ANTRIM PLANNING BOARD
Public Meeting/Public Hearing
Thursday, January 4, 2024
MINUTES

Members & Planning Staff present:
Mark D. Murdough (Chair), John Anderson (Vice Chair), Bob Edwards (Ex-Officio), Lynne Rosansky
(Member), Ken Rubin (Member), William Fluhr (Member), Rebecca Hull (Alternate); Carol Ogilvie
(Consultant)

Present over ZOOM:

Members/Staff Absent: Michael Redmond (Member)

Others present:

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

Business Meeting:
• Review/Amend Drafted Minutes from: 12/21/2023
Chair Murdough asked the members if there were comments/corrections to the minutes.
Mr. Edwards noted the following corrections: line 49 – the year needs to be corrected; line 77 – correct a
typo; line 80 – add an “s” to the end of Mr. Edwards’ name.
Mr. Fluhr noted that line 25 should say “$200,000” not “$200.”
At 7:05 Chair Murdough called for a motion to approve.
Motion by John Anderson/seconded by Bob Edwards to approve the minutes of 12/21/23, with all in
favor.

Public Hearing:
Chair Murdough asked Ms. Ogilvie to read the public hearing notice, and confirmed that it had been
posted appropriately. He then opened the public hearing on the three amendments.

I. Floodplain Ordinance
Chair Murdough asked Ms. Ogilvie to explain the purpose of this amendment. She stated that the
proposed changes are all related to changes in terminology initiated by FEMA. There are no changes
being proposed for any of the building requirements or standards. Ms. Rosansky asked whether having
this ordinance positioned the Town to take advantage of grants or funding in the event of a disaster. Ms.
Ogilvie explained that funding for disasters is a completely different program; this ordinance is expressly
for the benefit of homeowners, in that it allows them to take advantage of flood insurance policies; and in
order to do that, the Town must have this ordinance.
At this point Chair Murdough closed the public hearing, since the remaining two items are scheduled for
another public hearing in two weeks, and will both have additional information that is not available
tonight. That being the case, he called for a motion on the Floodplain Ordinance.
On a motion by Bob Edwards to approve the amendments to Article XII – Floodplain Ordinance as proposed by FEMA and presented tonight and to update the document to reflect these changes/seconded by Lynne Rosansky, Chair Murdough called for a roll call vote:

Kar - aye
John Anderson – aye
Mark Murdough – aye
Bob Edwards – aye
Bill Fluhr – aye
Lynne Rosansky - aye

Public Comment: No public

TIF Plan:
Mr. Anderson presented slides for a presentation that he will make describing the TIF Plan at the public hearing on the 18th and to the Select Board. The presentation focused on:
- the tax revenue estimates and how they were calculated over a 10-year period;
- the way the district boundaries were defined and ensuring that the ratios for land area and assessed valuations were compliant with statutory requirements;
- noted that tax exempt properties were excluded from the calculations;
- how the district had to be reduced because the property assessments exceeded the statutory limitation;
- specific properties that were chosen because they have potential for redevelopment opportunities;
- the anticipated tax revenue generated within the District; and
- the expected outcomes of having a TIF District (property values, tax burden, economic activity, community welfare, affordable housing, walkability, and investment).

Mr. Anderson emphasized the small amount of TIF tax revenue compared to the remaining revenues that continue to go to the town, school, and county.

The Board discussed specific properties in the District, and whether some should be added and others deleted.

Mr. Anderson also raised the question of how to measure success of the TIF District. The previous TIF Plan from the 1990’s was seen to be not very successful, and was not well understood.

Key Performance Indicators: Did we complete the project? These are ways to measure success:
- Property values
- Business growth/retention
- Affordable housing development
- Surveys – residents and visitors
- Perception
- Community activity

Next Steps: public hearings, community outreach, warrant to town meeting, establishment of TIF Advisory Board.
There was discussion about whether TIF funds could be used to incentivize a single property owner to make improvements to their property, by making funds available to that owner. Ms. Ogilvie replied that she is not familiar with such a process, and given that the law specifically states that TIF funds are to be used for public infrastructure improvements, she is unsure how or whether this could work. The Board ultimately decided not to pursue that avenue.

To conclude, Mr. Anderson emphasized that the Plan as drafted uses a very conservative estimate of tax revenues, and does not include Antrim Commons, as that project is really hypothetical at this point. He will make a few adjustments to the slide deck and be prepared for the hearing.

• **Master Plan Workshop.**

The date is set for 1/27/2024, from 9A.M. to 3P.M.

• **Private Roads/Subdivision**

Mr. Edwards reported on his review of the Town practice/policy on accepting new roads. This is spelled out in Appendix A of the Subdivision and Site Plan Review Regulations, and Mr. Edwards pointed to the sections that he felt needed to be strengthened in order to provide more protection to the Town and guidance to the Select Board when making these determinations. In his view, the major issue is that a subdivision can be approved with frontage on either a private or Class VI Road and, even though the plat contains a statement that the road is “dedicated” to the Town, the subdivision approval is not an acceptance of the road – this requires separate action by the Select Board. Problems then arise when the owner applies to the Select Board for acceptance, and a determination must be made as to whether the road serves a public need. Mr. Edwards believes that there is a difference between a “need” and a “benefit”. Not only that, by the time this discussion is taking place, the owner has already invested in the project and built the road, at some expense. In short, Mr. Edwards would like to see the determination of the Select Board occur during the Planning Board process, so that the applicant can move forward with confidence that the road will ultimately be approved.

Response from the Board was favorable, with members agreeing that this made sense, and Chair Murdough suggested that Mr. Edwards and Ms. Ogilvie work on language together. Ms. Ogilvie expressed her reservations about such a procedure as (1) she was not familiar with any town that had done such a thing; and (2) she questioned whether a determination made by a Select Board at one point in time would be binding in the event that a future Select Board might not agree with that determination.

[John Anderson moved that the meeting be extended 15 minutes to 9:15 P.M.]

Mr. Anderson wondered what the Select Board criteria would be for determining a public benefit. Mr. Edwards acknowledged that while there is case law on this, there are no set criteria, and opinions can vary.

Mr. Rubin summarized what he viewed as the issues and the legal concerns raised, and felt that the Board should have a legal opinion on this question. A developer needs to know up front whether a determination by one Board will be binding on a future Board.

Mr. Edwards suggested that, prior to he and Ms. Ogilvie working on amended language, that he send an inquiry to Town Attorney for an opinion, to which all agreed.
Planning Administrative Report (Admin, Consultant, Town Planner)

Ms. Ogilvie reported that – relative to the discussion they just had on non-Town-maintained roads, a subdivision application has been filed for three lots on a Class VI road. While the plat does contain the statement that an agreement with the Selectmen is required, the Planning Board – per its regulations, cannot approve a subdivision on a Class VI road. Even with a waiver, the lots are still unbuildable without building permits pursuant to RSA 674:41. This will very likely need a variance from the ZBA. Ms. Ogilvie will follow up with the applicant.

Correspondence:

Chair Murdough noted that the Staats’ hearing has been moved to March 18, 2024.

Other Business:

- Mr. Edwards reported that MEDC in Keene has been awarded funds for environmental cleanup. Antrim could apply for funds if there was a site that needed remediation.
- Mr. Edwards questioned the public notice for the upcoming subdivision, wondering whether the notice should include the intent of the subdivision.
- Mr. Anderson reported that a reporter from the Ledger-Transcript had contacted him about the Complete Streets project, and that they also want to do an interview about the TIF District. The Board agreed that Mr. Anderson and/or Chair Murdough should speak with the reporter.

Motion to adjourn:

At 9:14 P.M. on a motion by Bill Fluhr/seconded by Lynne Rosansky, the Board voted to adjourn, with all in favor.

Respectfully submitted,

Carol Ogilvie

Approved January 18, 2024