

Planning Board Meeting Minutes  
February 7, 2006  
Approved

A video recording of this meeting is on file with Office of Town Clerk, is available for public viewing during normal business hours, and will be retained in accordance with the New Hampshire Municipal Records Board rules established under RSA 33-A:4, or for a minimum of 24 months.

**Members Present:** Chair Bob Craycraft, Vice-Chair Donald Voltz, Michael Clarke and. Alternate Cathy Orlowicz. Selectmen Representative Dwight Jones arrived at 6:45 PM.

**Members Not Present:** David Lindberg and Alternates Brain Chasse, George Gale had an excused absence. Alternate Christopher Lapierre had an unexcused absence.

**Others Present:** Jeffery Harrison, Cathleen Joy, Christopher Berry of Berry Surveying & Engineering, Peggy Stevens, Richard Leonard, Donald Bickford, Darcy Johnson, Paula Troiano, Matt Troiano, Franklin Alden, Lynne Alden, Ryan Heath, Sarah Alden.

1. A Final Public Hearing on the New Durham Open Space Conservation Subdivision Ordinance.

Chair Craycraft called the meeting to order at 6:30 PM. Chair Craycraft gave a brief synopsis of the Final Public Hearing for the adoption of the Open Space Conservation Subdivision to be placed on the Ballot for the 2006 Town Meeting. Chair Craycraft appointed Alternate Cathy Orlowicz to sit in for David Lindberg for this hearing.

Cathy Orlowicz asked if to review the final copy of the Open Space Subdivision Ordinance, to ensure it was reformatted without the bullets and edits, before final approval by the Board. Chair Craycraft recessed the meeting for ten (10) minutes to enable time to clean up the document. It is the consensus of the board that the changes of this document are just housekeeping changes and do not change the intent or meaning of the document. The Board proceeded with the Final hearing.

**Motion made by Don Voltz to approve the final Open Space Conservation Subdivision Ordinance as presented for delivery to the Town Clerk. Seconded by Cathy Orlowicz. Vote: Unanimously approved.**

The Board also signed off of the New adopted Master Plan (November 2005) for certification with the Town Clerk, Carol Ingham.

After completion of the Public Hearing the meeting recessed at 6: 56 PM for relocation to the New Durham Public Library for application before the Board.

Chair Craycraft reconvened the meeting at 7: 13 PM. Chair Craycraft explained to the Public the reason for the delay and apologized for the late start. The Board introduced themselves to the Public.

1. **Public Input:** There was no Public Input taken at this time.

2. **Acceptance & Public Hearing on an application submitted by Christopher Berry of Berry Surveying & Engineering on behalf of applicant Cathleen Joy for property located on Ridge Road Top (Tax Map 2, Lot 9) in New Durham. The Public Hearing may be convened if the application is accepted as complete.**

Chair Craycraft noted the applicant had not properly notified all legal abutters for this application and requested the applicant's agent Christopher Berry, to address this matter before the Board.

Christopher Berry of Berry Surveying & Engineering notes the application as presented did not properly notify all abutters, but wished to proceed with the checklist, and address any issues at this time. Vice Chair Don Volt notes without proper notification of all abutters (RSA 676:4 I b) the Board could only proceed under a Conceptual discussion for this application.

Christopher Berry explained a wetland application has been completed and submitted to the Department of Environmental Services, Zoning Board of Adjustment and was reviewed by the New Durham Conservation Commission. The Conservation Commission had made recommendations for a 30 foot buffer along all wetland crossings for this application concerning the impact of development within the area. Christopher Berry explained due to another development located within the area and clear cutting done from a previously subdivision, these activities had created concerns among several abutters. Their concerns are with runoff and erosion problems that may be caused by this development.

At this time the Board informed the applicant and her agent Christopher Berry that notification requirements (newspaper, abutters, payment) would need to be completed to proceed and could come before the March Planning Board meeting.

3. **Acceptance & Public Hearing on a Two (2) Lot Subdivision submitted by Donald A. Voltz of Lindon Design Associates on behalf of applicant James J. Griffin for property located on Miller Road (Tax Map 15, Lot 4) in New Durham. The Public Hearing may be convened if the application is accepted as complete.**

Chair Craycraft and Don Voltz stepped down for this application. Chair Craycraft appointed Michael Clarke as acting Chairman for this application. Acting Chairman Michael Clarke appointed Alternate Cathy Orlowicz to sit in for Vice-Chair Don Voltz for this application.

The Board commenced review of the application for completeness with the assistance of the applicant agent Donald Voltz of Lindon Design Associates. The applicant is requesting a waiver to Section 9.01 of the Town of New Durham Subdivision Regulations. Donald Voltz clarified after further review of the regulations the waiver was not needed and sought withdrawal of the waiver for this application.

**Motion made by Dwight Jones to accepted the waiver withdrawal request for this application. Seconded by Cathy Orlowicz. Vote: Unanimously approved.**

**Motion made by Cathy Orlowicz to accepted the application as complete. Seconded by Dwight Jones. Vote: Unanimously approved.**

**Open Public Comment:**

Abutter Douglas Forbes questioned if there were standards for both minimum lot size, and road frontage requirements in place for the Town. Don Voltz clarified the requirements for lot size and road frontage. The current Zoning requirement is solely based on soils and slopes that determine the size of each parcel (acreage, road frontage) within the Town. Abutter Douglas Forbes noted his concerns of additional subdividing in the future because of the size and amount of road frontage. Don Voltz explained due to the soil and wetland present on the property comprises the parcel is unable to subdivide further under the current zoning stipulations of the Town.

Abutter Richard Leonard questioned if owners of both parcel would have the same access rights as others within the area to March Pond. Don Voltz noted no more of fewer rights than would be granted to the owners of the other parcels, but he would need to further check the deed to clarify.

Closed Public Comment: **Motion made by Dwight Jones to continued the application until March 7<sup>th</sup> 2006 Planning Board meeting. Seconded by Cathy Orlowicz. Vote: Unanimously approved.**

**Motion made by Cathy Orlowicz to conduct a site walk on Saturday, February 11, 2006 at 8:00 AM for this application. Seconded by Dwight Jones. Vote: Unanimously approved.**

4. Acceptance & Public Hearing on a Three (3) Lot Subdivision submitted by Donald A. Voltz of Lindon Design Associates on behalf of applicant Franklin Alden for property located on Valley Road (Tax Map 4, Lot 1B) in New Durham. The Public Hearing may be convened if the application is accepted as complete.

Chair Craycraft and Vice Chair Don Voltz recused status to step down remains for this application. Acting Chairman Michael Clarke appoints Alternate Cathy Orlowicz to sit in for Vice-Chair Don Voltz for this application.

The Board began reviewing the application for completeness with the assistance of the applicant agent Donald A. Voltz of Lindon Design Associates. The application is requesting a wavier to portions of Section 9 of the Town of New Durham Subdivision Regulations: The wavier request is for the existing topographic contour boundaries at 2 foot intervals for the entire lot. Contour mapping has been completed for all of lots 4-1C & 4 1 D as well as a portion of lot 4 1B the parent lot.

**Motion made by Cathy Orlowicz to accept the waiver request for a portion of Lot 4 1b to Section 9 of the Town of New Durham Subdivision regulations. Seconded by Dwight Jones. Vote: Unanimously approved.**

**Motion made by Cathy Orlowicz to accepted the application as complete with the following noted conditions:**

- **Correct address for abutter Ronald & Claudia Vachon (Tax Map 8, Lot 9A) be shown on plan.**
- **State Subdivision approval be obtained for this application.**

**Seconded by Dwight Jones. Vote: Unanimously approved.**

**Motion made by Cathy Orlowicz to conduct a site walk on Saturday February 11<sup>th</sup>, 2006 at 9:00 AM. Seconded by Dwight Jones. Vote: Unanimously approved.**

**Open Public Comment:** There was no Public comment at this time for this application.

**Motion made by Dwight Jones to continue the Public Hearing until March 7<sup>th</sup> 2006 Planning Board meeting. Seconded by Cathy Orlowicz. Vote: Unanimously approved.**

Acting Chair Michael Clarke recessed the meeting at 8: 35 PM. Chair Craycraft and Vice Chair Don Voltz returned to their seats and the meeting resumed at 8: 45 PM.

#### 5. New/Old Business:

Michael Clarke requested an itemized copy of all fees paid to Strafford Regional Planning Commission for the fiscal year 2005 for review by the Board. Michael Clarke requested the Board review what is being charged by Strafford Regional Planning Commission for their services. Michael Clarke noted his concerns with not receiving the documents (Open Space Conservation Ordinance) in the correct format, and then rely on

the clerk to pick up the pieces. Chair Craycraft noted he had spoke with Gerry Mylorie today and he just assumed the document was finalized, but would speak with Gerry Mylorie concerning this matter.

Land Use Clerk Kathleen Merrill suggested a notation for all public notifications that would include such language “all application plans can be reviewed at the Land Use Office during normal business hours”. She felt such a simple notation would help the public be more aware of their rights to review each and every application, and of the Planning Board activities. It is the consensus of the board to go ahead with the clerk’s suggestion and advised the clerk to proceed with the suggestion.

Chair Craycraft informed the Board on the following items to be included on the February 21<sup>st</sup> Workshop Agenda:

Andrew Smith of Universal of New Hampshire will attend the February 21 workshop to discuss and formulate a community survey with the Board.

Planning Board Rules of Procedures

Review the Site/Sub Regulations.

Chair Craycraft requested how the Board would like to proceed with workshop for the Natural Resources Outreach Collation. After a general discussion the Board agreed to seek the help of the Land Conservation Committee and Conservation Commission who would help set up the workshops.

6. Approval of Minutes: January 3, 2006 were reviewed and amended.

**Motion made by Cathy Orlowicz to approve the minutes of January 3, 2006 as amended. Seconded by Don Voltz. Vote: Unanimously approved.**

7. Adjournment:

**Motion made by Don Voltz to adjourn at 9:10 PM. Seconded by Cathy Orlowicz. Vote: Unanimously approved.**

Respectfully submitted by,  
Kathleen Merrill  
Planning Board Clerk

Approved: February 21, 2006

