Board and that the Planning Board will seek legal counsel.

134 b. Master Plan Session III. Chair Murdough would like to schedule the next session, again for a
135 Saturday, as that seems to be preferable to a weekday. Mr. Flur asked if the session could be
136 four hours instead of six, to which Mr. Rubin replied, he is happy with that if it means more
137 people will attend. The date was set for Saturday, April 6th from 9 A.M. to 1 P.M.

138 c. Chair Murdough reported that the Complete Streets program is moving forward. A list of
139 volunteer participants has been put together and forward to the Planning Commission and the
140 first meeting is being organized.

141 d. Mr. Edwards reported that HB 1479 was just voted Inexpedient to Legislate. The bill
142 prohibited the spending of any public money on lobbying, which affects all towns in New
143 Hampshire from having the NH Municipal Association lobby on their behalf, which is
144 commonly done.

145 e. Mr. Anderson noted that the TIF Plan and District passed at Town Meeting and wondered
146 what the next step for the Planning Board might be. Mr. Edwards stated that the Select Board
147 will be creating an Advisory Committee.

148 Mr. Anderson also reported that there is a petition being distributed by Riche Colcombe, state
149 representative from Hillsboro, regarding legislation that exempts religious use of land and
150 structures from zoning or site plan review prohibitions; the petition is to overturn this
151 legislation.

152

153 **Motion to adjourn:**

154 *At 9: 07 P.M. on a motion by Bob Edwards/seconded by Bill Fluhr, the Board voted to adjourn, with all*
155 *in favor.*

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157 Respectfully submitted,

158 Carol Ogilvie

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160 **Approved May 2, 2024**