

MINUTES
NEW DURHAM PLANNING BOARD
02 APRIL 2013

Chairperson Scott Drummey called the meeting to order at 7:15 pm.

Roll Call: Scott Drummey (Chair), Bob Craycraft (Vice-Chair), Dot Veisel, Paul Raslavicus, David Swenson (Selectmen's Representative), Craig Groom (alternate), recording secretary Amy Smith.

Others Present: Highway Agent Mike Clarke, Tom Cox

Public Input: There was no public input.

Tom Cox – advice possible mixed use on Valley Road

Mr. Cox stepped forward and stated he is considering purchasing property on Valley Road and is looking to the Planning Board for advice. Mr. Cox stated he would like to build a single family residential home with attached garage and a detached garage for light commercial use. Chair Drummey asked if there would be a lot of customers coming to the site. Mr. Cox stated no. Mr. Cox stated he is in the construction/excavation business. Mr. Cox stated he would like to construct a single story shop approximately 1500 square feet with a 14' inside height. Chair Drummey asked if the shop would be the home base of the business. Mr. Cox stated it would be and any activity would take place off site or inside the building. Chair Drummey stated he felt the endeavor sounded like a home business. Mr. Craycraft stated the square footage may trigger a site plan. Mr. Craycraft noted if that is the case Mr. Cox would need to go to the ZBA for a Special Exception to allow the business in the residential/recreational/agricultural area. Mr. Raslavicus asked if Mr. Cox planned on advertising. Mr. Cox stated no. Mr. Cox explained to the Board how he planned on situating the structure and landscaping the site. Mr. Raslavicus informed Mr. Cox he should see the Code Enforcement Officer and apply for a home business permit but noted if the structure was over 1,000 square feet he would need to go to the ZBA for a Special Exception then to the Planning Board for a Site Plan Review. Mr. Cox thanked the Board.

Cul-de-Sacs

Highway Agent Mike Clarke stepped forward and stated he would like to get the Board's permission to re-do the cul-de-sac section of the Road Subdivision Regulations in order to reduce paved surfaces. Mr. Clarke stated he has done some research and stated if you reduce the radius of the cul-de-sac from 40' to 30' that is a 45% reduction in the paved surface which translates to 2,800 square feet of impervious surface as opposed to 5,000 square feet. Mr. Clarke also stated

the previous Road Agent had a problem with hammerheads but hammerheads would also reduce the pavement. Mr. Raslavicus asked how wide the paved surface would be. Mr. Clarke stated you would still keep the width of 20' of pavement and 2' shoulders but the center part would be non pavement. Chair Drummey commented it would be like a 'doughnut'. Mr. Clarke stated one of the problems he is having with 7 of the cul-de-sacs in Town that have a completely paved radius is that the water sits in the middle of the cul-de-sac and deteriorates the pavement in the middle. Mr. Clarke noted hammerheads also cut down on impervious surface but would require tractor trailers to make a 3 point turn to turn around. Mr. Raslavicus stated he liked the 'doughnut' idea and noted you could use the center for snow storage. Mr. Raslavicus also stated that he did not think cul-de-sacs should be allowed in large subdivisions. Ms. Veisel asked if Mr. Clarke needed approval to contact the Town Engineer. Mr. Craycraft asked Mr. Clarke if he had the money in the budget. Mr. Clarke stated he did. Board members agreed Mr. Clarke should look into this and report back at a later date with his findings.

Mr. Clarke also informed the Board that there is currently a **Bill before the House which would allow building on Class VI Roads**. Chair Drummey asked if Mr. Clarke knew the Bill number. Mr. Clarke stated he did not but would find out and e-mail the number to Ms. Smith.

REVIEW OF MAIL

Board members reviewed a letter drafted by Atty. Jennifer Hoover regarding a boundary line adjustment done by **Paul Garland, Map 251 Lot 1**. The letter stated that a public hearing was held, conditions of approval were met, and the plan was signed and recorded, making the lot in question a legal lot of record. Mr. Raslavicus asked why the letter was needed if the plan has been recorded. Ms. Smith stated, in the e-mail she received from Atty. Jennifer Hoover, it stated it was to satisfy a bank's concern. Mr. Raslavicus suggested finding out what the issue was the bank had before signing the letter. Board members agreed and asked Ms. Smith to contact Atty. Jennifer Hoover to find out what the issue is the bank has.

REVIEW OF MINUTES

Board members reviewed the minutes of 5 March 2013. **Mr. Raslavicus made a motion to approve the minutes of 5 March 2013 as printed. Mr. Craycraft seconded the motion. The motion was unanimously approved. (Mr. Swenson abstained from voting as he was not present at that meeting.)** Chair Drummey stated he would like to see the various items under 'Other Business' highlighted instead of all just under the one heading.

Impact Fees

Ms. Smith stated she had spoken with the Bookkeeper to get the current amount of Impact Fees collected. The amount totaled \$101,693.00. Ms. Smith informed the Board that the Bookkeeper expressed concern about the proper expenditure of Impact Fees. Mr. Craycraft asked that Ms. Smith suggest to the Bookkeeper that she speak with Bruce Mayberry about her concerns and to get direction. Ms. Smith also stated that she contacted Cynthia Copeland at Strafford Regional Planning to see if they had a list of area Towns who had an Impact Fee. Ms. Copeland e-mailed that they did not but was going to have someone at SRPC work on it and get back to her.

James & Louise Barwell Map 111 Lot 24

Board members reviewed the revised information submitted by Tom Varney for the Barwell's Conditional Use Permit that was conditionally approved on 5 March 2013. All was found to be in order. Chair Drummey signed the Notice of Decision Letter and 3 copies of the plan.

Susan Raslavicus, Trustee Pleasant Point Realty Trust Map 102-2

Mr. Raslavicus stepped into the audience. Chair Drummey designated Mr. Groom to sit in for Mr. Raslavicus. Mr. Raslavicus submitted a letter for the Board's review and stated his wife was unable to attend the meeting. Board members reviewed Mr. Raslavicus' letter. Mr. Raslavicus stated that he felt that the Board's decision of 19 February 2013 which required a testpit be done to remove the lot from woodlot status was not a valid decision by the Board as it was not made at a Public Hearing and is asking the Board to rescind it. Mr. Raslavicus continued to state that he believes that Board's original decision made on 4 December 2012 which required the Code Enforcement Officer to do a visual inspection to remove the lot from woodlot status is the legal decision. Mr. Raslavicus gave a brief history of the lot noting that when the lot was created its frontage was on a private road but now the road is a Class V Road. Mr. Swenson stated he agreed with Mr. Raslavicus that the motion of 19 February 2013 requiring a testpit does not supersede the Board's decision of 4 December 2012, as it was not a public hearing, which required the visual inspection done by the Code Enforcement Officer. Ms. Vesiel stated in Mr. Raslavicus' case there isn't a problem because the lot is so large but she thinks the Board was trying to think more 'globally'. Board members agreed that the woodlot ordinance in general needs to be worked on. **Ms. Veisel made a motion to rescind the vote of 19 February 2013 requiring a testpit before Map 102 lot 2, owned by Pleasant Point Realty Trust, could be removed from woodlot status. Mr. Craycraft seconded the motion. The motion was unanimously approved.** Mr. Swenson asked if there was a time frame given at the 4 December 2012 hearing in which the Code Enforcement Officer had to inspect the property. Ms. Veisel checked the minutes of 4 December 2012. No time frame was given.

McKay Gravel Pit

Board members reviewed the letter drafted by Ms. Smith Land Use Clerk and reviewed by Chair Drummey to Mr. Varney, Mr. McKay's agent, regarding the conditions of approval that were not met. Mr. Raslavicus noted that the opposing abutter's letter needs to be mentioned as Mr. McKay now must maintain a 75' buffer rather than 50'. Various changes were made to the letter. Mr. Craycraft suggested giving Mr. McKay until June to comply with the conditions. Ms. Veisel agreed this was a reasonable date. Chair Drummey asked Ms. Smith to draft a new letter incorporating the changes and then e-mail to him for review before it is sent to Mr. Varney.

Amended Zoning Ordinance

Board members signed 2 copies of the March 12, 2013 Zoning Ordinance. One for the Town Clerk and one for the Land Use Office.

Regulation Binders

Ms. Smith had given Mr. Swenson, Mr. Raslavicus, and Mr. Groom new binders containing the current regulations. Ms. Smith asked if the other Board members would like a new binder. They did. Ms. Veisel complimented Ms. Smith on her job performance so far.

Meeting Rooms

Ms. Smith asked if it were possible to have all meetings, except for very large hearings, at the Town Hall instead of having the first meeting of the month at the Library. Ms. Smith stated it would be more convenient for both her and the videographer as they would not have to move the necessary meeting items across the street and back. Ms. Smith noted it also would allow access to all the files which are housed at the Town Hall. Discussion followed. Board members agreed to leave the meetings as they are. Ms. Veisel suggested the videographer speak with the Town Administrator or the Bookkeeper about getting a key.

Design Guidance Document

Mr. Raslavicus stated that the Design Guidance Public Hearing which was scheduled for 19 March 2013 was cancelled due to a snowstorm and reposted for 16 April 2013. Mr. Raslavicus stated that neither he, Ms. Anderson, or Mr. Groom would be able to attend that meeting and asked if it could be recessed until May 7th. Mr. Groom stated he may be able to make the 16 April meeting but he is not sure yet.

Revised Subdivision Regulations

Chair Drummey asked all Board members to review the revised Subdivision Regulations prepared by Elaine Planchet, and come up with any comments or questions for discussion at the 16 April meeting. Chair Drummey asked Ms. Smith to contact Ms. Planchet and invite her to the 7 May 2013 meeting so the Board could ask her any questions they may have.

The Flight Deck, Map 261 Lot 4

Mr. Raslavicus stated he noticed a truck rental business that has appeared on Rte. 11 at the Flight Deck. Mr. Raslavicus stated there are many U-Haul truck and trailers available for rent, and he does not believe truck rental was part of the original approval. Mr. Raslavicus suggested having the Code Enforcement Officer check into it. Mr. Craycraft agreed stating that he also noticed the truck rentals. Chair Drummey asked Ms. Smith to contact the Code Enforcement Officer and have him look into it.

Rouleau, Map 252 Lot 69

Chair Drummey asked Ms. Smith to put a flag in the folder noting that this business closed in December 2012 and the permit to allow the display of sheds and woodcrafts expires in 3 years unless someone else purchases the property and wishes to do the same thing.

2013 Items To Work On

Board members discussed the items they wished to work on and when.

- **Lighting/Dark Skies** - 20 August 2013. Mr. Groom & Mr. Raslavicus will work on this.
- **Septic Issues** – 18 June 2013. Mr. Craycraft will work on this.
- **Building on Ridges/What is a Ridge-** 17 September 2013. Mr. Raslavicus will work on this.
- **Clarification of Woodlot Status** – 16 July 2013
- **Master Plan** – 21 May 2013. The Master Plan was broken down in sections. ‘Natural Resources’ - Mr. Craycraft; ‘Transportation’ - Mr. Groom; ‘Land Use’ – Chair Drummey; ‘Housing’ and ‘Town Facilities’ – Mr. Swenson; ‘Population & Growth Management’- Mr. Raslavicus; ‘Community Well-Being’ – Ms. Veisel; Board members suggested checking with Cathy Orlowicz, the Town Historian, to see if she would be interested in working on the ‘Historic & Cultural Resources’ section.
- **Cul-de-sacs-** waiting to hear back from the Highway Agent
- **Impact Fees-** waiting for the Bookkeeper to speak with Bruce Mayberry and the information from Strafford Regional Planning Commission. Mr. Craycraft noted it is up to the Selectmen to expend the funds.

Election of Officers:

Chair Drummey informed the Board he was not interested in serving as Chair again. Ms. Veisel & Mr. Raslavicus also stated they did not have the time to commit to it. Mr. Craycraft stated he could do it with the understanding that summer is his busy season so there would be times he would need the Vice-Chair to take over. **Ms. Veisel made a motion to nominate Mr. Craycraft as Chair and Mr. Drummey as Vice-Chair. Mr. Raslavicus seconded the motion. The motion was unanimously approved. Chair Drummey made a motion to nominate Ms. Veisel as Secretary. Mr. Craycraft seconded the motion. The motion was unanimously approved.**

At 9:59 pm Mr. Craycraft made a motion to adjourn. Mr. Raslavicus seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith

Recording Secretary