

DRAFT MINUTES

NEW DURHAM PLANNING BOARD

SEPTEMBER 2, 2008

Chairperson Bob Craycraft called the meeting to order at 7:01 PM.

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

Others Present: James O'Reilly, Corey Colwell, Jim Gove, Dennis Moulton, Andy ...

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

O'Reilly: Chair Bob Craycraft noted the Board would be looking at the application to see if it is complete, and if it is, will hold public hearing on it. He added that if the application is not complete, the Board could move to a Design review hearing because the application has been publicly noticed.

The Board walked through the Subdivision Checklist. They identified the following items on the checklist as missing: width of existing road, tax map numbering, lot sizing information, sidewalk easements, buffers and setbacks, steep slopes, and regional impact notification for Wolfeboro and Middleton.

Bob Craycraft asked about their plans to monument the wetlands and riverways setbacks. Corey Colwell said they plan to monument the entire deed restricted area which is larger.

Xx gave the board a copy of their draft for an owner deed that includes the restrictions they are considering. He said they were very open to feedback from the Board and would be interested in seeing a copy of any similar deed the Board has worked on.

Bob Craycraft asked the applicants to review the Water Quality ordinance to ensure that the deed restricted areas all comply with the buffers in that Article of the Zoning Ordinance.

Cathy Orlowicz asked Board members if they felt comfortable giving conditional acceptance to the application. Bob Craycraft said he did not feel comfortable based

on the advice of Town Counsel to do conditional acceptance only in a situation in which the missing items are quite minor, totally administrative details. Paddy McHale agreed. Mr. Craycraft said it would be quite possible to open the floor for public hearing by changing the status from application to design review.

Paddy McHale moved to classify the discussion as a design review hearing. David Bickford seconded. Unanimous with no abstentions.

Corey Colwell gave an overview of the subdivision plan. He said that 44% of the land would be set aside in a deed restricted conservation area. He said the road had been laid out to avoid steep slopes, and go parallel to steep slopes instead of perpendicular. They will pave Copple Crown road from the golf course to the entrance to their subdivision.

Jim Gove reported on the environmental review. He said crossing a stream or wetland was unavoidable and there would be three stream crossings. These will all be built with open bottom box culverts, which facilitate wildlife movement.

Mr. Gove said there are no rare or threatened species on the property and no vernal pool activity. He has reviewed the Department of fish and Game wildlife habitat maps and there is no significant unique habitat. Mr. Gove is preparing the three wetlands permits that will be needed. They will come before the Conservation Commission.

Bob Craycraft asked what has been done in the planning to minimize the impact on riparian areas. Mr. Gove noted that these areas are protected by a larger than required buffer in the deed restricted area, as well as the box culverts already noted. He pointed out that a recent interdepartmental agreement between the Department of Fish and Game, and the Department of Environmental Services means that staff from Fish and Game will review all DES permit applications that have a potential impact on wildlife.

Bob Craycraft asked if consideration had been given to installing sidewalks, or setting aside an easement for potential future sidewalks. He asked Road Agent Mark Fuller if he thought there was a need for sidewalks. Fuller said he did not see an immediate need but it could develop in the future. Corey Colwell said the developer would be agreeable to add a sidewalk easement to the plan. The easement would be on one side of the street, not both, and it would move back and forth across the road depending upon the topography. This will be in addition to the 50' road easement.

Chair Craycraft asked the applicants to prepare a map of the lot showing slopes in categories that match the steep slope ordinance (1-14.99%, 15-24.99%, 25-29.99%, 30% and greater).

David Bickford noted the plat showed the set aside of rights of way to connect to potential abutting subdivisions in the future. He asked if the applicants had checked the topography on the abutting lots to ensure the feasibility of a connecting road from one of those lots. Mr. Colwell said they had placed the rights of way in the most feasible location based on their own property but had not checked the topography on the abutting lots. Chair Craycraft asked that they do that using topographical maps and not requiring on the ground evaluation.

Mr. Bickford also asked if it was possible to create a right of way that would connect to Mountain Road in the Copple Crown village. He pointed out that the Copple Crown village has only a 99-year lease on the road property that will expire in 2065. In addition, the easement is only 36' wide. Board members reviewed tax maps and other information. Paddy McHale said it did not look feasible to him. Other board members agreed.

Mr. Colwell said all utilities would be located within the 50' road easement. He asked what the Board wanted to see in a traffic study.

Board members agreed by consensus that they had completed the design review phase for this proposal. The applicants agreed.

Driveway Regulations: Chair Bob Craycraft opened the proposed amendments to the Driveway and Access Way Regulations to public comment at 9:32 PM. There were no comments. He closed the public comment period at 9:33 PM.

Paddy McHale moved to approve the amendments to the Driveway and Access Way Regulations as presented on 9/2/2008. Paul Raslavicus seconded. Unanimous with no abstentions.

Conservation Subdivision Regulations: David Allen distributed a revised proposal for the Design Review Phase of the Conservation Subdivision process. He asked Board members to review it, send him comments, and be prepared to work on it on September 16.

Subdivision Regulations, Natural Resources Section: Bob Craycraft distributed a revised Natural Resources Section to add to the Subdivision Regulations. It is comprised of three paragraphs the board had agreed upon at the August 19 meeting.

Paul Raslavicus moved to schedule the Natural Resources amendments to the Subdivision Regulations for public hearing on September 16. Bob Craycraft seconded. Unanimous with no abstentions.

Capital Improvement Plan: The Board agreed by consensus to schedule a public hearing at 7 PM, September 23 on the revised Capital Improvement Plan recommended by the CIP Subcommittee. The public hearing needs to be noticed and will be the only agenda item.

New/Old Business: Chair Craycraft shared with the Board a letter from George Gale requesting copies of all e-mail correspondence with Town Counsel regarding the Kodiak Woods subdivision.

Holm Merger: Paddy McHale moved to approve the Voluntary Merger of two lots by George and Virginia Holm. The lots are Map 25A, Lot 4 and Map 25A, Lot 5. Paul Raslavicus seconded. Unanimous with no abstentions.

Paddy McHale moved to adjourn at 10:08 PM. Paul Raslavicus seconded. Unanimous with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant