

MINUTES

NEW DURHAM PLANNING BOARD

JANUARY 5, 2010

Chairperson Cathy Orlowicz called the meeting to order at 7:11 PM.

Roll Call: Cathy Orlowicz (Chair), Bob Craycraft (Vice-Chair), Dot Veisel, David Bickford (Selectman's Representative), Paul Raslavicus, Scott Drumme (Alternate), Jeff Kratovil (Alternate)

Others Present: Jennifer Viarengo, Bob Bickford

Public Input: Chair Cathy Orlowicz asked if there was any public input. There was none.

Breudle: David Bickford moved to release the reclamation bond of \$2,500 plus accumulated interest held by the Town for the Breudle gravel pit because Ms. Breudle has sold it and is no longer the responsible party. Paul Raslavicus seconded. Approved unanimously with no abstentions.

Babb: David Bickford moved to require a reclamation bond of \$2,500 from Mr. Keith Babb, the new owner of the Breudle gravel pit. Paul Raslavicus seconded.

Cathy Orlowicz asked David Allen to follow-up with Mr. Babb to collect the bond.

Stormwater Management Ordinance: Chair Orlowicz opened the ordinance for public hearing, and noted for the record that no members of the public were present. Jennifer Viarengo, the Board's consultant from Appledore Engineering, walked through the entire ordinance with the Board and clarified several issues for Board members. Board members suggested several changes and clarifications in wording.

The Board and Ms. Viarengo discussed the concern of the Board being overwhelmed by a large number of applications. They agreed upon language that allows the decision about which applications will be handled by the Code Enforcement Officer, and which will come to the Board, to be decided in the regulations. This will allow the Board to adjust the decision to be adjusted by the Board on its own if they find too many applications are coming to the Board.

Bob Craycraft moved to continue the Stormwater Management Ordinance, with the changes discussed at this meeting, to a second public hearing on

Tuesday, January 19, 2010. Dot Veisel seconded. Approved unanimously with no abstentions.

Town Center Mixed Use Zoning District: Chair Orlowicz opened the ordinance for public hearing.

Bob Bickford thanked the Board for drawing the western boundary of the district at the Merrymeeting River so that it did not include his farm between the River and the Alton Town Line.

He stated a concern that the family's traditional but intermittent cutting and selling of timber from Map 10, Lot 65 might be restricted by the Ordinance. Board members reviewed RSA 21:34-a which exempts agriculture and forestry from unnecessary regulation by Towns and found that the RSA clearly includes activities that are "incidental to or in conjunction" with forestry in its protections. Several Board members stated they were clear that wording in the ordinance requiring permits for a Lumber Mill or Lumber sales were intended to refer to a large scale commercial operation and not to occasional sales by the owner of timber from his own property.

David Bickford asked if the prohibition on municipal waste could lead to banning the use of compost from the Town Recycling Center in the district. Board members said their understanding of waste did not include compost.

Paul Raslavicus asked Bob Bickford if he had any feeling about including in the district the properties on the north side of Main Street that lie between the Merrymeeting River and the Town of Alton line. Mr. Bickford said he had no feelings. Bob Craycraft suggested that it was too late in the process to try to make that change this year but it could be revisited next year.

Bob Craycraft moved to send the Town Center Mixed Use Zoning District Ordinance, as amended at this meeting, including changes to Article XV, the sign ordinance, and with appropriate changes to Article III which identifies major districts in Town, to the 2010 Town Ballot. Dot Veisel seconded. Approved unanimously with no abstentions.

Amendments to Shore Front Protection Ordinance. There was no comment from members of the public or other Board members.

Bob Craycraft moved to continue the Amendments to the Shore Front Protection Ordinance to January 19, 2010 for a second public hearing. Dot Veisel seconded. Approved unanimously with no abstentions.

Workforce Housing Amendments: Cathy Orlowicz opened this issue for public comment, noting there were no longer members of the public present. Paul Raslavicus asked if there was any limitation on a property owner getting a home occupancy permit for an accessory apartment. Other members said there was nothing to prohibit it.

Bob Craycraft moved to continue the Workforce Housing Amendments to January 19, 2010 for a second public hearing. Paul Raslavicus seconded. Approved unanimously with no abstentions.

Next Meeting: Chair Cathy Orlowicz asked members if they would be willing to meet for an additional work session on Tuesday, January 12, in order to be sure the Board could finish its work on all ordinance amendments in time for Town Meeting. There was no objection.

David Bickford moved to adjourn at 10:11 PM. Dot Veisel seconded. Approved unanimously with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant

Minutes approved February 2, 2010