

DRAFT MINUTES

NEW DURHAM PLANNING BOARD

DECEMBER 6, 2011

(Please note: These are draft minutes prepared by staff from notes taken at the meeting. They have not been reviewed by the Board for accuracy, and should not be relied upon for accuracy. Reviewed, corrected, and approved minutes will be available at Town Hall and on the Town's website following the next scheduled Board meeting)

Chairperson Bob Craycraft called the meeting to order at 7:02 PM.

Roll Call: Bob Craycraft (Chair), Scott M. Drummey (Vice-Chair), Paul Raslavicus, Dot Veisel, Dave Bickford (Selectmen's Representative)

Excused Absence: Craig Groom (Alternate) David Allen had to attend a personal matter.

Others Present: Mary McHale (videographer), Ron Gehl, Les Turner, Cory Caldwell, Christopher Berry, Arthur Capello, Keith Babb, JR Jones(?)

Scott Drummey volunteered to record the Minutes.

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

1). Acceptance and Public Hearing for Moynahan lot line adjustment
-Application is complete except for a Vicinity map which is being asked to be waived.

Scott Drummey Moved to accept the application as complete. Seconded by Paul Raslavicus, Approved unanimously.

-There was discussion about whether the vicinity map is needed. General consensus decided it was not needed.

-Cory Caldwell for the applicant discussed the lot adjustment.

-A few questions were asked by Board members primarily concerning the path of the lot adjustment, location of wells, septic systems, etc.

-Bob Craycraft opened the hearing to public input: there was none.

Motion made by Scott Drummey to accept the Application with requested waivers for a vicinity map, (what else ??, ??). Seconded by Dot Veisel, Approved unanimously.

Motion made by Dot Veisel to approve the lot line adjustment requested by John Moynahan Revocable Trust and Alan & Martie Rose between 15 and 26 Elly Point Road, Maps 111-005 and 111-016. Seconded by Scott Drummey,

-Dave Bickford amended motion to include 2nd party, Alan and Martie Rose.

Approved unanimously.

2) . Public Hearing on an application to be submitted by Christopher Berry on behalf of Les Turner to subdivide Map 257-007, 210 Route 11, into two lots.

-Dot Veisel excused herself from discussion and moved to the public side of the table as she is an abutter.

-Craycraft explained that there was a lack of abutter notification for Dot Veisel and the Town of New Durham itself. Dot stated she is OK as she heard about it from other sources(?). There was discussion regarding The Town of New Durham's notification as some Department Heads may not have been notified. Mr. Berry stated that tonight's presentation will not proceed to the possibility of acceptance of the application as several materials are missing so abutter comment is not applicable (Relevant?).

Motion made by Paul Raslavicus with agreement with the Applicant, that the board has chosen to hold this hearing as a Design Review Meeting. Seconded by David Bickford, Approved unanimously.

-Berry: Introduced himself and asked that Mr. Turner speak to describe the situation.

-Turner: His daughter built a house on the property at great expense and now can not afford the home and garden center due to illness. It is likely that the sale of the garden center will be paramount to recover costs. The garden center was developed first; then the residential structure was constructed including an extended driveway and wetlands crossing including a culvert.

-Berry: Since the lot contains a mixture of residential and commercial properties, it is near impossible to get either a business or residential loan. By splitting the lot, loans could be obtained, and both uses may continue. Due to the small lot sizes, High Intensity Soil Survey (HISS) mapping has occurred. The proposed lot 7-1 (the garden center) has been found to be ~3800 sq ft short in upland land area. A variance is being sought at the New Durham Zoning Board. Several items required for complete application submission are being constructed and will be submitted.

-Ron Gehl spoke for Les Turner as former PB chair who approved both developments to the parcel. He described the circumstances, ordinances and regulations that existed at the time of approval.

-Raslavicus asked several questions regarding pre-existence of the two properties in one lot vs having two separate lots and how the site plan regulations affect the legality of that. There may be an issue with the state driveway permit as it was originally approved as one lot vs having the proposed 2 lots as requested.

-Craycraft: The Storm Water Regulations' 20% impervious cover limit on lots may be an issue. There may be a need for a Stormwater Operations/Maintenance plan for the commercial lot.

-Raslavicus: Quoted Subdivision Regs section 4.02 that says land w/ inadequate septic/sanitation characteristics shall not be subdivided.

Public comment:

-JR Jones: What are the roles of the Zoning Board vs the Planning Board?

-Craycraft explained.

-Jones: Subdividing the property, if approved, will require multiple variances. The resulting lots may have reduced property values vs the existing single lot and the commercial lot may be un-sellable. Abutting properties (including his own) may have reduced values as a result. Is this a direction the PB wants to go in (Creating substandard lots that reduce property values)?

-Craycraft: a site walk was scheduled for 11AM Sunday 11 December.

NOTE→ Have Alison send out site walk notification by certified mail to Town department heads. Dot Veisel was notified tonight.

Agenda change:

4) Informal Consultation on Kings Highway Gravel Pits with Keith Babb.

-Babb: The Gravel permit on 22 Kings Hwy is due this month, but not a lot of material is left that is worthwhile. The new permit application for 22 Kings Hwy will be submitted by the 3 Jan 2012 mtg. 22 Kings Hwy has been reclaimed from prior flood problems. It will be closed out, loamed and set up for residential sale.

415 Kings hwy property is highly viable and will be developed so a permit will be sought. Babb is seeking advice on how to move forward. There was discussion on bonding and applicable fees. 415 Kings Hwy permit will be submitted with request for conditions that it be considered dormant until 22 Kings Hwy is closed.

There was a 5 min. Recess

3) Continued Public Hearing on the proposed 2012 Capital Improvement Plan.

-Alison Webb has produced a summary sheet of the Capitol Reserve Funds with an "Estimated" column that shows the balance of Capitol Reserve funds at the end of 2011.

-Craycraft opened the public hearing to public comment, there was none.

Motion made by Dot Veisel to approve the 2011 Capitol Improvement Plan as presented to the Board. Seconded by Paul Raslavicus, Approved unanimously.

5) Working Session on 2012 Planning Board budget.

-Craycraft asked David Bickford as Selectmen's Representative to comment on the status of the Planning Board Budget, but he was unsure.

-Arthur Capello spoke up that Alison Webb told him today that we are looking at what the BOS HAS approved. The Board expressed general support for the budget levels.

6) Working Session on Town Warrant Articles:

a. Stormwater Management

b. Town Center

There was some general discussion of the Ordinance changes we are looking at.

→ public hearings need to start in January. We will discuss these at the next workshop.

7) Working Session on 2012 Goals & Plan

-There was general discussion on previously described goals and plans.

→ The Board needs to setup contracted services for Dark Skies Ordinance, Workforce Housing research/Ordinance/Regulations, and implementation of the Natural Resource Inventory into the Master Plan, Ordinances and Regulations.

-Capello asked what consultant expenses would be needed for Workforce Housing because OEP (Office of Energy and Planning?) has a model Workforce Housing Ordinance already that we can start with and save money.

-We need to clarify the circumstances under which the town can spend Impact fee money.

-Deadline for Red Oak's 12-month notice for their Application submission has passed. We need to send them a letter.

-We need to discuss possible Regulations and/or Ordinances for development on ridges

-Capello mentioned possible new state RSA requiring Ordinance allowing Wood burning furnaces in town.

8) Minutes of 15 Nov 2011.

-p.2, Bickford noted typo in Kodiak 22-lot subdivision: last sentence should read "attain active and substantial development."

-p. 3: 2nd Paragraph: Review terminates the Red Oak Dev.

Paul Raslavicus Moved to accept the minutes of the 15 Nov 2011 Meeting as amended. Dot Veisel seconded, Approved unanimously.

9) New/Old Business: none

Scott Drummey Moved to Adjourn at 9:35 (?) Seconded by Dot Veisel, Approved unanimously.