

# DRAFT MINUTES

## NEW DURHAM PLANNING BOARD

### SEPTEMBER 18, 2007

**Call to Order:** Chairperson Cathy Orlowicz called the meeting to order at 7:02 PM.

**Roll Call:** Cathy Orlowicz (Chair), Bob Craycraft (Vice-Chair), Peter Rhoades (Selectmen's Representative), Donald Voltz, George Gale (Alternate), Paul Raslavicus (Alternate) **Excused:** **Unexcused:** Christopher LaPierre

**Others Present:** Paddy McHale, David Bickford, Dave Curry

**Public Input:** Cathy Orlowicz asked if there was any one in the audience who wanted to give public input on an issue that was not on the agenda. There was none.

**Capital Improvement Plan:** Chair Orlowicz turned the meeting over to Paddy McHale, Chairperson of the Capital Improvement Plan Subcommittee. Mr. McHale described the purpose of the Capital Improvement Plan and said it was a tool for the Planning Board and Board of Selectmen to use in assisting them manage the growth of the town and the town budget. He thanked all who had been involved in the work of the subcommittee and particularly thanked the Department Heads who had spent important time helping the Subcommittee members understand their capital situation and needs.

He noted that the CIP Subcommittee had raised the minimum dollar cost of an item from \$5,000 to \$10,000 to be included as a capital item. The other part of the definition is that the cost item does not recur any more frequently than every five years. McHale reviewed the growth assumptions that were used to estimate future costs and income, and said they were very conservative figures.

McHale pointed out that the CIP is only a guide and noted that the capital budget for 2008 Town Meeting would probably have to be adjusted from what is in the CIP Plan because of the need to bond as much as \$350,000 for repair of the March's

Pond Dam. He also noted that because of the lack of planning in the recent past, there will be significant needs in the next few years for replacement of equipment and therefore the CIP is “front-loaded”--expected expenditures are higher in the near term and decrease significantly over the 10 year period of the plan.

Paul Raslavicus congratulated the committee on its “exceptional work” and recognized the members of the committee as dedicated volunteers. He noted that the committee had used conservative assumptions so their cost estimates are a kind of worst case scenario. He asked if they had calculated a moderate case scenario as well. McHale said they had not. Other board members agreed with Mr. Raslavicus' appreciation of the subcommittee.

Planning Board members asked for time to review the document more thoroughly before voting on whether to approve it.

**Recreational Vehicles:** Chair Orlowicz read Mr. Robert Snow's revised proposal for a control ordinance for Recreational vehicles and trailers.

Paul Raslavicus noted that the existing town Shore Front Protection ordinance prohibits the parking of recreational trailers within 300' of any protected waterfront. He wondered why it was necessary to create a new ordinance and why the Board could not simply adjust the existing prohibition to include motorized recreational vehicles.

Cathy Orlowicz referred to the incident the previous year that had triggered the conversation about recreational vehicles. She noted that it had involved disposal of waste water on the ground and said the town Health Officer should have been brought in to deal with that part of the problem. She said she had not heard of any problems this year.

Don Voltz said he thought it was more of an enforcement problem than a legislative one. He noted there were 2 parts of the issue: one related to the negative appearance that trailers could create in a high value neighborhood, and the other related to the prohibition on more than one dwelling on a single lot. He told the board that he had looked at ordinances from around the country on the Internet and noted that none of them covered drivable recreational vehicles; only trailers. He wondered if that indicated a problem related to regulation of drivable vehicles that the Town should know about before taking action.

Terry Jarvis, Chair of the Zoning Board of Adjustment reported on the difficulty the ZBA had a year ago in finding clear definitions in the town's zoning ordinance. In particular they found no guidance on the question of how long a recreational vehicle or trailer needed to be in one location in order to be considered a “dwelling”, thereby triggering the Zoning Ordinance prohibition on more than one dwelling on a single lot.

Board and members of the public discussed the differences between having a trailer parked on a 100 acre woodlot vs. and 100' x 100' lake front lot.

Chairperson Cathy Orlowicz announced that the Board would continue its work on this issue at the October 9 work session of the Board.

**Forestry Overlay Ordinance:** Mike Gelinias presented a draft of a Forestry, Agriculture, and Recreation Protection Overlay District ordinance that he would like the Board to propose to Town Meeting 2008. He expressed concern that the section of the Water Quality Protection Ordinance that requires a no-cut buffer around forested wetlands will severely limit the forestry business in New Durham, and that it might be only the first of more measures which would also limit the business.

He also said that it was getting very difficult for a forester to sort out the sections of the New Durham Zoning Ordinance that apply to forestry. He told the Board it would be more effective and friendlier to the forestry industry to have all regulations that relate to forestry in a single forestry section of the ordinance, and separate it out from other parts of the Zoning Ordinance.

David Allen asked if there were parts of the existing ordinance that created immediate problems for him. He said there were not. Allen asked if he was concerned about parts of the ordinance potentially being a burden in the future and he said yes. Don Voltz asked if he would be willing to make a list for the Board of specific sections of the ordinance that might be restrictive. Mr. Gelinias agreed to do that.

Bob Craycraft said he had spoken again with Phil Auger, a state forester, who indicated that he could come to a Planning Board meeting either October 23 or 30 to discuss forestry issues with the Board. Mr. Craycraft said he thought the key point was to keep a clear distinction between rules that applied to residential development and those that applied to forestry away from residential areas.

David Bickford spoke in support of Mr. Gelinias' concerns.

**Minutes:** Bob Craycraft moved to approve the minutes of April 17, 2007 as amended. Peter Rhoades seconded. Unanimous with no abstentions.

Bob Craycraft moved to approve the minutes of July 31, 2007 as amended. Don Voltz seconded. Unanimous with no abstentions.

Bob Craycraft moved to approve the minutes of August 7, 2007 as amended. Don Voltz seconded. Unanimous with no abstentions.

Don Voltz moved to approve the minutes of September 4, 2007 as amended. Bob Craycraft seconded. Unanimous with no abstentions.

**Budget:** Cathy Orlowicz told the board she had asked Bruce Mayberry to provide an

estimate for the cost of developing an impact fee methodology for the town if the Impact Fee ordinance is approved at Town Meeting 2008. She also asked Julie LaBranche to provide an estimate of the cost of continuing the work on a Business/Commercial District in 2008. She pointed out that the Board would need an estimate from Strafford Regional Planning Council of the level of dues for next year.

**Goals & Objectives:** Ms. Orlowicz reviewed the list of goals and objectives for 2007 that the Board had agreed upon at the beginning of the year.

**Meeting Time:** Peter Rhoades moved to establish a policy that all future Board meetings would end no later than 10 PM and that any unfinished business would be continued to the next meeting. Bob Craycraft seconded. There was discussion of the question. Chair Orlowicz asked Paul Raslavicus to sit for Duane Armstrong. The motion passed by a voice vote of 3-2.

**Adjournment:** Don Voltz moved to adjourn at 10:26 PM. Peter Rhoades seconded. Unanimous.

Respectfully submitted,

David Allen  
Land Use Administrative Assistant