

MINUTES

FEBRUARY 1, 2011

PLANNING BOARD

Chair Paul Raslavicus called the meeting to order at 7:05 PM.

Roll call: Paul Raslavicus (Chair), David Bickford (Selectmen's Representative), Bob Craycraft (Vice Chair), Scott Drummey (Member). **Excused:** Dot Veisel (Member), Jeff Kratovil (Alternate).

Others Present: Arthur Capello, Mary McHale, Matt Moore.

Hetnar: Paul Raslavicus expressed concern about whether the ordinance allows approval of this plan. It states the Board can only allow construction on slopes greater than 30% if there is no level space on the lot in which the construction can be done.

David Allen summarized his discussions with Bill Straub of CMA Engineers. Mr. Straub said that the initial materials did not have enough information for him to evaluate the plans. Mr. Moore created additional plans and Mr. Straub, Mr. Moore and Mr. Allen had a conference call earlier today in which Mr. Straub asked detailed questions about the plan. At the end of the discussion he was satisfied that the plan as proposed would protect the lake from storm water damage.

Mr. Matt Moore, representing the applicant, told the board that there were three options for locating the house and accessory structures. Option one is to build the structures in the same level space that is occupied by the current camp. The applicant has three concerns about this option. It is much closer to the lake increases the likelihood of damage to the lake. In order to build their proposed structures on that site, they would have to dig into the slopes that exceed 60% in the back of the buildings. The applicants are also concerned that, as they get older the long walk down the driveway could become dangerous.

Option two is to move the driveway and build the structures in the flatter area that is crossed by the driveway. This option has been vetoed by the Road Agent who has stated that the driveway cannot be safely moved to another location on the lot. There is currently only 170 feet of sight distance to the driveway from the road and moving the driveway would decrease that sight distance which is already dangerously short.

Option three, the preferred option, meets the requirements of the New Durham steep slope ordinance, it can be done with less than 20% impervious surface, it has less steep slope impact, and the soil in that location is excessively well-drained Hinckley soil, which allows storm water to drain quickly into the ground and off the surface of the land, thereby reducing problems with the management of the storm water.

Bob Craycraft pointed out that Article XII.F.7 of the Steep Slopes Ordinance allows the planning board flexibility to deviate from the ordinance requirements. If the Board can deviate slightly, stay within the spirit of the ordinance, and effectively manage the stormwater, it has the authority to allow such a deviation.

Scott Drummey expressed the desire to make a site walk of the land. The board scheduled it for 10 AM Sunday, February 7.

Paul Raslavicus continued the review of the Hetnar application to February 15 at 7 PM at the town hall.

Revised Town Warrant: David Allen pointed out that only at the town meeting, and not the planning board, has authority to amend the building regulations. Therefore, the changes to the building regulations need to be added to the town warrant.

Bob Craycraft noted that these amendments are not substantive in nature. They primarily eliminate language that duplicates the language of the national and international building codes that the town has adopted. **He moved to recommend and place on the town warrant the proposed amendments to the building regulations. Scott Drummey seconded. The motion was approved unanimously.**

Impact Fee: Chair Raslavicus continued the public hearing on changes to the impact fee regulations to the next meeting on February 15 at 7 PM at the town hall.

Minutes: Board members made minor edits to the draft minutes of January 4. **Bob Craycraft moved to accept the minutes of January 4, as amended, David Bickford seconded. Scott Drummey abstained, as he was not present at the meeting. The minutes were accepted by a vote of 3 to 0.**

Budget: David Allen shared a comparison of the board's budget request with the amounts recommended by the budget committee and the board of selectmen. Board members expressed disappointment and frustration at the elimination of the Community Viz software, at the low amount (\$1000) budgeted for third-party expertise, and at the fact that the additional secretarial time would be available only at the discretion of the administrative consultant.

Chair Raslavicus asked the board if they wanted to raise concerns at the town meeting. Scott Drummey said he would like to, but he would want to know how the cuts in the planning board budget compared to cuts in other departments.

Mary McHale, member of the public, noted that the Budget Committee will meet on Wednesday February 9 and the planning board could bring its concerns to them at that point, as well as at the town meeting.

Paul Raslavicus reported on the meeting that he had had with Don Jutton of Municipal Resources, Inc (MRI). Terry Jarvis and Allison Rendinero were also at that meeting. Mr. Jutton emphasized the fact that the planning board has more independence than any other town committee or board. The board expressed interest in finding out in more detail the specific

types of authority that the planning board has. Bob Craycraft agreed to draft a letter to the Local Government Center legal staff asking for legal advice on this issue.

Scott Drummey moved to adjourn at 9:37 PM, Bob Craycraft seconded. Approved unanimously with no abstentions.

Respectfully submitted,

David Allen,
Land Use Administrative Assistant

Minutes approved as amended on 2/15/2011