

MINUTES

NEW DURHAM PLANNING BOARD

DECEMBER 16, 2008

Chairperson Bob Craycraft called the meeting to order at 7:04 PM.

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

Others Present: Bob Bickford, Paul Garland

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

Ethics Committee: Cathy Orlowicz requested a change in agenda. She asked the Board to take up the item concerning the Ethics Committee under New/Old Business first. Chair Craycraft agreed. Paddy McHale, Acting Chair at the time the issue was raised, read the letter from April Whittaker, Town Administrator on behalf of the Ethics Committee. The Committee said it saw no conflict of interest in Board member Orlowicz making suggestions of customary and ordinary practice related to the Road Agent. David Bickford noted that the Ethics Committee agreed with the perception of Planning Board members at the time the issue was raised.

Town Center Zoning District: Paul Garland commended the Board for working on the ordinance and said he saw little in it that would attract new business to town. He felt the 3,000 square foot limit on building size was too small, and other incentives were lacking.

Staff David Allen noted that the draft ordinance did not clearly delineate the boundary of the district. He suggested two options: based on lots abutting Main Street, Old Bay Road, and Depot Road; or based on a set distance from those roads such as 500'. Board members agreed that 500' was too little and 1000' would be better. Cathy Orlowicz said the distance criteria was arbitrary and preferred using abutting lots as the criteria. Paul Raslavicus suggested a combination: lots abutting those roads if they are less than 1000' deep; or the portion of a lot within 1000' of the road if the lot is deeper than 1000'. There was no agreement. The Board moved on to other issues.

Paddy McHale moved to increase the lot frontage requirement in Table 2 from 50' to 75'. Yes: Paddy McHale, Bob Craycraft, and Paul Raslavicus. No: Cathy Orlowicz, and David Bickford. Approved 3-2 with no abstentions.

David Bickford moved to increase the lot frontage requirement in Table 2 from 75' to 150'. There was no second and the motion died.

David Bickford moved to increase the maximum building footprint in Table 2 from 3000 square feet to 6000 square feet. Paddy McHale seconded. Yes: Paddy McHale, David Bickford, and Cathy Orlowicz. No: Paul Raslavicus and Bob Craycraft. Approved 3-2 with no abstentions.

The Board discussed agricultural and forestry uses within the district and agreed that they were protected by state law. Bob Bickford read from RSA xxx and noted that the law specifically includes marketing of forestry products, a use he had expressed concern about earlier.

Paddy McHale moved to strike "Agriculture and Forestry" from Table 1, and to add the following sentence to the text of the Ordinance: "Agriculture and Forestry as defined by RSA 21:34-a are allowable uses not requiring a permit". David Bickford seconded. Approved unanimously with no abstentions.

The Board returned to the discussion of the district boundary. Cathy Orlowicz read from a district ordinance in another town that offered property owners whose lot is divided between two different zoning districts the option of moving the district dividing line up to 200' in either direction. This gives the property owner the chance to have a larger part of their lot in their preferred zoning district.

Paddy McHale suggested defining the Boundary line according to Paul Raslavicus' earlier proposed combination of lot line or 1000' with the addition of some protection for the property owner similar to Ms. Orlowicz report. Bob Craycraft said he would request legal guidance on the issue of drawing boundary lines from the Local Government Center. Board members took no formal action and agreed upon Mr. McHale's suggestion as a framework for making a decision at the next meeting.

Chair Craycraft said the Board would continue its working on outstanding issues at the Public Hearing on the ordinance scheduled for January 6, 2009.

Town Center Amendments to the Sign Ordinance. Board members expressed concern that the draft amendments to the Sign Ordinance would not meet the needs of a business office or professional building that houses several businesses. David Allen suggested adding the following language:

"The Planning Board may permit a building that houses more than one business to have a sign for each business. The size of each sign shall not

exceed 16 square feet. The Planning Board may require a smaller size if necessary to maintain the visual integrity of the district or the building."

Board members agreed to use this as a starting point but also said more they needed to do more editing to be clear and precise.

Mr. Allen told the Board that two businesses located on Route 11 had recently requested variances from the ZBA to have a freestanding sign larger than 16 square feet in order to be easily and safely visible for motorists driving 55 mph. Cathy Orlowicz asked Mr. Allen to send board members copies of the ZBA decisions on these requests so the Board would know the size requested and the ZBA reasoning for its decisions.

Chair Craycraft said the Board would continue working on outstanding issues at the Public Hearing on the ordinance scheduled for January 6, 2009.

New/Old Business: No issues.

Adjournment: Paddy McHale moved to adjourn at 10:10PM. Paul Raslavicus seconded. Approved unanimously with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant

Minutes Approved as Amended on June 16, 2009