

MINUTES
NEW DURHAM PLANNING BOARD
15 OCTOBER 2013

Vice-Chair Drummey called the meeting to order at 7:05 pm.

Roll Call: Scott Drummey (Vice-Chair), Paul Raslavicus, Dot Veisel, David Swenson (Selectmen's Representative), Terry Chabot (Alternate), Bob Craycraft (Chair) – arrived at 7:10 pm.

Excused Absences: Craig Groom, Cameron Quigley

Others Present: Videographer Jim Ladd, Atty. Arthur Hoover, Angela Pruitt, Mark Sullivan, David Bickford.

Public Input: There was no public input.

Russ Weldon- Relocation of Meeting House – Cove Cottages - Map 119 Lot 11

Atty. Arthur Hoover stepped forward and stated he will be speaking on behalf of Mr. Weldon as Mr. Weldon was unable to attend tonight's meeting. Atty. Hoover submitted a plan and narrative for the Board's review. Atty. Hoover stated Merrymeeting Lake Association currently owns the meeting house building, however, the building is physically located on property owned by New Hampshire Fish and Game. Atty. Hoover stated NH Fish & Game would like the building off their property. Atty. Hoover also listed issues the structure currently has such as no restrooms, no water, proximity to the road, etc. Atty. Hoover stated the proposal, which has already been reviewed by the Code Enforcement Officer, is to relocate the meeting house onto the Cove Cottages property owned by Mr. Weldon. Atty. Hoover continued to state Mr. Weldon will pay to upgrade the building to meet current health and safety codes so it can once again be used as a meeting house. Atty. Hoover stated the proposal would be a 'win-win' situation. New Hampshire Fish and Game will have the meeting house off of their property and the meeting house will be repaired so it can be used as a function hall for the Cove Cottages and a meeting house for the Merrymeeting Lake Association.

Board members reviewed the plan. Ms. Veisel questioned the historical aspects of the building. Merrymeeting Lake Association President, Mark Sullivan stated that since the building is being moved from its original location it can't be designated as a historic building on the federal level, however, Mr. Weldon's intention is to keep the historic value of the building. Ms. Veisel also questioned if the cottages are open year round. Mr. Sullivan stated no and neither would the meeting house. Abutter Angela Pruitt expressed concern with the location of the driveway as it is directly across the street from her. Ms. Chabot questioned why the existing driveway couldn't be

used. Discussion followed regarding the location of the driveway. Atty. Hoover stated the driveway permit would be reviewed by the Road Agent, the question he has for the Board is whether they consider the relocation of the meeting house onto the Cove Cottages property a natural expansion of the existing business. Discussion followed regarding whether a site plan review was necessary or if the proposal would be a natural expansion. Vice-Chair Drummey stated, he felt, the proposal would be considered a natural expansion of the business. Mr. Swenson agreed. Resident David Bickford questioned the percentage of impervious surface of the lot after the proposed changes. Board members reviewed the plan. Vice-Chair Drummey stated due to the size of the lot, he did not think impervious surface would be an issue but stated the figure should be calculated by the engineer who drafted the plan. Board members agreed. **Vice-Chair Drummey made a motion that the New Durham Planning Board has reviewed the plan entitled 'Meeting House Site Plan', sheet C1, prepared by Jones & Beach Engineering for Russ Weldon, Tax Map 119 Lot 11, and agrees the proposal is a natural expansion of the existing business. This approval is subject to the outline of use as documented in the narrative submitted 15 October 2013 and contingent upon: the increased impervious surface of the parking lot not exceeding the 20% lot limit and the Code Enforcement Officer confirming all pertinent regulations have been met. Mr. Swenson seconded the motion.**

Mr. Bickford asked for clarification on who the voting members are. Vice-Chair Drummey stated that although Chair Craycraft was not present for the very beginning of the presentation he arrived shortly after. Board members agreed Chair Craycraft did not miss much of the discussion and therefore would be considered a voting member.

Mr. Raslavicus stated he did not have an issue with the proposal, however, he does not like the term 'natural expansion' as he did not feel it was clearly defined anywhere. Mr. Raslavicus stated as a result he would not be voting in favor of the motion and will abstain.

Mr. Raslavicus made a motion to amend the motion to state the New Durham Planning Board has reviewed and approved the plan entitled 'Meeting House Site Plan', sheet C1, prepared by Jones & Beach Engineering for Russ Weldon, Tax Map 119 Lot 11, for the purpose of relocating the Meeting House onto the Cove Cottages property. This approval is subject to the outline of use as documented in the narrative submitted 15 October 2013 and contingent upon: the increased impervious surface of the parking lot not exceeding the 20% lot limit and the Code Enforcement Officer confirming all pertinent regulations have been met but excluding item number 1, "natural expansion", on the accompanying document. Ms. Veisel seconded the motion. The motion was unanimously approved.

Chair Craycraft made a motion to amend the motion to include the parking area will be designed by a licensed engineer. Ms. Veisel seconded the motion. The motion was unanimously approved.

The motion as amended was unanimously approved.

Lighting/Dark Skies Regulations

Board members reviewed the draft Lighting Requirements document which included the changes made at the 1 October 2013 meeting. Lengthy discussion followed regarding safety vs. light trespass. Vice-Chair Drummey suggested removing Section III – D. Board members agreed. Mr. Raslavicus suggested removing ‘public areas such as roadway lighting,’ from Section III –E. A typo was corrected in Section IV-A. Board members agreed to remove Section VI. Chair Craycraft suggested specifying the ‘light-sensitive wildlife habitats’ referred to in Section III – F or removing the section. Chair Craycraft agreed to contact New Hampshire Fish & Game for the information. Board members agreed to discuss the proposed Lighting Requirements at their 5 November 2013 meeting.

Master Plan

Ms. Veisel passed out a revised copy of the ‘Historic and Cultural Resources’ section of the Master Plan and stated the document is a work in progress. Board members reviewed the document. Ms. Veisel noted the Historical Society, Boodey House Committee and Meeting House Committee met on 10 October 2013 and worked on the document. Ms. Veisel thanked Mr. Raslavicus for his suggestion regarding publishing a resource guide of historic buildings and landmarks and stated the Committee members thought it was a good idea. Board members thanked Ms. Veisel for her hard work and effort.

Vice-Chair Drummey stated he is having difficulty scheduling time to work with Conservation Commission Chair Paddy McHale on the ‘Natural Resources’ section of the Master Plan. Vice-Chair Drummey noted he would try to contact Mr. McHale again.

Ms. Veisel asked Ms. Chabot if she was interested in working together on the ‘Transportation’ Section of the Master Plan as Ms. Chabot is New Durham’s representative to Strafford Regional Planning Commission. Ms. Chabot stated she would work with Ms. Veisel.

Ridgelines

Board members reviewed the draft ‘Ridge and Forested Slope Development and Skyline Protection’ document. Mr. Raslavicus stated the suggested proposal would be inserted into the Subdivision Regulations as Section 7 if approved. Vice-Chair Drummey expressed concern with Section 7.04 ‘Previous Use’ which restricts development on land that was timbered until tree growth occurred. Discussion followed. Resident David Bickford questioned Section 7.08 ‘Buffer Area’ and stated he believes there may be a liability issue requiring a 30’ buffer zone between the building envelope and property line. Mr. Bickford stated, he thought, if your tree falls onto another person’s property and causes property damage or hurts another person, you are

responsible. Resident Mark Sullivan questioned how this regulation affected pre-existing, non-conforming lots. Discussion followed. Vice-Chair Drummey questioned the enforcement of the regulation. Board members asked Ms. Smith to contact the Code Enforcement Officer to get his opinion on the enforceability of the regulation. Mr. Raslavicus asked Board members how they wished him to proceed. Board members suggested removing Section 7.10 'Agriculture' and rewriting Section 7.04 'Previous Use'

Review of Minutes

Board members reviewed the minutes of 1 October 2013. Vice-Chair Drummey made a motion to approve the minutes of 1 October 2013 as printed. Mr. Raslavicus seconded the motion. The motion was approved with three affirmative votes (Craycraft, Drummey, Raslavicus) and two abstentions (Veisel, Swenson).

Review of Mail

Board members reviewed the mail including a Permit by Notification application for Susan Drady.

Site Plan Review Regulations Edit

Due to time constraints Board members agreed to discuss the Site Plan Review Regulations edit at their 5 November 2013 meeting.

Notice of Decision/Plans – Conditional Use Permit – Susan Drady

Ms. Smith informed Board members Paul Zuzgo, LLS added the revision date to the plan as required at the 1 October 2013 meeting. Ms. Smith stated she asked Mr. Zuzgo what the three lines on the plan were and how he came up with the number for the reference line. Ms. Smith informed Board members Mr. Zuzgo stated the three lines are his indication for the shoreline and the reference line number was taken from the State of New Hampshire's web site. Ms. Smith stated she did check the website and the number is correct. Chair Craycraft noted he also checked the website. Chair Craycraft signed the Conditional Use Permit Notice of Decision and plans for Susan Drady.

At 9:57 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