

**DRAFT**

**New Durham Planning Board  
Minutes of Meeting  
May 2, 2006**

A video recording of this meeting is on file with the office of the Town Clerk and is available for public viewing during normal business hours, and will be retained 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 Don Voltz, Selectmen Representative Ron Gehl, David Lindberg, and Alternate Cathy Orlowicz.

**Members Not Present:** Alternate members Brian Chasse and George Gale had excused absences. Alternate Christopher LaPierre has an unexcused absence.

**Note: Official recording devices experienced technical difficulties while recording this meeting.**

Chair Craycraft called the meeting to order at 7:20 PM.

1. **Public Input:** No public input at this time.

2. **A Continued Public hearing on an application submitted by Christopher Berry of Berry Surveyor & Engineering on behalf of applicant Cathleen Joy for a Three (3)- Lot Subdivision for property located on Ridge Road Top ( Tax Map 2, Lot #9) in New Durham.**

David Lindberg stepped down from this application due to his absence for the previous hearing. Chair Craycraft appointed Cathy Olowicz to sit in for David Lindberg.

Mr. Berry presented final copies of plats for the Board to review. All issues of conditional approval for complete plans have been addressed. ZBA has granted special exemptions for crossing of wetlands for the shared driveway. The applicant is still waiting for a response from NHDES. Chair Craycraft inquired about establishing an escrow account, to ensure development of the lots happen as shown on the approved plats. After further review, it was noted that the Board does not have the authority for establishing escrow accounts under the current subdivision regulations (revised 10/15/05). Consensus of the Board was to place written language on the plats and deeds regarding the conditions of approval placed for this subdivision.

**Motion made by Ron Gehl for conditional approval for applicant Cathleen Joy for a three (3) lot subdivision for property located on Ridge Road Top (Tax Map 2, Lot #9) be granted with the following conditions:**

- **All structures, septic systems, leach fields shall be built as specified within the building envelopes as shown.**
- **Prior to commencement of any construction, a pre-construction meeting will be held in accordance with New Durham Subdivision Regulations 11.05 :A (1) / (revised 10/15/05) and shall be adhered to. This is to include the Building Inspector / Code Enforcement Officer, Road Agent, Design Engineer and any body acting on behalf of the Town. All buffers and setbacks in the vicinity of any construction shall be clearly and accurately marked, and that the markings shall be maintained for the duration of the construction.**
- **Decision of Notice is recorded with the Strafford County Registry of Deeds with a requirement that the deed reference this decision notice.**

- **Conservation Commission designated representative shall be afforded access to the property with prior notification on an annual basis to assure conformance with the no cut buffer requirements.**
- **All state and local permits be obtained prior to final approval of the plat by the Planning Board.**
- **All boundary markers shall be set prior to final approval and shall be shown on the plat.**

**The motion was seconded by Don Voltz. There was no discussion. A vote was taken, all were in favor, the motion carried. The applicant was applauded for the effort made to address the drainage fears.**

**Motioned by David Lindberg to allow for a 5-minute recess. Seconded by Ron Gehl. The meeting reconvened at 8: 36 PM.**

**3. Acceptance & Public Hearing on an applicant submitted by Chestnut & Cap Builders LLC on behalf of applicant Johnson's Steak & Seafood LLC for a Site Plan review application for property located on 69 Route 11 (Tax Map 8, Lot #4) in New Durham. The Public Hearing may be convened if the applicant is accepted as complete.**

Members seated for this hearing: Don Voltz, David Lindberg, Michael Clarke Ron Gehl and Bob Craycraft. Chair Craycraft will write a letter, acknowledging he granted and waived the 30-day deadline for package submittal. All abutters had been notified. A check of \$150.00, balance owed, was received. New plats were presented for the Board to review. After review of the site plan checklist, the following items are required:

- \* **Vicinity map**
- \* **Notation reference on plats of no new municipal or non-municipal utilities.**
- \* **Date and permit numbers of all required permits**
- \* **Pedestrians circulation plan**
- \* **Signs, walls and fence location**
- \* **A written impact assessment in narrative form.**

**Motioned by Michael Clarke to conditionally accept the application as complete subject to the required conditions and seconded by David Lindberg. A vote was taken; all were in favor, the motion carried.**

**Public Hearing:** The agent for the applicant reviewed plans to convert the residential structure, located near the intersection of Ridge Road and Route 11, for commercial use, the intent is for a bakery / meat shop. The agent has spoken with the New Durham Fire and police Chiefs and neither has expressed any objections. The septic is for a two bedroom home and with four full time employees being employed, it would not create a hardship on the system. The whole building will be re-sided, parking areas will be added, and signs for advertising (4x4 lighted sign near Rte. 11 and on the side of the building), additional lighting and planting of shrubs are in the plans. The agent also stated that plans have been reviewed by the New Durham zoning Board of Adjustment as a minor development and questions about the special exemptions were raised. Documentation will be provided regarding the ZBA's decision.

There was no public comment.

**Motioned made by Michael Clarke to continue the Public Hearing on an application submitted by Chestnut & Cape builders, LLC on behalf of the applicant Johnson's Steak and Seafood LLC for a site plan Review application for property located on 60 Route 11, (Tax Map \*, Lot #4) in New Durham until the June 6, 2006 meeting.**

**Items to be addressed:**

- \***Show the snow storage areas**

- \*Show the proposed sign locations on the building and property**
- \*Show ramp and ADA entrance**
- \*Re-direct arrow for note of sign on plat**
- \*Clarification on ABA Special exemption granted**

**Seconded by David Lindberg. A vote was taken; all were in favor, the motion carried.**

**4. Acceptance & Public Hearing on an application submitted by Donald A. Voltz of Lindon Design Associates on behalf of applicant Sanford B. Neister for a Two (2)-Lot subdivision for property located on Merrymeeting Road (Tax Map 9, Lot #1) in New Durham. The public Hearing may be convened if the application is accepted as complete.**

Members seated for this hearing: David Lindberg, Michael Clarke, Ron Gehl, and Alternate Cathy Orlowicz. Don Voltz is the agent for this application. Chair Craycraft stepped down. David Lindberg was Acting Chair. All abutters have been notified and all fees are paid. The Board reviewed the checklist. A request for the subdivision line being added to the vicinity map and class of Merrymeeting Road to be corrected.

**Motion made by Ron Gehl to conditionally accept the application as complete with the following conditions:**

- \*Correct the classification of Merrymeeting Road as it is a state owned highway.**
- \* Lot line for subdivision to be included on vicinity map**
- \*All zoning districts.**

**Seconded by Michael Clarke. A vote was taken; all were in favor, the motion carried.**

**Open Public Hearing:** Don Voltz made a presentation of the applicant's wishes to sell off a small portion of the property to a local resident with the remaining lot to remain within the family. There was no public comment. Public hearing was closed at 10:10 PM.

Ed Neister requested the Board to waive the site walk as it was a straightforward application and he would like to close on the sale on Friday. Acting Chair Lindberg explained the Board could not waive the site walk as it could create a situation of prejudice to others in past and future hearings.

**Motioned by Cathy Orlowicz to schedule a site walk for Saturday, May 6, 2006 at 7:30 AM. Seconded by Michael Clarke. A vote was taken; all were in favor, the motion carried.**

**Motioned by Ron Gehl to continue the Public Hearing to June 6, 2006. Seconded by Cathy Orlowicz. A vote was taken; all were in favor, the motion carried.**

**5. Acceptance & public Hearing on an application by Christopher Berry of Berry Surveyors & engineering on behalf of applicants Van E. Hertel & Jeffrey Hertel Trustee of Raed Family trust for a Two (2) Lot subdivision for property located on the Ela Mill Road (Tax Map 6, Lot #4-A).**

**\*\*\*\*\*More information needed.\*\*\*\*\***

Ron Gehl requested to modify the agenda so the Codispoti's could be heard due to the late hour and the Board agreed.

The Codispoti family would like to build a home off a Class VI Road located on a portion of Birch Hill (tax Map 15, Lot #1).

The Board conducted a site walk on April 29<sup>th</sup>. Input was requested from Board members and to the public for recommendations to be made to the Board of Selectmen.

**Motioned by Michael Clarke requesting Chair Craycraft to send in writing the recommendations made by the Planning Board. Seconded by Don Voltz. A vote was taken; all were in favor, the motion carried.**

**6. New and/or Old Business:**

**A. Conceptual Discussion for an Open Space Subdivision as presented by Donald A. Voltz of Linden Design Associates on behalf of applicant Kodiak Realty of Rochester, owner of property identified as Tax Map 16, Lot# 22.**

Members seated for this hearing : David Lindberg, Michael Clarke, Ron Gehl. Don Voltz Stepped down as he is representing the applicant. Cathy Orlowicz stepped down as she is an abutter, citing conflict of interest. Chair Craycraft stepped down.

\*\*\*\*\***More information needed**\*\*\*\*\*

**B. Election of Planning Board Officers:** David Lindberg being a senior member of the board took over the meeting for the election of officers for the coming year. Each member was nominated once and for many reasons a second was not given for any one nomination. Motioned by David Lindberg to table the election of officers until June 6, 2006. Seconded by Michael Clarke. A vote was taken; all were in favor, the motion carried.

**7. Minutes:**

Motioned by Don Voltz to table the minutes until the June 6, 2006 meeting. Seconded by David Lindberg. A vote was taken; all were in favor, the motion carried.

**8. Adjournment:**

**Motioned by Don Voltz to adjourn the meeting at 12:11 AM. Seconded by David Lindberg. A vote was taken; all were in favor, the motion carried.**

Respectfully submitted,

Betsy T. Booth  
Catherine Orlowicz