

**MINUTES**  
**NEW DURHAM PLANNING BOARD**  
**17 SEPTEMBER 2013**

Chair Craycraft called the meeting to order at 7:05 pm.

**Roll Call:** Bob Craycraft (Chair), Scott Drummey (Vice-Chair), Paul Raslavicus, Dot Veisel, David Swenson (Selectman's Representative), Craig Groom (Alternate); Recording Secretary Amy Smith.

**Excused Absence:** Cameron Quigley

**Others Present:** Videographer Jim Ladd, Code Enforcement Officer Arthur Capello, residents David Bickford, Theresa Chabot.

**Public Input:** There was no public input.

**Theresa Chabot**

Ms. Chabot introduced herself and stated she is interested in serving as New Durham's representative to the Strafford Regional Planning Commission. Chair Craycraft asked Ms. Chabot to tell the Board a little bit about herself. Ms. Chabot stated she is a 30 year resident of New Durham and noted most of that time was as a summer resident. Ms. Chabot stated for the past 7 years she has been a full time resident of New Durham. Ms. Chabot also noted that she was involved in her local School and Town government in the Town she previously resided. Board members thanked Ms. Chabot for her interest. It was suggested that Ms. Chabot also serve as an Alternate member of the Planning Board so she could periodically update Board members on SRPC's activities. Mr. Raslavicus explained what being an Alternate entailed. Ms. Chabot stated she would be interested in serving as an Alternate Planning Board member. **Vice-Chair Drummey made a motion to appoint Theresa Chabot as an Alternate Planning Board member. Ms. Veisel seconded the motion. The motion was unanimously approved.** Mr. Swenson explained the two week vetting period.

**Vice-Chair Drummey made a motion that the New Durham Planning Board nominate Theresa Chabot as New Durham's Strafford Regional Planning Commission representative. Ms. Veisel seconded the motion. The motion was unanimously approved.** Mr. Swenson stated he would pass the information on to the Board of Selectmen at their 23 September 2013 meeting.

**Public Hearing – Stormwater Management & Erosion Control Regulations**

Chair Craycraft opened the Public Hearing on Stormwater Management & Erosion Control Regulations.

Code Enforcement Officer Arthur Capello stated he only had a few minutes before he needed to leave and asked if the Board wished to discuss his letter regarding The Flight Deck. Board members agreed to discuss CEO Capello's letter while he was present.

**The Flight Deck- Map 261 Lot 004**

Board members reviewed Mr. Capello's letter of decision regarding the Flight Deck. Mr. Capello asked the Board if they have any issues with his determination that the U-Haul rental aspect of the business is a natural expansion of a gas station. Mr. Raslavicus stated he does not think the U-Haul business is a natural expansion of the business and feels the owner should have come before the Planning Board. It was noted that the owner did contact former Land Use Assistant David Allen and was told the U-Haul business is a natural expansion. Discussion followed. Vice-Chair Drummey asked the procedure if the Board does not agree with Mr. Capello's decision. Mr. Capello stated the Board could appeal his decision to the ZBA. Ms. Smith noted if the Board chooses to appeal, it must be done within 30 days of the date of decision.

Mr. Raslavicus suggested addressing 'natural expansion' in the Regulations. Vice-Chair Drummey did not think that was necessary as that is the job of the Code Enforcement Officer. Mr. Swenson expressed concern that this would give businesses the impression that New Durham is not business friendly. Ms. Veisel agreed and stated, she felt, that unless there is a threat to natural resources or public safety, business should be encouraged. Board members requested that the Code Enforcement Officer cite the section of the International Building Code that pertains to natural expansion. The Board also asked for 3 – 5 examples of natural expansion. Board members agreed on a tentative date of 15 October 2013 to meet with the Code Enforcement Officer to discuss the issue.

**Public Hearing – Stormwater Management & Erosion Control Regulations**

Chair Craycraft re-opened the public hearing on the Stormwater Management & Erosion Control Regulations. Chair Craycraft read the amendment and explained that the change is to make the Stormwater Management & Erosion Control Regulations consistent with the Town's Zoning Ordinance. Chair Craycraft stated there is a diagram in Appendix B that has also been corrected to reflect the change.

Chair Craycraft opened the hearing for public comment. Audience member David Bickford asked for clarification. Vice-Chair Drummey stated there is an inconsistency between the Stormwater Management & Erosion Control Regulations and the Zoning Ordinance and the amendment is to make them consistent with each other. Mr. Bickford had no objection and noted the Zoning Ordinance would take precedence. Chair Craycraft closed the public hearing. **Vice-Chair Drummey made a motion to amend Article 3 Section B-4-c of the Stormwater Management & Erosion Control Regulations to read "Between 500 and 12,000 square feet on slopes between 25% and 30%" and to correct the schematic found in Appendix B. Mr. Raslavicus seconded the motion. The motion was unanimously approved.** Board members

signed the amended regulations. Ms. Smith noted she is not in tomorrow but will give the revised document to the Town Clerk on 19 September 2013. Vice-Chair Drummey asked Ms. Smith to make copies of the revised pages for Board members.

### **Ridges**

Board members reviewed the draft document prepared by Mr. Raslavicus. Mr. Groom suggested changing “200 feet above the elevation of a valley, public road or waters.” to ‘ridge line’ and not specifying a number. Ms. Veisel questioned the cutting of trees. Audience member David Bickford stated he believes cutting of trees is an agricultural issue and agriculture is regulated by the State. Mr. Raslavicus stated he took this wording from the Town of Newbury’s regulations. Mr. Groom noted the State does regulate the cutting of trees. Mr. Bickford stated the State regulates tree cutting for water quality reasons and not aesthetics. Discussion followed. Vice-Chair Drummey stated he likes the concept of protecting ridgelines but wasn’t sure how it could be enforced.

Ms. Veisel questioned what this proposed regulation would do that is not already done by the Steep Slope Ordinance. Mr. Raslavicus stated the Steep Slope Ordinance allows clear cutting of trees for timber. Mr. Bickford stated the Planning Board can regulate building but does not think they can control the cutting of trees. Vice-Chair Drummey asked if there are any other Towns that had implemented this regulation. Mr. Raslavicus stated the Town of Gilford may have implemented this type of regulation. Chair Craycraft stated the Town of Meredith may also have a similar regulation. Mr. Swenson suggested Board members review the draft and come up with any suggestions. Board members agreed to discuss Ridges at their 15 October 2013 meeting. Mr. Raslavicus stated he is not sure if he will be able to attend that meeting. Board members agreed that if Mr. Raslavicus is not present at the 15 October 2013 meeting ‘ridges’ will be discussed at the 5 November 2013 meeting.

### **Master Plan Discussion**

Ms. Veisel informed Board members that there will be a joint Historical Society, Boodey House Committee, and Meeting House Committee meeting on 10 October 2013 at 7 pm at the Library. Ms. Veisel noted the Board will be reviewing the ‘Historic and Cultural Resources’ section of the Master Plan. Ms. Veisel also stated Heritage Commissions will be discussed.

Chair Craycraft asked Ms. Smith to keep ‘Master Plan Discussion’ on the agenda for future meetings.

### **2014 Budget**

Ms. Smith passed out the draft 2014 budget for the Board’s review. Chair Craycraft explained he, Vice-Chair Drummey, and Ms. Smith worked on the budget. Ms. Smith explained the various line items and stated she had not yet heard back from SRPC to get an accurate figure for dues for

2014. Under ‘Contracted Services’ professional editor Elaine Planchet needed more information before she could come up with a figure to edit the Zoning Ordinance. Ms. Smith confirmed that Board members wanted Ms. Planchet to edit the Zoning Ordinance for clarity and readability, similar to what she did for the Subdivision Regulations. Board members agreed. Board members also responded to Ms. Planchet’s e-mailed question regarding drafting language for the 2014 ballot for the edited Zoning Ordinance. Board members agreed they would first like to review any edits made to the Zoning Ordinance and have the edits be placed on the 2015 ballot.

Ms. Smith went over the remainder of the proposed budget. Board members suggested Ms. Smith contact the Finance Officer to get the amount received by the Town from Impact Fees since the Impact Fee Regulation was implemented. Mr. Swenson noted that the Board of Selectmen did vote, several weeks ago, to use a portion of the Impact Fee money collected to go toward reducing the tax rate.

Chair Craycraft asked Ms. Smith to let him know when the budget will be presented to the Selectmen.

#### **Review of Minutes**

Board members reviewed the minutes of 3 September 2013. Vice-Chair Drummey and Mr. Raslavicus stepped down. Chair Craycraft designated Mr. Groom to sit in as a voting member. **Ms. Veisel made a motion to approve the minutes of 3 September 2013 as printed. Mr. Groom seconded the motion. The motion was unanimously approved.**

Mr. Raslavicus and Vice-Chair Drummey resumed their roles as Planning Board members. Mr. Groom returned to Alternate status.

#### **Review of Mail**

Board members reviewed the mail including a Wetlands Permit application from Richard & Diane Thayer.

#### **Building Resilient Communities Workshop**

Board members reviewed a handout regarding a workshop held by the Nashua Regional Planning Commission on 1 November 2013. **Ms. Veisel made a motion the Planning Board send Vice-Chair Drummey, as the Planning Board’s delegate, to the Building Resilient Communities Workshop held on 1 November 2013 and the Town of New Durham pay the \$150.00 fee and mileage reimbursement. Mr. Raslavicus seconded the motion. The motion was approved with four affirmative votes (Craycraft, Veisel, Swenson, Raslavicus) and one abstention (Drummey).** Ms. Smith will check with the Finance Officer to see if she would prefer Vice-Chair Drummey pay the \$150.00 and then submit a form for reimbursement or if she would rather have the Town pay the fee directly.

**At 9:25 pm Vice-Chair Drummey made a motion to adjourn. Ms. Veisel seconded the motion. The motion was unanimously approved.**

Respectfully submitted,

Amy Smith  
Recording Secretary