

MINUTES
NEW DURHAM PLANNING BOARD
16 JULY 2013

Chair Craycraft called the meeting to order at 7:10 pm.

Roll Call: Bob Craycraft (Chair), Scott Drummey (Vice-Chair), Paul Raslavicus, David Swenson (Selectman's Representative); recording secretary Amy Smith.

Excused Absences: Dot Veisel, Craig Groom (Alternate), Cameron Quigley (Alternate).

Public Input: There was no public input.

PUBLIC HEARING – Edits to Subdivision Regulations (recessed from 18 June 2013)

Chair Craycraft opened the Public Hearing for edits to the Subdivision Regulations. Chair Craycraft informed the viewing audience that the Board had contracted with a third party consultant to re-write the Regulations to make them concise and to improve readability to the lay reader. Chair Craycraft also noted the Board had also made several of their own edits to improve clarity. Chair Craycraft stated a Public Hearing was held on 18 June 2013 and a few more changes were suggested. The Board reviewed the changes at the 2 July 2013 meeting and all suggested changes to that point have been incorporated into the document.

Mr. Raslavicus stated he is still concerned with the woodlot section of the Regulations (Section 9.06). Mr. Raslavicus also noted that the woodlot designation in the Subdivision Regulations is different than that in the Zoning Ordinance. Board members reviewed the sections of both the Subdivision Regulations and the Zoning Ordinance relative to woodlots. Mr. Drummey noted the Zoning Ordinance takes precedence over the Subdivision Regulations. Several suggestions were made regarding woodlots. Chair Craycraft stated he felt the woodlot issue is a Zoning issue and the Zoning Ordinance can only be changed by vote of the people at the March Town Meeting. Board members agreed to re-visit the woodlot issue in the Fall when proposed amendments to the Zoning Ordinance are discussed in preparation for the March Town Meeting. Chair Craycraft opened the hearing to public comment. There was no public present. **Mr. Drummey made a motion to accept the edits to the Subdivision Regulations as they appear in the most recent draft (dated 16 July 2013). Chair Craycraft seconded the motion. The motion was unanimously approved.** Board members signed the document. Ms. Smith stated she would have the Town Clerk certify the document on 18 July 2013.

Master Plan Discussion – Vision Statement

Chair Craycraft read the current 'Vision Statement' section of the Master Plan. Chair Craycraft noted the last time the Master Plan was updated was 20 May 2008. Board members reviewed the section. Mr. Swenson suggested modifications to promote economic vitality. Mr. Raslavicus

suggested the 'Transportation' section be included under the 'Facilities and Services' section. Mr. Raslavicus also stated he felt it is important to move forward with the update but it is also important to make sure natural resources are protected. Mr. Swenson stated he would like the input of the three members who are not present at tonight's meeting. Board members agreed. Mr. Swenson stated he would be willing to draft a Vision Statement for the Board to review and comment on at a subsequent meeting. Board members felt this was a good idea. Ms. Veisel drafted the 'Community Well-Being' section and it worked well. Mr. Drummey also stated he felt Ms. Veisel did a great job on her section. Board members agreed. Board members agreed to discuss the 'Vision Statement' section of the Master Plan at the 6 August 2013 meeting. Chair Craycraft reminded Board members that the joint Conservation Commission/Planning Board meeting, where the 'Natural Resources' section of the Master Plan will be discussed, will be held 30 July 2013 at 7:00 pm at the Fire Station.

Review of Mail

Board members reviewed the mail. Mr. Swenson asked Ms. Smith to contact the Financial Officer and request a quarterly revenue sheet.

Review of Minutes

Board members reviewed the minutes of 2 July 2013. Mr. Raslavicus suggested on Page 1, under 'South Shore Road', third line down, changing the word "concerns" to 'ordinances, regulations, and State mandates that could be pertinent to issuance of a permit'. Mr. Raslavicus also suggested, in the same paragraph, 10th line down, deleting the word "an" and changing the word "structure" to 'structures'. **Mr. Drummey made a motion to approve the minutes of 2 July 2013 as amended. Mr. Swenson seconded the motion. The motion was unanimously approved.**

South Shore Road (Map 113 Lot 6)

Mr. Raslavicus stated at the last meeting he referred to a Zoning Ordinance requirement that the Conservation Commission was to review State Wetlands applications and give recommendations. Mr. Raslavicus stated he would like to know if this was done. Ms. Smith reviewed the Conservation Commission minutes from 2012. Ms. Smith stated, based on the minutes, there is no record of the Conservation Commission reviewing the application in question. Ms. Smith did note, however, that there is a note in the Conservation Commission minutes binder stating "The Conservation Commission meeting scheduled for April 24, 2012 was cancelled because of the lack of a quorum." Based on the dates of the Wetlands Permit application submitted to the State it is possible the application would have been discussed at that meeting. Mr. Raslavicus also stated he does not agree with the Building Inspector's opinion (as stated at the 2 July 2013 meeting) that the bunkhouse and primary structure is a replacement in-kind. Mr. Swenson asked if the definition of 'in-kind' existed in the Town's regulations. Mr. Raslavicus stated no, but it does exist in the State Regulations. Board members reviewed the State's definition of 'in-kind' as found in RSA 483-B:4 XVIII-c. Mr. Drummey stated the Board could suggest its own definition for 'in-kind' as a proposed Zoning Ordinance amendment.

Flight Deck

Mr. Raslavicus asked if the Board has received a response from the Code Enforcement Officer regarding the U-Haul rental vehicles at the Flight Deck. Chair Craycraft stated the Code Enforcement Officer had spoken with the owner of the Flight Deck. The owner told the CEO that he had spoken with the former Land Use Assistant, David Allen, who told him that no further action would be necessary by the Board as it is a 'natural progression' of the business. Chair Craycraft stated the Code Enforcement Officer is looking for documentation to support the owner's statement. Mr. Raslavicus stated he also has a concern about signage at the business.

Steep Slope Overlay District

Chair Craycraft updated Board members on a Wetlands application that had gone before the Conservation Commission. Chair Craycraft stated in reviewing this application, it came to his attention that there is a discrepancy between Zoning Ordinance Article XIV - Stormwater Management and Erosion Control' and the 'Stormwater Management & Erosion Control Regulations'. Chair Craycraft stated Appendix B of the 'Stormwater Management & Erosion Control Regulations' show 500 – 6,000 square feet, in the 25-30% slope category, as requiring a permit from the Code Enforcement Officer while the Zoning Ordinance states it is the Planning Board who would issue a permit. Board members reviewed both documents. Chair Craycraft asked Ms. Smith to make the necessary corrections to the 'Stormwater Management & Erosion Control Regulations' for the Board's review at the 6 August 2013 meeting. A Public Hearing will need to be held in order to make the changes.

Conditional Use Checklist

Ms. Smith passed out the revised Conditional Use Checklist. Chair Craycraft asked Ms. Smith if any applicants had commented on the checklist. Ms. Smith stated she has not given any out yet. Mr. Swenson asked if the revised Conditional Use Checklist could now be given to applicants. Board members agreed that it could be given out.

At 8:50 pm Mr. Drummey made a motion to adjourn. Mr. Raslavicus seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith

Recording Secretary