

DRAFT MINUTES

NEW DURHAM PLANNING BOARD

JUNE 7, 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 7:04 PM.

Roll Call: Bob Craycraft (Chair), Dot Veisel, David Bickford (Selectman's Representative), Scott Drummey (Vice-Chair), Paul Raslavicus

Others Present: Christian Smith, Dennis & Bobbi Olson, Mark West

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

Olson Subdivision: Application Dennis & Bobbi Olson for a 7 lot subdivision on property located on 257 Valley Road, (Tax Map 261 , Lot 037)

Chair Bob Craycraft asked Mark West, Principal of West Environmental, and the Town's environmental consultant to report on his review of the site. Mr. West began by pointing out that the proposed construction and disturbances of the development will occur in the front part of the lot so the focus of his evaluation and comments relate to that part of the lots, not the backland.

Mr. West said the issue with this lot is "slopes, slopes, and more slopes." The applicant's challenge is to prepare a plan that makes maximum use of the less steep areas on the lot and to plan for thorough stormwater management, including good drainage along the driveways and the roadway.

Mr. West identified several stream channels some of which have water now and some do not. There are a number of wetland areas. Many of these turn out on examination to be skidder ruts left over from previous logging; others are immediately adjacent to the road. Mr. West found no evidence of any vernal pools, or of any rare plant communities. He described the soil as quite "bony" with water very close to the surface and noted that some of the holes dug for test pits had flowing water creating the potential for runoff. These should be repaired.

In summary, Mr. West said natural resource issues that he found required close attention in the layout of the lots, but were not issues that would preclude development in the general way proposed by the applicant. He made specific recommendations about certain lots, which he will put in writing for the Board.

Mr. Christian Smith spoke representing the applicant. He said the applicant felt that the environmental evaluation presented by Mr. West was a fair and accurate representation of what they had found on the lot. He noted they have made some changes already to their plan to address some of these issues.

At an earlier discussion, they had suggested a 7-lot subdivision. They have revised the plan to be a 6-lot subdivision combining the original lots 3, 4 & 5 into two lots. This eliminates the need for a driveway to cross very steep slopes. The driveway for lot #1 will utilize the existing driveway used by the applicants.

With the plan revisions, all septic locations are on slopes less than 15% and there will be no impact on slopes greater than 30%. The impact on slopes of 15%-25% will be within the allowable amounts of the zoning ordinance. They will submit stormwater conditional use applications for all components of the plan that are on steep slopes and for the longer driveway which will be about 600'. Board members reviewed the driveway regulations and noted that a driveway longer than 500' must have a fire engine turnout at least every 500'.

Chair Craycraft asked Building Inspector and Code Enforcement Officer Arthur Capello if he had any questions or comments on the plan. He said he did not.

Paul Raslavicus moved to end the design review for the 6-lot subdivision of Dennis & Bobbi Olson on property located on 257 Valley Road, (Tax Map 261 , Lot 037) Scott Drummey seconded. Approved unanimously.

Hertel: Chair Craycraft asked if there was any objection to taking up the written request regarding the Hertel subdivision at this point in the agenda. There was no objection. Mr. Craycraft read the letter requesting a 30-day extension in the date for completion of conditions precedent.

Scott Drummey moved to extend the due date for completion of conditions precedent on the 3-lot subdivision of Mr. Van Hertel at 80 Merrymeeting Road (Map 243, Lot 008) until June 22, 2011. Paul Raslavicus seconded. Approved unanimously.

Edwards Subdivision: David Allen reported that Alison Rendinero had spoken with Town Counsel Bart Mayer regarding the private covenants in this case, and Mr. Mayer had agreed with the comments of the Local Government Center Attorney. The Planning Board has no authority or responsibility to enforce private covenants. It must make its decision strictly on the ordinances and regulations of the Town.

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Date

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Tax Impact of Planning Board Decisions: Mr. Raslavicus told the Board he had followed up on the concerns he expressed about the tax impact of approving a site plan for commercial use of a property. He spoke with Town Administrator Alison Rendinaro who agreed that business use of a property would have an impact on the tax rate. Vickie Blackden said the assessor's office had not been receiving notice of site plan approvals.

Mr. Raslavicus again expressed concern that the property owner for the Rouleau application may not have thought through the tax implications of her agreement with Mr. Rouleau.

Board members noted that a site plan approval is attached to the land, and would continue if the property were sold, or if a different person took over operation of the business. They also noted that site plan approval expires after the business has not been operated for a defined period.

Mr. Allen stated that going forward he will make sure to send copies of all site plan and home occupation actions by the board to the assessor's office.

Certification of Subdivision Regulations: Board members noted some scrivener's errors in the references from Section 5.07 to other sections. They signed the certifications of the regulations subject to correction of those references.

Certification of Zoning Ordinance: The Board postponed certification until they have had more opportunity to review the revised copy of the ordinance in detail.

Board of Selectmen Hiring Policies: The Board reviewed the draft of hiring policies being considered by the Board of Selectmen. It has no reference to the Planning Board's statutory authority to make hiring decisions within its budget. The Board has previously discussed its interest in concurring in staff hiring decisions, and having input into performance review and related salary decisions. Mr. Allen will work with Chairman Craycraft to draft a letter to the Board of Selectmen expressing the Board's position.

Scott Drummey moved to adjourn at 9:28 PM. Paul Raslavicus seconded. Approved unanimously.

Respectfully submitted,

David Allen
Land Use Administrative Assistant