

# Minutes

## New Durham Planning Board

### July 19, 2011

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)

**Excused Absence:** Paul Raslavicus

**Others Present:** Craig Groom, Wayne Edwards, Patricia Edwards, Bryan Berlind, Doug Peck, Mike Clarke, Arthur Capello,

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

**Craig Groom:** The Board discussed Craig Groom's offer to serve as an Alternate on the Planning Board. Dot Veisel moved to appoint Craig Groom as an Alternate member of the New Durham Planning Board with his term ending at Town Meeting, 2014. Scott Drummey seconded. Approved 4-0.

**Edwards Subdivision:** Chair Craycraft noted that the Board had received a note from Police Chief Sean Bernier stating he had no objections to the proposal. Wayne Edwards said the Fire Chief Peter Varney had told him verbally that Mr. Varney had no objections. David Allen confirmed that Mr. Varney had told him the same thing.

Bryan Berlind reviewed the new plat he had prepared including those changes requested by the Planning Board.

At 7:20 PM Chair Craycraft opened the hearing to public comment. Doug Peck stated that his interpretation of his own deed to land abutting the Edwards is that the lot owned by the Edwards may not be subdivided. He said he was aware that his challenge is a civil matter and not a matter for the Planning Board. He and some neighbors have retained counsel and will probably challenge the subdivision in court.

Chair Craycraft reviewed the list of potential conditions precedent. **Dot Veisel moved to approve the three lot subdivision proposed by Wayne and Patricia Edwards for land located on North Shore Drive at Map 101-015 with the following conditions:**

**Conditions precedent must be met no later than July 19, 2012:**

1. Add 4 buffer pins on plat;
2. Set all boundary and buffer pins;
3. Post buffer notices along upland boundary of wetlands buffer at intervals of approximately 150'
4. Prepare deed language acceptable to Town Counsel for the following deeds:
  - for Map 101-015.2 spelling out right of way to lot 101-015.2 from 221-002
  - for Map 101-015 spelling out right of way across lot 221-002 and 101-015.2
  - Revised deed for Map 221-002 spelling out right of way to 101-015 and 101-015.2
5. Written notification from Fire Chief confirming his verbal comments that he has no problems with the plan;
6. Completion of all culvert work described in letter from Mike Clarke to the Planning Board dated June 30 and edited July 19, 2011. The work must meet all road agent specifications and the Road Agent must sign-off that this has been completed;
7. Add a note to the plat indicating that the right of way for lot 101-015.2 is shared with the right of way for lot 101-015 and extends 350' from the south property line;
8. The applicant will return to the New Durham Planning Board with evidence of completion of all conditions precedent prior to final approval by the Board and filing of the plan with the Strafford County Registry.
9. Failure to meet any of these conditions shall constitute abandonment of the subdivision by the applicant and the Board may vote to deny final approval.

#### Conditions Subsequent

1. Maintain grass swale along north side of North Shore Road so that no vegetation or debris interferes with existing road drainage;

Scott Drummey seconded. Approved 4-0.

**Stormwater and Erosion Control Management Regulations:** The Board reviewed several edits recommended by its engineering consultant, Jennifer Viarengo, and accepted them. Bob Craycraft asked Arthur Capello if he had any comments on the draft regulations. Mr. Capello said they looked quite acceptable to him.

The Board discussed clarifying that the ordinance is not intended to regulate gardens. They agreed to propose a minor amendment to the ordinance at 2012 Town Meeting for that purpose. Mr. Allen informed them that he had found a contradiction in the ordinance, which should be cleaned up at the same time.

Board members asked to insert a new Section 2 with definitions and refer to definitions in the Zoning Ordinance where appropriate. They also asked that abbreviations be spelled out the first time they occur in the regulations, that Appendix A defining the weighting formula be finished, and that the chart be amended to include up to 20,000 square feet.

Chair Bob Craycraft, with the concurrence of the board, scheduled a public hearing on the regulations for Tuesday, August 16 at 7 PM.

**Town Center District:** Mr. Allen gave the board proposed language to extend the Town Center Mixed Use District as the board had agreed to at its previous meeting, including all lots abutting both sides of:

- Main Street and Old Bay Road from the Merrymeeting River to Tash Road,
- Tash Road from Old Bay Road to Route 11;
- Route 11 to Depot Road; and
- Depot Road returning to the intersection of Main Street/Old Bay Road.

David Bickford suggested that the definition of the district boundary in the ordinance be rewritten to follow the boundary from beginning to end. Other members agreed. The Board will return to the proposal at a later meeting.

**New/Old Business:** Mr. Allen spoke of the great pressure on his time, and the need to set aside any projects beyond the basic responsibilities of processing applications and meeting requirements. He said he could finish the Stormwater Regulations and the Town Center ordinance, but nothing beyond that. The board discussed ways in which the budget line item for consultant assistance could be helpful.

**Cul de Sacs:** Bob Craycraft noted that there are at least three long cul de sac roads in town that are starting to be further developed. He wants the board to think ahead to what level of development on these roads will create public safety problems.

**Minutes of July 5:** Board members made several edits to the minutes. **Scott Drummey moved to approve the minutes as amended. Dot Veisel seconded. Approved unanimously.**

**Scott Drummey moved to adjourn at 9:48 PM. Dot Veisel seconded. Approved unanimously.**

Respectfully submitted,

David Allen, Land Use Administrative Assistant

Minutes amended and approved on August 2, 2011.