

**Town of Haverhill
Dean Memorial Airport Zoning Commission
MEETING MINUTES
Dean Memorial Airport
393 Airport Road
North Haverhill, NH 03774**

Wednesday, March 24, 2021

5:30 PM

(The meeting was held via ZOOM.)

CALL TO ORDER: The meeting was called to order at 5:28 PM by Susie Tann, Chair.

Members of the Commission

Chair: Susie Tann

Vice Chair: Cliff Batchelder

Airport Manager: Ralph Croswell

Airport Technician: Dan Freeto

Select Board ex officio: Matthew Bjelobrk

Visitor: Guy Rouelle (Dubois & King) may arrive late to meeting.

Susie Tann, Chair: Per Gov. Sununu Meeting Compliance CHECKLIST to Ensure Meetings are Compliant with the Right to Know Law During the State of Emergency (abbreviated)

- **March 24, 2021**, Airport Zoning Commission (AZC) Meeting
- Executive Order—This public body is authorized to meet electronically.
- Confirming a) providing public access by telephone, with additional access by video or other electronic means, ZOOM conferencing is being used. All members of the Board, Commission, or Committee have the ability to communicate contemporaneously, the public has the ability to contemporaneously listen and, if necessary, participate in this meeting by dialing the following number: 1-312-262-6799 (US) or the website <https://ZOOM.US/meeting> (ID# 95860923510; passcode: none required); b) public notice has been provided of the necessary information for accessing the meeting though ZOOM or telephonically, instructions have also been provided on the website of the Town of Haverhill at www.haverhill-nh.com, and c) providing a mechanism for the public to alert the public body if there a problems with access (call 802-793-0535 or email at townmanager@haverhill-nh.com); d) adjourning if the public is unable to access the meeting. In the event that the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes taken during this meeting will be taken by ROLL CALL vote.

ROLL CALL ATTENDANCE

Ralph Croswell (Here), Dan Freeto (Here), Mathew Bjelobrk (Present), Cliff Batchelder (Present), Susie Tann (Present). A quorum was met.

Members of the public present: None.

AGENDA MODIFICATIONS:

- Bjelobrk added correspondence to the Agenda relating to the Learn to Fly scholarship program.

MINUTES REVIEW

MOTION #1: Tann made a motion to approve the Minutes from **February 24, 2021**, as written. Bjelobrk seconded the motion.

Roll Call Vote: Mathew Bjelobrk (Agree), Cliff Batchelder (Agree), Susie Tann (Agree). The motion passed unanimously.

AIRPORT MANAGER’S REPORT

- Croswell stated that a tenant moved out of the hanger and moved back to Alaska, so there is an open hanger. The hanger was inspected and cleaned out.
- Croswell stated that there were two industrial lights not positioned according to code and have been fixed.
- Senator Giuda called the airport and is interested in renting a hanger, although Senator Giuda has retractable gear and questioned the taxiway not being paved.
- The card reader quotes have been turned in, but it may be on hold with the 2020 operating budget in place. Bjelobrk explained the budget issues. Tann recommended asking the vendors who offered quotes on the card reader to extend the estimates for 60 or 90 days.
- Croswell spoke with Jim McKinnon, Maintenance Department, who has a recommendation for installing heat in the Airport office.
- Gas sales for February: \$619.24.
- Tann asked about a report from the FAA. Croswell stated that he received the report, but has not reviewed it. Tann asked to have the report available for the next meeting.
- Croswell noted that he inspected the nighttime glare from the Business Park biodiesel plant light, and noted that the plant has redirected the light to the ground on their property.
- Croswell stated that there is a new tenant who is a retired FAA administrator who has lots of information about what the airport needs. Bjelobrk suggested getting him on the Commission.

PENDING ISSUES

Zoning Regulations / Draft Review

Section IX. Zoning Board of Adjustment (ZBA)

Tann read the paragraphs 1 through 3.

1. Tann summarized saying that any building permit application would be sent from the Planning Board to the AZC for review and comment before forwarding to the ZBA. Bjelobrk suggested revisions that require for the construction application to only be a matter of proof of FAA rules compliance.
2. Tann approved the wording of this section.
3. Bjelobrk suggested a rewrite for this section because it states that the ZBA can “reverse any order...” of the Planning Board, which is open-ended and has no time frame.

Bjelobrck noted that there should be an appeals process with a time increment, such as 90 to 120 days. Discussion continued.

Section X. Appeals

Bjelobrck suggested that this section is too broad with too much subjective wording. Discussion continued. Bjelobrck noted that the appeals process in this case is only written for the applicant. Tann will review this section with Rouelle. Bjelobrck reworded the abutters' area to be one-half mile from airport property. Bjelobrck noted that the ZBA can modify the decision of the Planning Board and Tann agreed.

Section XI. Judicial Review

Further wording revisions were made by Tann and Bjelobrck regarding the appeal of the ZBA decision to the Superior Court.

Section XII. Penalties

Bjelobrck noted that this would be a civil matter. Tann suggested taking the Penalties section out, but she will ask Rouelle. Bjelobrck suggested that there should be penalties, but in monetary amounts.

Section XIII. Conflicting Regulations

Tann suggested that this section could be simplified, but Bjelobrck suggested leaving it as written.

Section XIV. Severability

Bjelobrck suggested eliminating this section because it is unnecessary. Tann agreed.

Section XV. Effective Date

Tann noted that this would be for Town vote because it will be an Ordinance. Bjelobrck agreed. Tann noted that adding signature lines for approval by the Select Board.

Bjelobrck stated that RSA 267 states that any person directly affected by an action of Town Meeting regarding zoning matters may request a rehearing within 20 days of a Town Meeting vote. And, Bjelobrck read, no individual who is upset by a decision at a Town Meeting can appeal to the Superior Court unless a motion for rehearing has been filed (RSA 667:2).

Tann will speak with Rouelle about the Compatible Land-Use document, the Feasibility Study, and the plan for Public Hearings. Bjelobrck noted that the study and hearings are delayed because of the budget. Tann will send along scholarship information.

Tann asked about leases for hangers. Bjelobrck stated that the Select Board can only enter agreements for 5 years, and the hanger leases are for 45 years, which have to be approved at a Town Meeting. Bjelobrck stated that the 45-year leases are invalid, and will be addressed by the current Select Board. Tann asked for copies of the leases. Croswell and Bjelobrck both responded that they have the leases; however, some are missing.

Next Meeting: April 14, 2021, at 5:30 PM.

ADJOURNMENT

MOTION #2: Tann made the Motion to adjourn the meeting at 6:26 PM. Batchelder seconded the motion.

Roll Call Vote: Mathew Bjelobrck (Yes), Cliff Batchelder (Yes), Susie Tann (Yes). The motion passed unanimously.

Meeting Adjourned at 6:26 PM.

Joanna Bligh, Transcriptionist