

DRAFT

## MINUTES

# NEW DURHAM PLANNING BOARD

## November 20, 2007

A video recording of this meeting is on file with Office of Town Clerk. It is available for public viewing during normal business hours, and will be retained in accordance with the New Hampshire Municipal Records Board rules established under RSA 33-A:4, or for a minimum of 24 months.

Chair Catherine Orlowicz called the meeting to order at 7:04 PM.

**Roll Call:** Peter Rhoades (Selectmen's Representative), Bob Craycraft (Vice-Chair), Cathy Orlowicz (Chair), Paul Raslavicus (Alternate). **Excused Absences:** Donald Voltz (Member), David Allen (staff). **Unexcused Absences:** Christopher LaPierre, George Gale and Duane Armstrong.

**Others Present:** Bill McGrew, Mary "Lou" McGrew, Bill Malay, Art Hoover, Paddy McHale, Margaret O'Brien, Charlie Berube, Ron Gehl, Dennis Gagne, Dennis Cooper.

Chairman Orlowicz appointed Paul Raslavicus to sit in for Don Voltz.

Public Input: Chair Orlowicz asked if there was any public input that was not related to one of the agenda items. There was none.

**Public Hearing on Impact Fee Ordinance, draft #4:** Chair Orlowicz opened the hearing by reading the legal notification. She introduced Bruce Mayberry, who has been working since spring, with the Planners developing an ordinance suited for the Town of New Durham. Mr. Mayberry gave an over view of the process, an explanation of what an impact fee will permit the community to collect fees for and the statues regulating the use of impact fees. Chair Orlowicz opened the hearing for public comment or questions. Summary of questions ranged from: how fees could be collected for schools when New Durham belongs to a district; Mr. Mayberry said he had worked with many towns belonging to districts and co-ops and using a formulation to calculate the apportioned cost to educate a student has been very successful for collection of impact fees for schools: could impact fees and extraction fees be collected for the same items, example given was roads; Yes it could be possible, but language would be adopted in the methodology phase to prevent this from occurring: could fees be collected to protect the environmental important resources; only if other than public open space: and how long has Mr. Mayberry been working with the planners; since late April. Chair Orlowicz closed the public input at 7:52 PM. Planners asked a few additional questions as follow. Mr. Mayberry noted one change had not been carried to the

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draft, it was inserting the words “space parcels” after public open in the last sentence of letter H in the definition section.

**Motion: Vice Chair Craycraft made a motion to forward the amended copy of draft 4 Impact Fee Ordinance New Durham to the town attorney for legal review and input, and to continue the public hearing to January 8<sup>th</sup> at 6:30 PM. Motion was seconded by Mr. Raslavicus. Additional discussion, Mr. Rhoades amended the motion for a start time of 7:00PM. Motion seconded by Mr. Craycraft. Vote: no abstentions, all in favor, motion passed as amended.**

All planners thanked Mr. Mayberry for his very valuable assistance he provided to the town developing this ordinance.

**Work Shop Session with Julie LaBranche 8:00PM:** Chair Orlowicz introduced Ms. LaBranche to all in attendance. She has been working with the Planners since spring developing possible ordinances for conservation overlay and zoning districts. Tonight Ms. LaBranche presented two maps showing varying degrees of slopes, illustrated by different colors, located in New Durham and the second map showed the location of the core areas in relations to the steep slopes. The public was invited to view the maps, with the planners, while Ms. LaBranche explained the maps purposes.

Ms. LaBranche explained the purpose for the table that she had prepared, and how it demonstrates what the proposed ordinance could possible protect steep slopes. Much time was spent reviewing the proposed ordinance with the planners. Some time was given for public in put. Ms. LaBranche will revise this draft using the in put provided and she will also research question that were asked by the planners. The work will be completed, sent to David Allen and the Chair for distribution to the Planners prior to the December 11<sup>th</sup> meeting, when we will look at this again. Time has been scheduled for work on December 18<sup>th</sup> as well.

**Final review of letter to BOS regarding McKay’s private road:** Chair Orlowicz presented the final draft of the letter going to the BOS, with recommendations to the BOS regarding the acceptance of the McKay private road located off of the North Shore Road. The letter had been amended based on the recommendations made by the members from the prior meeting. A few minor amendments were suggested again. The Chair asked for and received consensus of those present to send the letter to the BOS for their consideration. Paul Raslavicus presented the Chair with a letter from Mr. Kuzia, which had been given to him by Taken. Due to the late hour, the Chair asked Mr. Rhoades to summarize the letter for the benefit of all present. He stated there was nothing new in the letter; it summarized what had been taking place with regards to the request to accept this road as a town road. Attorney Art Hoover, representative for the McKay’s asked if he could speak about the laying out of a new road, to maybe help with the decision making to accept the road. The planners explained the only board that had authority to layout that road would be the BOS.

**Signing of the final draft of the CIP 2008 to 2018:** Chair Orlowicz asked the Planners to sign the copies of the finalized version of the CIP. The Chair will return the books to the

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town clerk for certification and distribution.

Being the hour was 10 PM, and the planners had agreed to take no new business up after 10 PM, the chair asked if the planners would make an allowance to hear from Paddy McHale, a citizen who wished to be considered for filling a vacancy for alternate to the Planning Board. The planners agreed to make an allowance. The chair asked Mr. McHale to share why he was interested and if he fully understood the responsibilities and requirements to serving on this board. Also explained was the expectation that he would attend all meetings and be required, by state statute to attend education/training classes. The planners will make their final decision at the December 4<sup>th</sup> meeting.

**Paul Raslavicus moved to adjourn at 10:17 PM, seconded by Peter Rhoades.  
Unanimous with no abstentions.**

Respectfully submitted,

Catherine Orlowicz, Chair