

# MINUTES

## NEW DURHAM PLANNING BOARD

### MAY 6, 2008

Chairperson Bob Craycraft called the meeting to order at 7:05 PM.

**Roll Call:** Bob Craycraft (Chair), David Bickford (Selectman's Representative), Ron Gehl (Selectman's Alternate), Paul Raslavicus, Cathy Orlowicz, Paddy McHale

**Others Present:** Julie LaBranche, Ute Luxem, Dennis McCann

**Public Input:** Chair Bob Craycraft asked if there was any public input. There was none.

**Business/Commercial Zone:** Ute Luxem and Dennis McCann of South East Economic Development Corporation met with the Board to discuss economic development potential for New Durham and how that might affect the Board's work to develop a Business/Commercial Zone ordinance. They began by describing the work of their organization.

Ms. Luxem noted that she had spoken with Town Administrator April Whittaker last year about a company that was thinking about coming to New Durham. Their plans are on hold right now because of the economic situation, but she expects they will move forward on this plan within the next year or so.

Cathy Orlowicz asked kinds of things are businesses looking for in a community when they consider where to locate. She asked specifically how important municipal water and sewer might be in a business decision. Dennis McCann said one of the most important factors is if the owner already lives in a town, or if she or he feels it is a place they might like to live. He said that water and sewer were significant issues a decade ago, but technological advances in small-scale water and septic have given owners much more flexibility.

Paul Raslavicus asked if businesses preferred industrial park locations vs. a unique space of their own. Mr. McCann said there was no particular pattern and there are owners who like both. He noted that there are definitely owners who feel that a designated park or zone signifies a greater chance that their business will not upset some residents. It is a place where they feel they will not bother residents and residents will not bother them.

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Ms. Orlowicz asked what a Town can do to help companies be eligible for some the grants that Ms. Luxem and Mr. McCann had described. Dennis McCann said there is a point in business growth where the businessperson hits the ceiling of what they can borrow based on their home and property as security. This is a critical time in the growth of a business and a time where they often come in to help. One of the sources of grant money is the federal Community Development Block Grant (CDBG) program, and the municipality must be a partner in any proposal for these funds.

Dennis McCann suggested that one potential type of business is component manufacturing: making components, parts, or sections of some larger product. European companies have begun to see the United States in general and the east coast in particular as a good source of components for several reasons: the drop in value of the dollar, rising overseas transportation costs which are lower from the U.S. than from China, and they see American labor as productive and cheap compared to other mature economies. He cited Samco in Farmington as an example. It was recently sold to Schaeffer, a German company. The fact that New Durham is less than two hours from Boston is a plus for these companies.

Mr. McCann suggested that the combination of a business/commercial district and the continued opportunity to request a special exception to create a business in some other part of town is a good combination. It allows owners who like the idea of a special district to go there, and owners who find some other part of town attractive to do that. And every owner looks at siting a little differently.

Ms. Luxem noted that the Town had opportunity for tourism as well because of the hills, lakes, and woods. Mr. McCann talked about medical businesses. SEDCO has worked with several companies interested in starting or expanding medical businesses in this general area, in between Rochester and Wolfeboro. Cathy Orlowicz asked about the need for public transportation. Mr. McCann said it is not an issue that owners mention in their shopping around stage. Political stability, vehicle transportation, quality of life, and support services such as Temp agencies, lawyers, accountants and the quality of the education system are the factors mentioned most often.

Ute Luxem warned the board not to expect quick success. Economic development takes time and patience. The most important thing for the Planning Board to do at this point is to set the mindset and the direction. Be clear about the type of business the Town wants and be responsive and supportive to inquiries from that type of business. Julie LaBranche encouraged trying to attract mixed use to the town center area. She also mentioned the importance of the different land use boards coordinating their efforts and consolidating their application processes.

Ms. LaBranche suggested to the board that this is a good time to reach out to the

stakeholders in this issue: existing businesses, town departments, etc. Board members discussed how to do this and agreed to invite stakeholders to a workshop session on June 17. The goal would be to get response from community people to the ideas the board is considering, the types of businesses being considered, the kinds of criteria the board is considering for how to identify appropriate locations for business and commercial zoning.

Julie LaBranche agreed to prepare an outline of ideas and concepts for the June workshop and bring it to the May 20 Planning Board meeting for consideration and review.

Ron Gehl asked the board to review the Route 11 Corridor plan that has suggestions about economic development in the corridor. He asked the board to consider in particular the concept of "nodal development," meaning clustering several businesses near a road intersection or "traffic node."

**Subdivision Application Form and Checklist:** David Allen suggested the following amendment (Amendment 1) to the subdivision regulations to clarify the status and amendment process for the application form and checklist:

SECTION 14: Amendments

These regulations may be amended by the Planning Board following a public hearing on the proposed change. Such changes shall not take effect until a copy of said change, certified by a majority of the Board, is filed with the Town Clerk.

The attached "Application Form" and "Application for Subdivision of Land Checklist" are administrative forms and may be amended by the Planning Board without notice or public hearing. If there is any conflict between these regulations and the "Application Form" or "Application for Subdivision of Land Checklist" these Regulations shall take precedence.

The following attachments are incorporated into these regulations:

Attachment 1: Subdivision Checklist & Application Form

Attachment 2: Guidelines of the Board of Selectmen Regarding Construction on Class VI Roads

Attachment 3: Removal of Woodlot Designation Flowchart (being updated—not available at this time).

Board members said they were comfortable with the wording.

**Subdivision Regulations for Open Space Conservation Subdivision**

**Applications:** David Allen reviewed the concepts for these regulations he had reviewed with the Board at previous meetings. He recalled that the Board asked him to draft regulations based on those concepts. He shared the following wording

(Amendment 2) to implement the 2008 Town Meeting amendment requiring both a conceptual discussion phase and a design review phase for an Open Space application.

5.08 Open Space Conservation Subdivision

Applications for an Open Space Conservation Subdivision shall meet all requirements of this section (Section Error! Reference source not found. in addition to all other requirements of the Subdivision Regulations.

1). Applications for an Open Space Conservation Subdivision must begin with the Conceptual Consultation Phase followed by the Design Review Phase.

Board members suggested clarifying language as follows:

1). Applications for an Open Space Conservation Subdivision must complete two phases of preliminary review. The first is ~~begin with~~ the Conceptual Consultation Phase. When this phase has concluded it shall be followed by the Design Review Phase.

Mr. Allen also proposed the following wording (Amendment 3) to spell out the Conceptual Consultation Phase in more detail:

2) The Planning Board will use the Conceptual Consultation Phase to offer conceptual guidance to the applicant regarding the following components of a full application:

- a. Natural Resources the Board wishes to protect;
- b. Protecting the rural character of New Durham
- c. Encouraging community in the subdivision
- d. Fiscal Impact on the Town of New Durham
- e. Landscaping Concepts and Themes
- f. Development of a Yield Plan

3) The Conceptual Consultation will provide the applicant with information needed to prepare a yield plan, and begin subdivision design. The Board will review concepts for subdivision layout only in terms of areas that should remain undeveloped and/or protected.

4) The applicant should provide the following information to the Board for conceptual consultation:

- a. Any publicly available information showing the natural resources of the site, including and not limited to, any of the following that apply to the site:
  - i. Wetlands maps
  - ii. wildlife habitat maps
  - iii. aquifer maps
  - iv. slope analysis
  - v. town conservation focus area maps
- b. Publicly available material illustrating concepts that may be incorporated into

the subdivision design for

- i. Protecting and enhancing the rural character of New Durham
- ii. Creating community in the subdivision
- iii. Landscape Design
- iv. Enhancement and protection of open space

Cathy Orłowicz suggested adding the parenthetical phrase “(to meet the guidelines in Section \_\_\_\_)” to item 2.f. to refer to a description of yield plan requirements that will be added. Other members agreed.

**Paddy McHale moved to** accept Amendments 1, 2, 3 as amended and schedule them for public hearing on May 20. **Paul Raslavicus seconded. Unanimous with no abstentions.**

**Driveway Regulations:** David Allen reported that he had reviewed the proposed changes to the driveway regulations with Town Counsel, John Teague. Mr. Teague was in agreement with the general direction of the amendments and suggested some edits and additional statutory authority. Mr. Allen will draft the changes suggested by Mr. Teague and review them once again with him before the May 20 meeting. Terry Jarvis presented a copy of the State Fire Code related to driveways to the Board and asked that the Board try to coordinate its amendments with the fire code.

**Paddy McHale moved to** continue review of and public hearing on the driveway regulation amendments to May 20. **David Bickford seconded. Unanimous with no abstentions.**

**Site Plan Checklist:** David Allen offered language to amend the Site Plan Review Regulations to clarify the status and amendment process for the Site Plan Application Form and the Site Plan Application Checklist:

- H. Amendments-** In accordance with RSA 675:6, these regulations may be amended or rescinded by the Board following a public hearing as specified in RSA 675:7 on the proposed change. The chairman of the Board shall transmit a copy certified by a majority of the Planning Board member of any changes so adopted to the Town Clerk. Copies shall also be filed with the New Hampshire Office of State Planning. The attached “Application Form” and “Site Plan Checklist” are administrative forms and may be amended by the Planning Board without notice or public hearing. If there is any conflict between these regulations and the “Application Form” or “Site Plan Checklist” these Regulations shall take precedence.

This proposed amendment was posted for public hearing at the May 6 Meeting.

**Paul Raslavicus moved to** approve the amendment as proposed. **Paddy McHale seconded. Unanimous with no abstentions.**

**Master Plan Natural Resources Section:** Chair Bob Craycraft suggested at a previous Board meeting to add six items as reference materials in the Natural Resources section of the Master Plan. The Board reviewed that Natural Resource Section with the amendments shown. Mr. Craycraft said the reference to the "Land Conservation Plan" should have language added to specifically reference "accessory mapping of the Merrimack River watershed completed by the Strafford Regional Planning Council using the same methodologies." To avoid any question of whether this amounted to a substantive change he suggested continuing the public hearing to May 20.

**Paddy McHale moved to add the wording "and accessory mapping of the Merrimack River watershed completed by the Strafford Regional Planning Council using the same methodologies" at the end of the reference to the Land Conservation Plan for New Hampshire's Coastal Watersheds and continue the Public Hearing to May 20 . David Bickford seconded. Unanimous with no abstentions.**

**Ethics Ordinance:** David Allen distributed copies of the recently adopted Town of New Durham Ethics Ordinance. He noted that all members of the Planning Board were covered by the terms of the ordinance. He asked each member to sign a note confirming that they have received a copy of the ordinance

David Bickford shared information from the Fire Department called "Firewise" which provides information on tree and shrub setbacks from houses and driveways to prevent the spread of forest fires.

**Minutes: Paul Raslavicus moved to approve the minutes of March 18 as written. David Bickford seconded. Unanimous with no abstentions.**

Cathy Orłowicz moved to table the minutes of April 1 and April 15 to May 20. Paul Raslavicus seconded. Unanimous with no abstentions.

**Paddy McHale moved to adjourn at 10:02 PM. David Bickford seconded. Unanimous with no abstentions.**

Respectfully submitted,

David Allen  
Land Use Administrative Assistant

Minutes Approved June 3, 2008