



Planning Board Minutes

PO Box 277

Dublin, NH 03444

April 20, 2023

The Planning Board met on April 20, 2023 in the basement of the Town Hall. Present were Don Primrose- Chair, Donna Garner- Vice Chair, Susan Peters- Select Board Representative. Members: Caleb Niemela, Katy Wardlaw, Kirsten Colantino and alternates Brie Morrissey, Archie McIntyre and Neil Sandford on Zoom. Also present were Dublin residents, Emily Primrose, Francis McKenna and Karl Eckilson. Absent was alternate Bob Sardinkas.

Call to Order: Don opened the meeting at 7:00pm. He appointed Archie McIntyre as a voting member for the evening noting that the Board still had one-member vacancy.

Approval of Planning Board Minutes, April 6, 2023: Donna made a motion to approve the minutes as amended. Susan seconded. Roll call vote: Katy abstained. Susan, yes. Kirsten, abstained. Don, yes. Donna, yes. Caleb, yes. Archie, yes.

Approval of Public Hearing Minutes, January 12, 2023: Don made a motion to approve the minutes as amended. Kirsten seconded. Roll call vote: Katy abstained. Susan, abstained. Kirsten, yes. Don, yes. Donna, yes. Caleb, yes. Archie, abstained.

Approval of Planning Board Minutes, February 9, 2023: Caleb made a motion to approve the minutes as amended. Kirsten seconded. Roll call vote: Katy abstained. Susan, yes. Kirsten, abstained. Don, yes. Donna, yes. Caleb, yes. Archie, abstained.

Sign for Map 5 Lot 1: In reviewing minutes, a discussion ensued concerning the approved business sign permit versus what the proprietors have actually constructed. Follow up will be conducted by Dublin's Code Enforcement Officer.

Planning Board Alternate Position: Susan made a motion to appoint Karl Eckilson as a Planning Board Alternate. Donna seconded. Roll call vote: Katy abstained. Susan, yes. Kirsten, yes. Don, yes. Donna, yes. Caleb, yes. Archie, yes.

Planning Board Member Position: Don made a motion to appoint Francis McKenna as a Planning Board Member to serve out the term until 2024. Caleb seconded. Roll call vote: Katy abstained. Susan, yes. Kirsten, yes. Don, yes. Donna, yes. Caleb, yes. Archie, yes.

Don informed both Francis and Karl that they needed to meet with the Town Clerk to be sworn into their new position. Katy mentioned that she had not been sworn in as a newly appointed "Member" of the Planning Board but had been sworn in as an alternate last year. Don asked that she also be sworn in by the Town Clerk and appointed Brie Morrissey to fill voting privileges for Katy.

Conflict of Interest Policy: Board members were given copies of the Town's Conflict of Interest Policy to read and sign. Signed documents will be kept on file and need to be renewed yearly. Neil's form will be placed in his Town Hall mailbox for signature (he was attending by Zoom) and Bob Sardinskas will have to sign the document upon his return from vacation.

Right to Know Law: Don reviewed the importance of following State Laws on "Right to Know". This topic will be discussed in depth during future meetings. Meanwhile, members were encouraged to log onto the Town's affiliation with NH Municipal Association which offers many classes pertinent to Planning Boards including Right to Know Laws. Immediate changes for the Planning Board include that draft minutes will no longer be posted on the website but will be available as a written document in the Town Hall notebook within five days of the meeting. The law states that anyone can request a copy of the minutes, but it must be done in writing and the Town/Board has five days to respond from the date of the request. Don brought up that the State no longer requires committee/board meetings to offer the opportunity of others joining a meeting via Zoom (as was required during COVID). A discussion ensued about the pros and cons of continuing to offer attending a Zoom option for Board meetings. Maintaining a Zoom option for Planning Board meetings was tabled for future discussion.

Driveway Regulations: Don asked all members to read through the regulations over the next few weeks so an educated discussion can be held at future meetings. It appears that it might be prudent to have similar language in applications, ordinances and regulations, to make it easier for applicants to follow.

Housing Committee: Katy gave an update noting that there was an organizational meeting on April 17th. She presented a list of names whom the Planning Board might consider serving as a Housing Sub-Committee. Don read the list of names and asked if there was any further discussion. Donna made a motion to approve the list of names proposed for the Housing Sub-Committee. (list of names attached to the minutes) Susan seconded. Roll call vote: Susan, yes. Kirsten, yes. Don, yes. Donna, yes. Caleb, yes. Archie, abstained. Brie, yes.

Internal Communication: Don asked the members if they had any reservations about sharing their personal email addresses and phone numbers with other Board members. All members felt that this would be prudent to do so.

Summer Schedule: NH State Law requires town Planning Boards to meet once a month. Dublin's Planning Board is scheduled twice a month. Don asked members if they would like to have a bit more freedom during the summer months by following State regulations. Donna made a motion to forgo meeting on the second Thursday of the months of July and August (July 20 and Aug 17) unless something urgent comes up. Kirsten seconded. Roll call vote: Susan, yes. Kirsten, yes. Don, yes. Donna, yes. Caleb, yes. Archie, yes. Brie, yes.

Neil Sanford's Formal Complaint: Kirsten read the complaint out loud. Discussion between Neil Sanford and Don ensued. A copy of the complaint is attached to the minutes. Neil stated

that Donna's motion restricted his "constitutional right to sign a petition and be a voting member of the Planning Board." Don asked Neil, "Who had the sole authority to designate an alternate member to sit in place of an absent board member?" Neil responded, the Chairman. Don reminded Neil that Board Chairman, Bruce Simpson used his authority and appointed another alternate. The record shows that Neil had participated in discussion and presented a PowerPoint during the public hearing. Donna Garner did not restrict Neil's participation.

Don told Neil that he found no reason for any action of any kind on the part of the Planning Board or its individual members in regards to Neil's complaint. Don said that the complaint would be attached to the minutes without emails from Attorney Jonathan Cowall and Attorney Matt Serge. Neither attorney was present at the public hearing, nor did they present a written opinion of any kind during the public hearing. Neil expressed that was not acceptable. Don restated that those emails would not be attached.

Adjournment: There being no further business, Don made a motion "to adjourn the meeting at 9:00pm". Kirsten seconded.

Minutes respectfully submitted by Pamela J. Celko

Planning Board Sub-Committee
Housing Committee Members

Katy Wardlaw	Planning Board Representative - Point Person
Margo Sprague	Facilitator
John Morris	Secretary
Susan Peters	Select Board Representative
Kristen Colantino	Planning Board Representative
Archie McIntyre	Planning Board Representative
Emily Primrose	
June Brening	
Mary Loftis	
Dan Scully	

File a Complaint

On January 12th, 2023 my constitutional right to sign a petition and be a voting member of the Planning Board was violated. It was violated by those who voted on the motion requiring petitioners to recuse themselves and it set up the audience to think that something illegal or unethical was occurring when the chair started to appoint me as a full member. It was based on faulty advice from a junior attorney at the municipal association who later sent a letter of apology for confusing a legislative matter with a judicial one. His legal understanding in the apology letter was supported by the senior lawyer at the municipal association, the town attorney, and the Chairman Bruce Simpson, who is also an attorney. I am requesting a public apology from my friend Donna Garner and those who voted for her motion. We may disagree on issues, but we should never try to take away someone's constitutional right to petition and vote in the legislative process. Included as part of my complaint are the emails from Attorney Jonathan Cowall and Town Attorney Matt Serge.

Paul R. Anderson
ALTERNATE

4/20/23