

# Draft Minutes

## New Durham Planning Board

*(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.)*

Vice Chair Scott Drummey called the meeting to order at 7:05 PM.

**Roll Call:** Scott Drummey (Vice-Chair), David Bickford (Selectman's Representative), Paul Raslavicus

**Excused Absence:** Robert Craycraft, Dot Veisel, Craig Groom

**Others Present:** John Michaud, Beth Meyer, Ed Neister, Arthur Capello

**Public Input:** Vice-Chair Scott Drummey asked if there was any public input. There was none.

**Introduction of John Michaud:** David Allen introduced John Michaud to the Board. Mr. Michaud has indicated possible interest in serving as an alternate. He will attend a couple of meetings to understand the role of the board better.

**Delegation of Home Occupation Licensing to Code Enforcement Officer:** Board members present discussed the possibility of the Planning Board delegating its role of review and comment on Home Occupation License applications to the Code Enforcement Officer. Members agreed the Planning Board review did not add significant value to the process, and required additional time on the part of the CEO, the applicant, and the Board. Arthur Capello agreed with this assessment. Board members were not clear if this change could be accomplished by a formal delegation by the Planning Board or if it would require a change in the ordinance. The Board asked Mr. Allen to clarify this with the Local Government Center Attorney. The question was continued until additional information is available.

**Wakefield 3-Tier permitting process for businesses:** Arthur Capello distributed a copy of Wakefield's ordinance for businesses on residential property. It establishes 3 categories of business, with different requirements for each. Board members spoke positively about the concept and expressed some confusion about the way in which the ordinance is written. They also wanted to see how this part of the business permitting process related to the site plan review process for larger businesses. They agreed to continue the discussion.

**New Site Plan Applications for Subdivided Property:** The Board returned to the issues raised during the review of the Turner subdivision of Map 250-xxx. During that deliberation several Board members were uneasy about the potential negative impact of subdividing the residential section of the lot from the commercial section. The fact that the business siting is legally non-conforming to wetlands and flood zone setback requirements exacerbated their concerns. Some board members voted against the subdivision because of these concerns. Others felt they did not have the flexibility under existing ordinances and regulations to do that, but wanted to review the question in more depth separate from any specific application.

Board members agreed that there were some situations in which the subdivision and business location would be so far apart on a lot that there would be no point in requiring a new site plan. They also agreed that in other situations such a subdivision might have an effect on the ability to conduct the business in a safe and healthy manner, and a new site plan should be required. The board discussed options for distinguishing between the two situations and did not come to a full agreement. All agreed that if the new property line crossed part of the property necessary for approval of the original site plan that a new plan would be needed. There was also some thinking that limiting the requirement to that guideline alone might miss some situations in which a new site plan should also be required. The Board agreed to continue the discussion.

**Boundary Line Adjustment Application and Checklist.** The board reviewed draft applications and checklist prepared by staff and suggested several changes. Mr. Allen will bring these to the next meeting.

**Voluntary Merger Application and Checklist:** The board reviewed draft applications and checklist prepared by staff and suggested several changes. The felt several of the items requested in the checklist were unnecessary for a Voluntary Merger. Mr. Allen will bring a revised version to the next meeting.

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Date

Page 2 of 3

**Adjournment:** An individual leaving the building reported that a couple of inches of snow had fallen. Paul Raslavicus expressed concern about the road conditions on the Owl's Head section of North shore Road and said he would need to leave. Scott Drummey moved to adjourn at 8:43 PM. Paul Raslavicus seconded. Approved unanimously.

Respectfully submitted,

David Allen  
Land Use Administrative Assistant

Draft!

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