

Town of Haverhill
Dean Memorial Airport Zoning Commission
MEETING MINUTES
R.E. Clifford Memorial Building
65 South Court St.
Woodsville, NH 03785
And on ZOOM
Wednesday, December 14, 2022
5:00 PM

CALL TO ORDER: The meeting was called to order at 5:04 PM by Susie Tann, Chair.

Members of the Airport Zoning Commission (AZC):

Chair: Susie Tann

Vice Chair: Cliff Batchelder

Member: Miguel Vasconcelos

Member: Matthew Bjelobrk

Ex officio: Michael Graham

Airport Manager: Ralph Croswell

Airport Technician: Dan Freeto

ROLL CALL ATTENDANCE

Miguel Vasconcelos (Here), Ralph Croswell (Here), Michael Graham (Present), Matthew Bjelobrk (Here), Cliff Batchelder (Excused), Susie Tann (Here). A quorum was met.

In-Person Visitors: Town Manager (TM) Brigitte Codling, Mark Boynton (new owner of PT Farm that is adjacent to the airport).

APPROVAL OF THE AGENDA

Chair Tann asked the members for changes to the Agenda.

- Chair Tann added TM Codling to the Agenda to discuss airport regulations and the AZC and Planning Board relationship.
- Chair Tann added the sanctioning of the AZC. Bjelobrk asked if the AZC is an ad hoc committee.
- Chair Tann passed out to the members the AZC annual report for review.
- Under Pending Business, Chair Tann added the draft Ordinance.
- Under New Business, Chair Tann added the JOINT Public Hearing in January.

MINUTES REVIEW

MOTION #1: Batchelder made a motion and Vasconcelos seconded the motion to approve the Minutes from the **October 12, 2022**, Airport Zoning Commission meeting minutes as written.

Voice Vote: All in favor, none opposed, none abstained. The motion passed unanimously.

AIRPORT MANAGER'S REPORT

- Croswell noted that the airport has transitioned to snow removal, but with the latest storm, the snow removal was delayed. The NH Bureau of Aeronautics asked for a NOTAMs (Notice to Air Missions) if there is ever another delay.
- Croswell reported that a hangar tenant was flying an unregistered gyrocopter and upon his second attempt to takeoff, wind disrupted the maneuver, the gyrocopter ruptured a fuel line, 5 gallons of fuel leaked on him, and the pilot is in the hospital with multiple fractures and chemical burns. Croswell noted that the rescue operation went smoothly. Customarily, the NH Bureau of Aeronautics/FAA does not investigate unregistered ultralights, but in this case, they will publish a report for training purposes. Croswell followed up by asking the tenants to provide emergency contact names to be kept on site and to be forwarded to the Fire and Police Chiefs. Croswell stated that four live-feed, motion-activated, infrared cameras are now being placed at appropriate sites at the airport for surveillance.

NEW BUSINESS

Airport Zoning Regulations and AZC Sanctioning

Chair Tann introduced TM Codling to discuss Zoning Regulations, the Planning Board's connection with the AZC and the sanctioning of the Commission. TM Codling discussed the authority over the Airport Zoning Regulations with the Town Lawyer and discovered that it was the Select Board who has authority and in the past there was no creation of an AZC by warrant article, but by appointment as a subcommittee by direction of the Select Board. At this point, a warrant article could be put forward to formalize the creation of the AZC and its authority over the Airport Zoning Regulations.

Bjelobrck suggested changing the name of the AZC to Airport Commission. Vasconcelos noted that airport zoning is limited to the area outside the airport property, and some functions listed in the Mission Statement are not zoning functions and should be advisory only. Croswell noted that the updating of the zoning regulations was the primary focus, but the Commission also helps out the Airport Manager on other events and activities. Graham clarified that a warrant article would legitimize the AZC.

TM Codling noted that the Planning Board and the Zoning Board are dictated by statute. The Town's attorney recommended a JOINT Public Hearing for the AZC and the Planning Board because, at this point, the authority of the AZC is blurry and because, in the Town Lawyer's opinion, the Planning Board regulations and the Airport Zoning Regulations should complement and not conflict with each other. Furthermore, when the Planning Board executes its duties around the airport that it takes the Airport Zoning Regulations into consideration.

MOTION #2: Bjelobrck made a motion and Vasconcelos seconded the motion to support the writing of a Warrant Article to sanction the Haverhill Airport Zoning Commission.

Voice Vote: All in favor, none opposed, none abstained. The motion passed unanimously.

TM Codling stated that she will draft that Warrant Article for Select Board review. Chair Tann asked for clarification regarding the title: "Regulations" vs "Ordinance." TM Codling stated that according to Guy Rouelle the document should be titled "Regulations."

Bjelobrck reiterated the request to change the Commission's name. Graham recommended Vasconcelos' suggestion of using the term *Advisory* for the committee. Chair Tann

recommended the use of the term Zoning for the Commission because the statutes use that wording. Vasconcelos commented that the AZC needs to be part of a discussion with the Planning Board if a zoning issue arises that affects a compatible land use or an obstruction that effects the airport. TM Codling pointed out that the Commission’s duties should be spelled out when we revise our Standard Operations (Rules of Procedure) document. This is one of our future goals: to clarify what the Commission does and its role with regard to zoning. Airport zoning exists in statute and is a federal requirement. Vasconcelos stated that there should be no overlapping or interference with airport management and that there is a distinction between an "advisory" and "authority." The authority rests with the airport sponsor, which is the Town of Haverhill.

Scholarship

Discussion continued about using the word “aviation” when identifying the scholarship. This included: The Dean Memorial Airport Aviation Scholarship or the Frank Easton Aviation Scholarship. TM Codling added that the original Trust Agreement talks about an aviation scholarship committee and historically that committee has been the Airport Commission members serving in that capacity. TM Codling noted that the Aviation Scholarship Committee is made up of the Commission members in a separate role outside of zoning issues.

JOINT Public Hearing, Tuesday, January 10, 2033, at 5:00 PM

Chair Tann described the process for this Public Hearing and meeting:

- The regular AZC meeting will be held on Tuesday in January rather than Wednesday.
- The AZC regular meeting will begin at 5:00 PM and move directly into the Public Hearing followed by a recess of the meeting and opening of the Planning Board Public Hearing at 6:00 PM. Once the Planning Board has completed their Public Hearing, the AZC will resume their regular meeting.
- Chair Tann noted that the AZC Public Hearing will briefly describe the regulations and invite public comment. Chair Tann recommended the members split up the sections of the Regulations and study those sections carefully to be able to answer questions. Vasconcelos suggested that consultant Guy Rouelle attend.
- Chair Tann noted that if the Town’s voters do not adopt the Regulations by vote, the state will put them in place for airport safety as a state requirement. The members suggested that the public be aware of this at the outset of the Public Hearing.
- Boynton asked about the village districts and zoning in Haverhill.

PENDING BUSINESS

Aviation Scholarship Program Updates

Annemarie Godston and Nick Daigle Letters

This correspondence was shared with members via email prior to the meeting. No discussion followed this announcement.

Chair Tann recommended that the Scholarship discussion be tabled until the next AZC session. Vasconcelos suggested dedicating an entire session on the scholarship discussion. Discussion continued. Chair Tann reported that the fund accrues about \$3,000 annually to contribute to a scholarship with an income balance to date of \$6,872.80.

