

TOWN OF WEBSTER  
PLANNING BOARD  
MEETING MINUTES JUNE 16, 2011

Members present: Chairman Cliff Broker and Jere Buckley.

Alternates present: Susan Rauth (arrived after meeting opened); Susan Roman; and Mark Lorden (arrived after meeting opened).

Chairman Broker opened the meeting at 7:00 p.m.

Chairman Broker appointed alternate Susan Roman to sit as a voting member of the Board for this meeting due to Mr. Doucette's absence.

The first item on the agenda was to review the minutes from the meeting of May 19, 2011. Mr. Buckley stated he had some comments. At this time, Alternate Rauth arrived. Chairman Broker seated her as a voting member due to Mr. Mullins' absence. Mr. Buckley continued with his comments. He pointed out that the first major paragraph of the draft of the May meeting minutes had some discrepancies: 1) the statement about the absence of a quorum was incorrect; 2) there was no record of how individual members voted on the motion which should be part of the record. At this time, Chairman Broker asked if Mr. Buckley could wait to continue, while he and the other Board members read through the first paragraph. Mr. Buckley resumed his comments and pointed out that Mason Donovan's statement was correct however, the minutes reflect that his statement was made in the middle of the voting process, when in fact, he had made it prior to the vote. Mr. Buckley stated he had a proposed rewrite that corrected those discrepancies. Mr. Buckley made a motion to change the first major paragraph to include the changes he proposed. He recited the paragraph rewrite for the board. After a brief discussion, Alternate Rauth raised a question regarding voting protocol when alternates are seated for voting members who are absent at the start of a meeting and then arrive after the alternate has been seated. For future reference the Board will discuss construction of a policy regarding that issue. Alternate Roman seconded Mr. Buckley's motion to change the first major paragraph of the May 19<sup>th</sup> minutes. Chairman Broker called for a vote; motion passed unanimously in favor to change the paragraph. Mr. Buckley had a second comment regarding the last major paragraph which referred to a handout titled 'How to Record Useful Meeting Minutes'. That was not the correct title. He was concerned that if someone were looking for a document with that title and not able to find it, it could be a cause for confusion. The handout was, in fact, two sections; one titled 'Meeting minutes and how to take them' and 'Other suggestions for public meetings'. Mr. Buckley felt that the handout should also be appended to the main minutes so people would know what was being discussed. Mr. Buckley made a motion to replace the phrase "titled 'How to Record Useful Meeting Minutes'" with "with sections headed 'Meeting minutes and how to take them' and 'Other suggestions for public meetings'". A copy of that handout is appended to these minutes." Alternate Roman seconded the motion. The vote passed unanimously in favor of replacing the phrase.

For the record, Alternate Roman introduced the new Alternate Planning Board Member, Mark Lorden, after his arrival to the meeting.

Chairman Broker addressed the second item on the agenda, The Phyllis Roby Revocable Trust Subdivision Application. This has been continued until the July 21<sup>st</sup> Planning Board Meeting. No representatives of the applicant were in attendance because of the continuance. Chairman Broker stated that Jeff Adler, from Dubois and King, the Town's Engineer, said there were several things to be resolved. Chairman Broker presented a letter that was sent to him from the applicant's engineer, Anthony Costello, which addressed various items and how he has responded to certain recommendations from the Town's Engineer, Jeff Adler, of Dubois-King, Inc. Chairman Broker stated one of his concerns is the driveway ditching and runoff; specifically, what happens when that water gets down to the road? Chairman Broker had gone to the property and could not identify where the lot was. At this time he felt there wasn't anything the Board could do until the applicant addressed all of the Town Engineer's recommendations. Mr. Buckley stated that going back several meetings, the Board has asked the applicant for input and in particular, Mr. Buckley asked them to work with our engineer to come up with some kind of proposal. The Board is waiting for that input from the applicant. Alternate Roman asked if the letter Chairman Broker had was that input. Chairman Broker responded that it was in part, but it was not complete. Alternate Roman asked Therese Larson, recording secretary, if the applicant had asked for a continuance. Her response was affirmative. At that point, Alternate Roman stated that the Board should not discuss this any further as the applicant was not present. Alternate Roman wanted the record to show that a letter received from A.C. Engineering & Consulting regarding the Engineering Review of Tax Lot 7/60 was received by Chairman Broker and distributed to Board members present at this meeting. Alternate Roman moved that based on the request of the applicants for The Phyllis Roby Revocable Trust Subdivision Application to continue the hearing on their application to July 21, 2011. Mr. Buckley seconded the motion. Chairman Broker called for a vote which was unanimous for continuing the hearing until the next Planning Board Meeting of July 21, 2011.

The next item on the agenda was the consideration of a driveway application for Isabel Brintnall by her agent, Mr. Bill MacDuffie, who was present at this meeting. Chairman Broker explained that generally driveway applications do not come before the board unless there is something unique or unusual with regards to the Driveway Regulations. Alternate Rauth invited Mr. MacDuffie to the table to help explain anything about the application and the drawing he had submitted. Mr. MacDuffie said there was nothing out of the ordinary about it. Ms. Brintnall does not plan on building the house until next year, but needs the driveway constructed this year in order to get the site prepared for the cellar hole. After a brief discussion, Chairman Broker stated that Mr. Buckley will be the Planning Board member to review the application and the site. Mr. Buckley stated he would inspect the site quite quickly so the applicant could commence construction as soon as possible.

The last item on the agenda was discussion of the handout "How to Record Useful Meeting

Minutes.” Mr. Buckley pointed out that the handout had two separate titles not the one as printed on the agenda; ‘Meeting minutes and how to take them’ and ‘Other suggestions for public meetings’. Mr. Buckley stated he had some comments to make. Alternate Roman inquired as to the intent of the handout and why was the Board reviewing it? Chairman Broker stated he wasn’t sure that this needed to be discussed. Mr. Buckley pointed out that the Chairman passed these out at the May 19th meeting for the Board members to review in anticipation of discussion at this meeting. Alternate Roman inquired as to the purpose of the discussion; was the Board enacting something? She questioned what the goal was; was the Board enacting a procedure? Chairman Broker responded that the purpose of the handouts was for informational purposes, perhaps to help Therese Larson, the recording secretary, when taking minutes. Mr. Buckley commented that the first part of the handout was extracted verbatim from a website that according to Mr. Buckley appeared to be focused primarily on business meetings. Mr. Buckley stated that a public meeting of a municipal board is very different in many respects from a business meeting. Chairman Broker pointed out that in a lot of cases the minutes are the only legal record we have of an action. There needs to be enough detail to cover decisions or policy opinions. Chairman Broker stated that the main thing was that the minutes not be inflammatory. Mr. Buckley felt that the minutes should accurately report what was said and done and if what was said and done was inflammatory, that should be reported. Alternate Roman asked Mr. Bourque, the author of the handout and member of the public at this meeting, if he consulted “Knowing the Territory 2011” put out the Local Government Center (L.G.C.) when he worked on the handout. He stated he did not, however, he was aware of L.G.C.’s information and what he had to say was very similar to the L.G.C.’s description. Mr. Bourque agreed with Mr. Buckley that there is a difference between a business environment and a municipal one. Mr. Bourque mentioned that the meeting was being recorded which would include extended detail. At this time, Chairman Broker asked if all meetings were being recorded or just the public hearings. Alternate Rauth confirmed that Mary Smith, former PB/ZBA Secretary, recorded the meetings. Mr. Buckley stated that the Board does not have a formal policy for recording the meetings. Mr. Buckley felt the Board should have a policy. Alternate Roman agreed, however, that was another issue. Alternate Roman continued with her response to the issue Mr. Bourque brought up about the extended detail being recorded. She stated that the meetings are not formally being recorded as a Board. Once the minutes are accepted then those are considered the official minutes of the Board. Mr. Bourque did not question that. He questioned the form the minutes take; the fact that there is far too much detail that has nothing to do with the discussions, the arguments pro and con, the votes taken, action items. At this time Chairman Broker stated that discussion on this could go on for some time. Alternate Roman felt that the Board had a responsibility to citizens to let them know who takes what position although it may not be a legal requirement. It’s in the public’s interest to know that. Mr. Buckley stated that the bulk of the citizens get information via the minutes and not via attendance at the public meetings. Alternate Roman stated it was not a question of legal sufficiency, but a question of responsiveness and openness. Mr. Bourque had specific concerns regarding the distribution and availability of the minutes for all town citizens. He suggested that the audio recording of the minutes be put on the Town Website just as the Board of Selectman currently does. The Board agreed, however, it will have to develop a policy

to address that. Alternate Rauth asked the Board if they were pleased with the level of detail that Therese had been recording. Alternate Rauth stated they were pretty detailed. Chairman Broker did not have any problem with them. Alternate Roman asked Mr. Bourque his opinion of the minutes of the last few meetings. Mr. Bourque responded that they were excessive. Mr. Buckley asked if the board had reached a conclusion with respect to the handout. Alternate Roman did not think it was anything they had to vote on; it was just an informed/informal discussion. Mr. Buckley brought up making an official policy for audio recordings of the minutes. Alternate Roman suggested putting it on the agenda for the next meeting. Mr. Buckley would like to adopt the same policy as the Board of Selectmen recently adopted regarding audio recordings on the Town's website. Mr. Buckley questioned if it was appropriate for Therese Larson, recording secretary, to sign the minutes. Mrs. Larson stated that she did not sign them. Chairman Broker responded to Mr. Buckley that no one currently signs the minutes. Alternate Roman recognized Mr. Bourque who had information from L.G.C. which confirmed that minutes do not have to be signed. Mr. Buckley pointed out that the Board of Selectmen sign their minutes. Mr. Buckley recommended that the Planning Board follow the same policy as the Selectmen regarding signing the minutes. Alternate Roman suggested putting this on the next agenda for discussion. Chairman Broker asked that Alternate Roman layout what needs to be discussed in detail with regards to policies for audio recording of minutes and signing of minutes by a majority of Planning Board members.

Chairman Broker called for a motion to adjourn. Mr. Buckley made that motion. Alternate Roman seconded the motion. The Board voted unanimously to adjourn at 7:53 p.m.

Approved by vote of the Webster Planning Board July 21, 2011.

Attest,

Thomas S. Mullins, Secretary