

## Planning Board Non-Public Session Minutes

**Location:** Strafford Town Hall Conference Room

**Date & Time:** October 5, 2023

**Voting Members Present:**

Phi Auger – Chairman  
Tim Reed – Vice Chairman  
Charlie Moreno  
Terry Hyland  
Lynn Sweet – Selectman Representative

**Non-Voting Members Present:**

Don Clifford – Alternate  
Donald Coker – Alternate  
Susan Arnold – Alternate

**Others Present:**

Blair Haney, Strafford Regional Planning Commission, Regional Planner  
Robert Fletcher, Minutes Recorder

**Non-Public Session pursuant to RSA 91-A:3, II (I) consideration of legal advice provided by legal counsel.**

At 6:37PM during the October 5, 2023 Planning Board Meeting, Charlie Moreno made a motion to enter a Non-Public Session to discuss legal advice from the town attorney. The motion was seconded by Tim Reed, and voted upon verbally in the affirmative by all voting Board members present. The motion passed, and all public attendees were asked to leave the meeting.

The Chairman provided a review of the minor subdivision of Lot 72 to create Lot 72-2, which will share a driveway on a recorded easement for current Lot 72 and abutting Lot 72-1. He referenced the email response from Attorney Roman and asked the Board to review it. The Board agreed that the easement most likely exists, and the proposal to subdivide Lot 72 meets all minor subdivision requirements. The Board discussed the following concerns regarding subdivision approval:

- Town of Strafford legal involvement in civil dispute between property owners over the use of a shared driveway to access proposed Lot 72-2.
- Need for a shared driveway maintenance agreement between parties.
- Possible legal determination that the easement was abandoned by Lot 72 owner, which would remove legal access to proposed Lot 72-2 on the easement.
- Need for approved alternate access to Lot 72-2.

The Board concluded that approval of the minor subdivision was warranted; however, it would be contingent upon proof of access to the proposed Lot 72-2 buildable area.

At 7:00PM, the Chairman asked for a motion to close the non-public session, which was so moved by Lynn Sweet, seconded by Charlie Moreno, and voted upon verbally in the affirmative by all voting Board members. The motion passed.