

MINUTES
Special Meeting
Sanbornton Planning Board

Meeting Date and Time: Wednesday November 6th, 2019 at 7:00 PM

Meeting Place: Life Safety Building, Sanbornton NH

The meeting was called to order by Chair Deb Schneckloth at 7:00 PM

Roll Call

Regular Members present: Chair Deb Schneckloth, Will Ellis, Selectman John Olmstead (in at 7:20), Will Ellis, Don Bormes,

Alternate Members present: Andy Sanborn (seated as member)

Absent: Justin Barriault, Kalena Graham, Jody Slack

Others Present: Planning Board Assistant Stephen Laurin

Chair Deb Schneckloth explained that this special meeting was called to discuss a possible rehearing or reconsideration of the previously approved site plan application for agritourism events at 12 Davis Road. She stated that she was not at that meeting on October 17th but listened to the audio recording; she is concerned that Andy suggested an electrical inspection of the barn where events would be hosted but this was not included as one of the conditions of approval. She also thinks that the Board needs to consider making the approval conditional so that is only for these applicants and not the property itself. She stated that she has spoken with Michael Klass at the Office of Strategic Initiatives and he advised her that the Board can indeed make this type of requirement for approvals.

Don Bormes stated that he feels the Chair is questioning the integrity of the rest of the Board by asking for a rehearing or reconsideration because she was not at that meeting when the vote happened. Chair Schneckloth stated that the approval being for the applicant and not the land is new information that needs to be considered and was not discussed at all at that meeting. She also noted that Don not recusing himself from this case when she asked him to has made the Board vulnerable to a lawsuit. Will Ellis stated that if he had had more time to consider the case he would have voted differently at that meeting, and Andy Sanborn stated that, though he was not a seated member, he would have voted No. Andy noted he would be voting based on if this proposal was in the best interest of the community and he does not want to put a hardship on the applicants, but if this is related to a regulation that has consequences for future applications from other residents then it is worth inconveniencing an applicant.

Steve Laurin explained that there are two options; reconsideration or a rehearing. A reconsideration would involve the Board deliberating without any public input and could come up with different votes or new conditions of approval. If there is a new information then the Board can vote to hold a rehearing; a rehearing would need to be noticed as a public hearing and need to occur within 30 days from the date of decision on October 17th, and so would need to occur before 7:00pm on Monday, November 18th. Andy Sanborn stated that allowing an approval to go with an applicant versus the land itself would constitute new information to him, and therefore he would be in favor of a rehearing. Andy made a motion for a rehearing in this case; Will Ellis seconded the motion and the motion passed, with Schneckloth/Olmstead/Ellis/Sanborn voting Yes and Don Bormes abstaining.

The rehearing is scheduled for Monday, November 18th at 5:00pm.

Meeting adjourned at 7:35pm.

Respectfully Submitted,

Audry Barriault