

MINUTES
NEW DURHAM PLANNING BOARD
05 MARCH 2013

Chairperson Scott Drummey called the meeting to order at 7:05 pm.

Roll Call: Scott Drummey (Chair), Bob Craycraft (Vice-Chair), Dot Veisel, Paul Raslavicus, David Bickford (Selectmen's Representative, arrived at 7:10 pm), recording secretary Amy Smith.

Excused Absence: Craig Groom (alternate)

Others Present: Tom Varney, P.E., Ron Gehl.

PUBLIC INPUT: There was no public input.

PUBLIC HEARING: Acceptance and Public Hearing of an application submitted by Thomas Varney, PE on behalf of James & Louise Barwell for a conditional use permit to allow the disturbance of 8997 square feet on steep slopes in order to demolish an existing cottage and replace it with a new house, garage, driveway and septic system on property located on 47 Meaders Point Road, (Tax Map 111 , Lot 024).

Mr. Varney introduced himself and presented the plan for the Board's review. Mr. Varney informed the Board that since the public hearing in January when the Board denied the Barwells application for failure to meet the Town's requirements for septic tank setbacks and the allowed impervious surface area he has revised the plan. Mr. Varney stated he has cut down on the driveway area to reduce the impervious surface and the plan now meets that requirement. Mr. Varney stated the Barwells went before the Zoning Board of Adjustment in February and received a variance for the septic tank setback. (A copy of the Zoning Board's letter of decision is in the Barwell's file). Board members reviewed the plan. Mr. Craycraft asked if there were any changes other than the changes to the parking area. Mr. Varney stated he didn't believe so. Chair Drummey questioned why the septic tank couldn't be moved to meet the setback. Mr. Varney noted in order for the septic tank to meet the setbacks it would have to be lowered below the water table. Chair Drummey asked if there was any public comment. There was none. Chair Drummey closed the public input portion of the hearing. Mr. Craycraft noted there were some minor labeling discrepancies between the plan and the 'Operation & Maintenance Manual & Logs'. Mr. Raslavicus complimented Mr. Varney on the plan.

Mr. Craycraft made a motion to approve the conditional use permit to allow the disturbance of 8997 square feet on steep slopes in order to demolish an existing cottage and replace it with a new house, garage, driveway and septic system for James & Louise Barwell for

property located at 47 Meaders Point Road (Map 111 Lot 024) subject to the following conditions:

- 1) Update the 'Operation & Maintenance Manual' to include the infiltration steps.
- 2) Have consistent language on the plan with what is called 'infiltration trench' in the manual.
- 3) The plan is corrected so the 'Operation & Maintenance Manual & Logs' is properly referred to in the notes.

Mr. Raslavicus seconded the motion. The motion was unanimously approved.

REVIEW OF MAIL:

Board members reviewed an application from Cameron Quigley who is interested in serving as an alternate member of the Planning Board. Chair Drummey asked Ms. Smith to contact Mr. Quigley and invite him to the next meeting.

REVIEW OF MINUTES:

Board members reviewed the minutes of 19 February 2013. Ms. Smith stated she received Chair Drummey's e-mail requesting that motions be bolded. **Ms. Veisel made a motion to approve the minutes of 19 February 2013 as printed. Mr. Craycraft seconded the motion. The motion was unanimously approved.**

Merrymeeting Greenhouse –

Ms. Smith stated she received a phone call from Mr. Steve Brassil who is interested in purchasing the Merrymeeting Greenhouse. Mr. Brassil wanted to know if during the off season he could have grapple loads of wood delivered to the site which he would then cut and split and deliver to customers. Board members felt he would need to come before the Board for a modification of site plan and he would need to have a public hearing.

Audience member Ron Gehl stated he would like to comment, in general, and not specifically to this property that he believed there was a general exemption for agricultural and farming activities in the residential/agricultural zone. Mr. Gehl also stated he believed the State RSA's govern agricultural activities, of which forestry is considered, and that local requirements can't prohibit this. Mr. Bickford stated that when a person is importing material it changes things. Mr. Bickford used a farm stand as an example and stated he is not sure of the percentage but there is only so much produce you can import and resell before the operation is considered commercial.

OLD BUSINESS:

Ms. Smith stated that when she was looking for an example of a Conditional Use Permit

checklist she noticed there was no Notice of Decision letter in **Walter Ahlin's** file. Chair Drummey reviewed the minutes of the 4 December 2012 meeting when the application was conditionally approved and reviewed the file for the necessary items. All was found to be in order. Chair Drummey signed the Notice of Decision letter.

OTHER BUSINESS:

Chair Drummey informed Board members he did not get to the **McKay** letter and he would have it for members to review at the next meeting. Chair Drummey asked Mr. Gehl (who was a Selectman at the time) if he remembered a letter from 2007 from the Town Administrator regarding the McKay pit and the woodlot designation. Discussion followed. Ms. Smith went to the Town Offices to get a copy of the letter. Board members reviewed the letter. Mr. Gehl suggested contacting the Town Administrator to see if he can find the original complaint. Chair Drummey suggested checking the Selectmen's meeting minutes around that time.

Mr. Gehl asked that since the Land Use Clerk position is now part-time and Ms. Smith is new to the job, if it would be okay to ask Board members questions outside of a meeting. Chair Drummey stated it would depend on the situation. Chair Drummey noted Ms. Smith keeps in contact with him by e-mail on a regular basis. Chair Drummey noted that when she e-mails him a question he answers it if he can or it is brought before the Board as was the Merrymeeting Greenhouse question.

Mr. Raslavicus questioned if the Board was okay with just reviewing a plan submitted by a surveyor for informational purposes only without knowing it is accurate and then having Ms. Smith file it as was done at the last meeting. Ms. Smith noted she does not just file the plans but submits them to the Assessing Office for the tax map people. Chair Drummey read RSA 676:18 IV which stated that the plan is to be filed with the Planning Board 'for informational purposes only'. The Board is not required to do anything.

Mr. Raslavicus noted he would like to add 'what is a ridge' and 'a building on ridges regulation' to the work plan. Board members agreed to add this to their work plan.

Board members discussed what they should work on first. Board members agreed to discuss cul-de-sacs. Chair Drummey asked Ms. Smith to contact Road Agent Mike Clarke and invite him to the next meeting.

Mr. Craycraft suggested reviewing the Impact Fee formula. Chair Drummey asked Ms. Smith to contact the Bookkeeper and ask her how much money the Town has collected in Impact Fees, what it can be used for, and how one goes about using it.

At 8:35 pm **Mr. Craycraft made a motion to adjourn. Ms. Veisel seconded the motion. The motion was unanimously approved.**

Respectfully submitted,

Amy Smith

Recording Secretary