

DRAFT MINUTES

NEW DURHAM PLANNING BOARD

3/4/2008

Chairperson Cathy Orlowicz called the meeting to order at 7:05 PM.

Roll Call: Cathy Orlowicz (Chair), Bob Craycraft (Vice-Chair), Peter Rhoades (Selectman's Representative), Paul Raslavicus, Paddy McHale (Alternate).

Unexcused Absence: Christopher LaPierre (Alternate), George Gale (Alternate), Don Voltz

Others Present: Gigi Giambanco,

Kodiak Woods: Cathy Orlowicz stepped down as a legal abutter and passed the chair to Bob Craycraft. Bob noted the applicant had requested a continuance. Board members discussed the fact they would like an explanation when applicants ask for several continuances. Peter Rhoades asked staff to question Town Counsel about whether the Planning Board can set some guidelines and limits for continuance requests.

Peter Rhoades moved to continue the Kodiak application to the April 1, 2008 Planning Board business meeting at the request of the applicant, and to extend the Planning Board's review period until April 10, 2008.

Paddy McHale seconded. Unanimous with no abstentions.

Bob Craycraft passed the chair back to Cathy Orlowicz.

Merrymeeting Gardens: Cathy Orlowicz noted that the applicant, Amanda Turner, had requested that the application be placed on the agenda for the April board meeting. Board members discussed factors involved in a site plan review for a site that already has a business on it.

Groom Lot Merger: The Board discussed issues involved in a voluntary merger. Newer members were not familiar with the process.

Peter Rhoades moved to approve the merger of Map 37, Lots 58, 237, and 237A into a single lot with the condition that the applicant:

1. revises the deeds to reflect the merger and the fact that the pre-existing lot 237A will no longer be a separate right of access to Merrymeeting Lake; and

- 2. Will not sell or in any way convey any one of the pre-existing lots as a separate lot.**

Paddy McHale seconded. The motion passed unanimously with no abstentions.

Public Input: Mr. James Jones, 218 Route #11 asked what plans the Board had for zoning along Route 11, and did they foresee mixed use with a business and residence on the same lot. He asked what the process is for reviewing a site plan application, and how the board takes potential impact on nearby wetlands into consideration in making a decision. Chair Orlowicz noted there could be no discussion relative to a specific application, and explained the general process for review of site plan applications, and the need for a special exception from the Zoning Board of Adjustment for a new business

Ordinance Development Process: David Allen described the changes he had made to the flowchart of the process for developing new or revised Zoning Ordinances based on the board feedback at the last meeting. After some discussion by board members, Chair Orlowicz said the revision seemed to capture the key points of the last discussion, and suggested the Board begin to use it and see how it works.

Regulation Development Process: Mr. Allen reported that he had begun work on a similar process definition for developing new regulations. Board members indicated it would work best to take an issue such as landscaping and work it through all stages of the process, then go to the next issue, rather than working everything through the first stage before going on to the next stage.

Annual Plan Workplan: The board reviewed the draft workplan and said they agreed to schedule an "orientation" session for the 3rd Tuesday in April. Cathy Orlowicz suggested inviting the public and others who might be interested in joining the Board now or in the future.

Business District, Phase 1: Board members used the Ordinance Development Process Framework to discuss the purpose and goals of identifying a business district. Mr. Allen will add the ideas from the discussion into the framework. Many ideas focused on the Board being pro-active in identifying the types of business and commercial development it would like to see in town.

Conservation Subdivision Ordinance Regulations, Phase 1: Board members began to develop a list of issues to address in rewriting the subdivision regulations. Staff will use the Regulation Development Framework to organize the suggestions.

Additional References for Master Plan NR Section: Bob Craycraft will work with David Allen to be sure that the Planning Board office has copies of all the

suggested references.

Amendments to Driveway Regulations: David Allen reminded the Board that Town Counsel John Teague had strongly and explicitly urged the Board to amend the Driveway Regulations so that they apply to the entire length of the driveway. Bob Craycraft remembered that when the Planning Board initially considered the Regulations some board members wanted them to apply to the entire length but the Board did not think it had the authority to do that. Cathy Orlowicz asked if the original intention was to apply the Driveway regulations during the subdivision process and she noted that was not something the Board had done in the past. Paul Raslavicus expressed concern that the absolute ban on a driveway slope greater than 15% would make it impossible to build on some existing lots. Others agreed that the driveway regulations should have the type of exemptions the Board had written into the Steep Slopes ordinance. Bob Craycraft suggested that staff take the draft to Town Counsel and get help in doing so.

Old/New Business: David Allen reported that he had talked with Town Counsel about the letter sent to Planning Board members regarding the waiver granted to Kodiak Woods Subdivision regarding the length of cul de sac. He told the Board that Mr. Teague had acknowledged the validity of the issue and also said it was much too late in the process for the Board to act on it.

Allen also conveyed the phone conversation from Mr. Malcolm McNeill requesting a rescheduling of the Board's workshop on the Red Oak Ridge idea from March 18 to April 15. Bob Craycraft said it would be very important for the Board to receive any materials several days in advance of the meeting. Chair Orlowicz said the Board needed the 3rd Tuesday workshop sessions to address its important agenda of ordinance and regulation writing. **Peter Rhoades moved to accept Red Oak's request to take their subdivision off the Board's March 18 agenda and offer an appointment on the agenda of either the April 1, 2008 or the May 6, 2008 Board business meeting with the additional request that any new materials be submitted to the Board at least one week in advance. Paddy McHale seconded. Unanimous with no abstentions.**

Minutes: Paul Raslavicus moved to approve the minutes of February 19, 2008 as corrected. Paddy McHale seconded. Unanimous with Bob Craycraft abstaining because he was not at the meeting.

Paul Raslavicus moved to adjourn at 9:30 PM Paddy McHale seconded. Unanimous with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant