

1 **ANTRIM ZONING BOARD OF ADJUSTMENT**

2 **Public Meeting**

3 **Tuesday, June 21, 2022**

4 **DRAFT MINUTES**

5 **Members & Planning Staff present:**

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

8 William Bryk (Administrative Assistant)

9 **Members/Staff absent:**

10 Bob Holmes (Vice Chair).

11 **Others present:**

12 None.

13 **CTO:** Chair Kendall called the meeting to order at 7:05 PM.

14 **Business Meeting:**

15 **Agenda items:**

16 • ***Organization of Board/Election of Officers***

17 7:10 PM: The agenda's sole item was electing the Board's officers. The Chair expressed
18 concern that the terms of most Board Members had expired without (a) their
19 reappointment and (b) no clear sense of when they were appointed, which would
20 determine the date on which their terms had expired. Several members suggested they
21 had no lawful authority to act. Mr. Holmes had apparently advised the Chair that his
22 absence was due at least in part to the Board of Selectmen's failure to formally reappoint
23 him.

24 The Administrative Assistant advised the Board that the traditional American practice is
25 that, when a public official's term expires without the election or appointment of a
26 successor, the official remains in office and may exercise its full authority until properly
27 reappointed or replaced.¹ After further discussion, the Chair asked the Board to

¹ The Administrative Assistant has subsequently learned that under RSA 49-C: 20, an appointed official's term continues until a successor is appointed, and while local land use board members' terms are limited to three years, this statute states that if a successor has yet to be appointed and qualified at the end of the appointed member's term, the member may remain in office until such time.

temporarily continue the officers in place until the question of their reappointment is clarified and asked the Administrative Assistant to research the dates of the Board members' appointments to determine when their terms expired.

• ***New Business***

7:30 PM: No appeals from the decisions of other land use boards are pending or presently anticipated. Extended discussion of the application of Antrim Mill by Zander Kempf ensued. The Administrative Assistant provided the Board with a copy of the roll of maps and the spiral bound application. The Board reached a consensus that a complete application had not yet been submitted that the Board might properly consider.

• ***Future business***

7:45 PM: Chair Kendall and other Board members discussed future meetings and any impending or anticipated business before the Board. Various dates and reasons for meeting on those dates were discussed. The Board reached a consensus that the Board would meet next at 7:00 PM on July 5, 2022 to consider the status of the Antrim Mill situation at that time and then adjourn to an upcoming date.

• ***Motion to Adjourn:***

8:00 PM: Mr. Ott proposed and Ms. Nelkens seconded a motion to adjourn the meeting. Messrs. Ott and Clater and Ms. McEwen and Ms. Nelkens supported the motion. The motion being unopposed, Chair Kendall adjourned the meeting, stating that the next meeting will be at 7:00 PM on July 5, 2022.

Respectfully submitted,
William Bryk
Administrative Assistant to the Land Use Boards
Town of Antrim