

Minutes of the Antrim Planning Board Meeting August 11, 1988

Present: William MacCulloch, Judith Pratt, Robert Watterson, Edwin Rowehl, Phil Dwight, Rod Zwirner, Mike Oldershaw, Sr, Chairman protem. Also present were Rachel Reinstein, Selectmen's Alternate and David Butler, Alternate.

Mike Oldershaw, Chairman protem for August, opened the meeting at 7:00 Phil Dwight moved that the Board go into Executive Session under N.H.R.S.A. 91A to meet with Attorney Silas Little for the expressed purpose of consulting with him to represent the Planning Board. William MacCulloch second. So Moved.

Mike Oldershaw reopened the meeting at 7:35 P.M. Phil Dwight moved that the Board appoint Silas Little as Attorney for the Planning Board. William MacCulloch second. So moved. Shelly Nelkins, Antrim Citizen, questioned the legality of the Board hiring Counsel. Glen Loucks asked to speak to the hearing. The Board agreed unanimously that inasmuch as, Mr. Loucks, was not a resident of Antrim he would not be allowed to speak on the subject.

The Board next took up the Public Hearing for an annexation of property owned by Anthony and Marie Pashoian and located on Route 31. Stephen Schacht and Kevin Ricupero have asked to annex a parcel 37.21 acres to Tract I and II owned by them and located on Route 31. The notice was published and abutters notified. All receipts returned. A letter from an abutter, Lillian Peters Mullin, was read and it was determined that it did not apply in this case. Don Mellon explained the plan and as there was no objection William MacCulloch moved to accept the plan. Judith Pratt second. So moved unanimous. The Board asked Counsel about the conditions for allowing persons from other towns to speak at Public Hearings. Counsel advised that it was at the Board's discretion, if they were abutters, or affected by the outcome he would advise that the Board allow them to speak otherwise the Board could make a decision one way or the other.

A subdivision of property located on Jameson Avenue owned by William and Arvilla Lang was next on the agenda. The Notice of Public Hearing was published in the Messenger and abutters notified. All receipts returned. Dennis McKinney presented the plan to the Board. Mr. Lang had been before the Board of Adjustment for a Variance on the advice of the Planning Board. This Variance was granted but there was some discrepancy on whether or not the proper Variance was given or if there was some clerical error on the Notice of Decision. Mr. Lang was advised to return to the Board of Adjustment and try to correct the error. In the event the error is corrected Mr. Lang will be placed on the agenda for the August 25, 1988 meeting. Mr. Lang commented on what he called a run around and the expense of these hearings.

William MacCulloch asked about the Board's right to talk to Counsel in Executive Session. Counsel Little's advice was that the Board had a right provided that the motion states that the purpose of going into such session is for the purpose of consulting with Counsel. Attorney will make a copy of the Attorney General's interpretation of the Right to Know Law available to the Board. He will also see that Ms Nelkins receives one.

The question of the Vejr/Page Subdivision was raised. Edwin Rowehl pointed out that Elm Avenue was designated a scenic road and he

questioned the Board's authority to allow the lot entrance off Elm Avenue. He asked that Counsel determine if this is proper. Attorney Little quoted the RSA as it applies to Scenic Roads. Mr. Rowehl also raised the question of access over Town land, that is, abandoned road. Attorney Little said that this was not considered Fee ownership and that "Town Land" was land for which the Town held a deed. It is also Attorney Little's contention that when the Town abandons a road the ownership falls to the abutters. It was called to the Board's attention by Chairman, Mike Oldershaw, that one of the abutters for the Vejr/Page Hearing was not notified namely, Chris and Doris Platt. These abutters have no objection to the subdivision. William MacCulloch moved that the Chairman get a signed statement from these abutters and after all other provisions were met the Board gives the Chairman the authority to sign the mylar. Phil Dwight second. Passed with one opposing vote, Edwin Rowehl.

William MacCulloch moved to accept the minutes of the previous meeting as read. Phil Dwight second. Shelly Nelkins had a question on the recording of the vote on Article V,B,1,b. Passed with one member abstaining, Edwin Rowehl.

William MacCulloch moved that the meeting adjourn. Phil Dwight second. So moved.

Respectfully submitted,

Barbara L. Elia, Secretary
Antrim Planning Board