

Minutes of the Antrim Planning Board Meeting September 1, 1988

Present: Robert Watterson; Phil Dwight; Judith Pratt; Rod Zwirner, Chairman protem for September; Edwin Rowehl, ex officio; Rachel Reinstein, Selectman; Silas Little, Counsel; and David Butler, Alternate.

Rod Zwirner, Chairman protem opened the meeting at 7:05, who immediately turned the meeting over to Phil Dwight. Mr. Dwight read a letter of resignation from Board Member William MacCulloch, dated August 18, 1988. Phil Dwight made a statement about events which led to this resignation. Namely the petition circulated requesting the removal of the Board. He noted that 40% of the signatures to the petition were of non residents or non voters in the Town and he raised the question of why this was not picked up by the Selectmen. He commented on the letters recieved by the Selectmen complaining about actions of the Board. Mr. Dwight expressed his opinion that the Board is trying to represent the various interests in the Town. Phil Dwight made a motion that in view of the possible involvement of Mr. Rowehl in the circulation of the petition, the Selectmen consider the replacement of their representative to the Planning Board. Judith Pratt second. Edwin Rowehl explained that he was approached in his position of Selectmen by a number of people and as he did not feel the Board of Selectmen could act on a rumor the petition evolved. Richard Court and Carol Court both made statements defending the petition. Everett Chamberlain expressed his opinion that a developers expertise could be of use to the Board. Mark Tenny spoke to Mr. Rowehl's position and expressed his opinion that Mr. Rowehl acted in good faith. Judith Pratt, Board Member, spoke to the fact that the Board was denied the use of the Town's Attorney and that the Selectmen read their comments and allowed the Board no comment. The question was called. In favor: Mike Oldershaw, Robert Watterson, Phil Dwight, Judith Pratt. Abstain: Edwin Rowehl and Rod Zwirner.

Rod Zwirner, Chairman protem, then asked Counsel, Silas Little his sense of the letters complaining about the actions of the Board. Attorney Little spoke to the three criteria for removing a Planning Board Member as prescribed under NHRSA 673:13. Inefficiency: These are volunteers, uncompensated without a full time Zoning Officer or Building Inspector. If the Town does not choose to raise money for such officers it must deal with a part time Board. His opinion was that the Board was working as well as it can with the resources it has. Malfeasance in office: Mr. Little defined malfeasance as purposeful and willful neglect of to carry out the Ordinance. He feels that no case can be made. Neglect of duty: Mr. Little defined neglect, and expressed his opinion that there is no case for neglect. He made reference to a letter sent by him to the Board critiquing the new Ordinance and commented that if the issue were time, the Ordinance is more detailed than the previous one and there has to be an understanding that the Board is acting in good faith. He stated that the Board has an obligation to treat everyone fairly in terms of the Ordinance. He stated that the Board had to act in terms of the peramiters set by the law. He also stated that under law every municipality has an obligation to provide housing for all groups of people. There should be no discrimination. He pointed out that the recommendation to allow high density housing on a large lot was made by SWRPC. Rod Zwirner stated that the Planning Board has tried to be fair. Mark Tenny spoke to the cost of education and how high density housing can affect the cost of education to the Town. He quoted a cost to educate a child in Antrim as being \$6000.00. He also noted that the schools are

filled to capacity with no room for growth. Phil Dwight commented on the fact that the figures did not compare with figures used in impact statements provided by developers and asked Mr. Tenny if he would meet with him on an informational basis. Rachel Reinstein stated for the record that the Town's Attorney, Phil Runyon, does not feel that the statements made in the letters require a Public Hearing but the Planning Board has indicated that it wants a hearing. Judith Pratt stated that she has no intention of answering charges made by a non voter in Antrim. Phil Dwight said that he has read the letters and that it should be put aside. Rod Zwirner asked if anyone would request a hearing. No answer. The Chairman then suggested that meeting proceed.

Shelly Nelkins raised the question of a Moratorium and suggested that a Capital Improvement Plan be implemented. Mike Oldershaw raised the subject of the measures to be taken if a moratorium is implemented. Hearings must be held and reports from the various Town Departments made. There was much discussion of the ramifications of a moratorium and measures to be taken to implement same. Rod Zwirner in summation stated that accurate figures on growth in Antrim were needed before considering a moratorium. There was further discussion of growth in Antrim and cost of education. There were made some comments on the formula for figuring Antrim's costs in the Conval School System. Richard Court and David Penny expressed their concerns about multi-family housing in Antrim.

Rod Zwirner asked Mike Oldershaw to report on his conversation with Bob Panton of SWRPC. Mike reported that Panton had quoted a charge of \$250.00 to \$300.00 to put changes in the existing regulations. As to the overlays Panton has something in his possession but couldn't find it. Panton supports an overlay for all of the Town.

Richard Court asked for permission for Glen Loucks, a non resident, to speak. Mr. Loucks addressed the concerns about Board Members whose terms have expired and members with no official appointment to the Board. Silas Little, Counsel, answered that members whose terms have expired can serve in a hold over capacity.

Mike Oldershaw reported that Breezy Point subdivision is approved per Attorney Phil Runyon and the mylar has been signed as agreed by the Board at a previous meeting.

Robert Watterson made some comments as to his designation as a developer. He feels that it has no basis in fact and commented that if he was in any conflict on a hearing he has always stepped down.

The next item taken up was a meeting with Robert Cloutier, Kenneth Cloutier and Normand LaPlante, their lawyer Jay Leonard, and Mr. Cricenti, their engineer. The Cloutier's submitted a plan of the Road as they propose and recapped what is needed to improve West Street. The Road Agent, Robert Varnum, Fire Chief, Henry Cutter and Sewer Commissioner Ben Pratt were present to discuss concerns they might have with the Development. Robert Watterson stepped down from the Board as Cloutier, et al, has approached his father to purchase a right of way through his property on West Street, as a second exit from the development

After much discussion about the developers responsibilities and costs Silas Little suggested that the Board meet with B. G. Miller, the engineer hired to review the proposal, to get a rational response. Jay Leonard, Attorney for the Developer, asked Attorney Silas Little for advice about cost to the developer. Little responded that he would like the Board to talk to the engineer before allocation of costs is determined. Jay Leonard asked that whenever the Board meets as a Board he be notified. Specifically if they meet with Miller. Phil Dwight suggested that the Board meet with Miller if they are available at 6:30 P.M. Thursday. Silas Little will contact Miller and set up a meeting for 6:30 P.M. Thursday September 8 at the corner of West Street and the School entrance. Agreed by the Board. Motion made to adjourn. So moved.

Respectfully submitted,

Barbara L. Elia, Secretary
Antrim Planning Board

9/2/88 Madeline Hensley, Administrative Assistant called me and reported that Attorney Little had informed her that Miller requested a meeting at the Town Hall instead of at the site. Contacted Judith Pratt who called other Board Members to arrange this meeting. Notice Posted Tuesday September 6, and Road Agent, Fire Chief, and Sewer Commissioner notified by memo.

Barbara Elia