

**MINUTES
NEW DURHAM PLANNING BOARD
7 JANUARY 2014**

Chair Craycraft called the meeting to order at 7:07 pm.

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

Excused Absences: Cameron Quigley

Other Present: Videographer Jim Ladd, Atty. Paul Monziona, David Bickford.

Public Input: Ms. Veisel informed Board members and the viewing public that the Farmers' Market that is located at the Post Office parking lot during the warmer months will be held at the New Durham Food Pantry this Saturday. Ms. Veisel stated the Farmers' Market will be open from 8:30 am – approximately 10:15 am and the plan is to operate the Farmers' Market twice a month.

Brian Crossan- Kodiak Woods

Atty. Paul Monziona stepped forward and introduced himself to Board members. Atty. Monziona stated he is filling in, last minute, for Mr. Crossan who was delayed out of State. Atty. Monziona stated it was his understanding that this meeting is not a public hearing but an informational meeting. Board members agreed the meeting is not a public hearing but a response to Mr. Crossan's request to extend the 'active & substantial development' timeframe. Atty. Monziona stated he believes Mr. Crossan is under the impression that a public hearing will be held at a later date.

Recording Secretary Amy Smith stated she believes the confusion is a result of a response from the Local Government Center, which gives generic legal advice, suggesting a public hearing. The Town Attorney, after reviewing specifics, felt a public hearing would be necessary if the recorded plan was altered but not required for the Board to grant or deny the extension request.

Board members reviewed Mr. Crossan's letter requesting an extension to the 'active & substantial development'. Chair Craycraft gave a brief history of the subdivision noting it was originally approved 1 April 2008 subject to conditions, one of which was an approval from the Zoning Board of Adjustment. Chair Craycraft noted the ZBA granted approval on 10 August 2011. Chair Craycraft also noted that there were some changes to the Zoning Ordinance that may affect the subdivision. Atty. Monziona stated this is the first he is hearing of the 2008 date and also noted the Board's minutes of 15 November 2011 make no mention of this date. Discussion followed. Atty. Monziona stated, he believes, the Board should be looking at the subdivision as being approved on 15 November 2011 and not the 2008 date. Atty. Monziona read the section of

the 15 November 2011 minutes relative to Kodiak Woods and noted there is no mention of the 2008 date.

Atty. Monziona stated the Board has the authority to grant an extension and believes the reasons listed in Mr. Crossan's letter: the economic downturn, death of his son, and a divorce are 'good cause' to grant the extension. Mr. Swenson asked the dates the divorce and death occurred. Atty. Monziona stated he did not know. Mr. Swenson stated, he felt, it was important to know the dates when these things occurred. Mr. Swenson also stated in order for the Board to make a decision on whether those two items were impacts, the Board would need to know when they happened. Mr. Swenson noted he did appreciate the fact that Atty. Monziona was filling in last minute and may not know the answers to the questions, however, he did not want it to appear that the Planning Board was dragging the issue out. Atty. Monziona stated, for the record, due to weather related flight issues Mr. Crossan was stuck out of State and he (Monziona) was not contacted to fill in until last minute.

Atty. Monziona requested the Board not make a decision tonight so Mr. Crossan would have the chance to address the Board's questions. **Ms. Veisel made a motion the Board not make a decision regarding Mr. Crossan's letter requesting an extension to the 'active & substantial development' timeframe until 21 January 2014 to allow Mr. Crossan an opportunity to appear before the Board and answer any questions. Vice-Chair Drummey seconded the motion. The motion was unanimously approved.**

Site Plan Review Regulations – Edit

Board members continued to review the draft document prepared by professional planner Elaine Planchet dated 19 November 2013. Changes were made to the definitions of 'Frontage' and 'Lot', as well as, some spelling, grammatical, and formatting corrections. Board members also reviewed the revised 'Section VI – Application Procedure' prepared by Ms. Planchet and dated 3 December 2013. Edits were made to that document as well. Due to time constraints Board members agreed to resume the review of the Site Plan Review Regulations edit 21 January 2014.

Proposed Zoning Amendments

Chair Craycraft informed Board members that due to the snowstorm on 17 December 2013 and the State requirements for posting, the Board did not get a chance to review the two proposed amendments prior to the public hearing notice getting posted. Ms. Smith passed out copies of the proposed amendments for the Board's review. Chair Craycraft noted both proposals had been mentioned at previous Board meetings. The first proposal is the housekeeping issue regarding the update of Table 7, found in Article XXIII, and the second proposal is regarding 'woodlots' and making the section consistent with that found in the subdivision regulations. Board members reviewed the document. Resident David Bickford suggested, for the 'woodlot' section, changing the words 'agricultural products' to 'agriculture' so it wouldn't seem horses were excluded. Ms. Smith noted the public hearing is scheduled for 21 January 2014 with a second hearing date of 4 February 2014 if necessary.

Zoning Map

Board members reviewed the updated zoning map prepared by Strafford Regional Planning Commission. Ms. Smith suggested Board members zoom in on the 'Town Center -Mixed Use' section at home as the 8 ½ by 11 sheet does not give much detail. Chair Craycraft suggested Board members submit any questions or comments to Ms. Smith so she can forward them to SRPC.

Master Plan

Ms. Chabot stated she had looked at the draft 'Transportation' section of the Master Plan prepared by Mr. Groom and has made some suggestions. Chair Craycraft asked Ms. Chabot to e-mail the draft to Ms. Smith and she can then forward it to the rest of the Board.

Review of Minutes

Board members reviewed the minutes of 3 December 2013 and the suggested edits prepared by Mr. Swenson. Board members agreed Mr. Swenson's statement accurately reflected what transpired. Mr. Raslavicus suggested adding the appropriate waterfront lot number to the heading 'Water Monkey Camp at Cove Cottages' as it was mentioned by Atty. Hoover when the boat dock was discussed. Ms. Smith stated she would double check the lot number and add it to the heading. Board members agreed to add the document 'Suggested Changes to Minutes of Planning Board Meeting of 12/03/13' prepared by Mr. Swenson as an attachment to the minutes and to notate in the minutes 'see attached detailed summary'. **Mr. Swenson made a motion to approve the minutes of 3 December 2013 as amended and to include the document 'Suggested Changes to Minutes of Planning Board Meeting of 12/03/13' as an attachment. Ms. Veisel seconded the motion. The motion was unanimously approved.**

Review of Mail

Board members reviewed the mail. Chair Craycraft asked Ms. Smith to check with Code Enforcement Officer Arthur Capello regarding the State approved Shoreland Impact Permit for Pamela Cooley.

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