

**MINUTES
NEW DURHAM PLANNING BOARD
15 JULY 2014**

Acting Chair Drummey called the meeting to order at 7:03 pm.

Roll Call: Scott Drummey (Acting Chair), Bob Craycraft, Paul Raslavicus, David Swenson (Selectmen's Representative), Terry Chabot (Alternate), Recording Secretary Amy Smith.

Excused: Dot Veisel

Others Present: Atty. Arthur Hoover, Tom Varney, PE, Chris Maynard, Videographer Corky Mork, Cynthia Balcius, CSS, Paul Zuzgo, LLS, Lorna Hardy, Tom & Ellen Mason, James Hardy.

Acting Chair Drummey designated Ms. Chabot to sit in as a voting member.

Public Input: There was no public input.

PUBLIC HEARING – Christopher Maynard – site plan review – automobile sales & inspection facility – Map 251 Lot 1 - Rte.11/Depot Road

Acting Chair Drummey opened the public hearing for Christopher Maynard for a site plan review for an automobile sales and inspection facility for property located on the corner of Rte.11/Depot Road, Map 251 Lot 1. Present for the hearing was Atty. Arthur Hoover, Tom Varney, PE, and Chris Maynard. Atty. Arthur Hoover informed Board members the Zoning Board of Adjustment (ZBA) approved the Special Exception permitting Mr. Maynard's business in the Aquifer Protection Zone on 8 July 2014. Mr. Raslavicus questioned if the Environmental Impact Study (prepared by Varney Engineering, LLC dated 10 April 2014) was the study the Zoning Board reviewed to make their determination. Atty. Hoover stated it was. Mr. Raslavicus stated he is concerned that on page 4 of the impact study it lists an 'inventory of cars (20 or so)' but the Planning Board is allowing up to 24. Acting Chair Drummey noted '20 or so' could mean 24. Atty. Hoover stated the ZBA members were aware of the proposed number of vehicles for sale. Ms. Smith read a sentence from the ZBA's draft minutes of 8 July 2014 which states "Chair Prelli stated he is still concerned with salt from Mr. Maynard's vehicles getting into the aquifer and noted most single family residences don't have 25 vehicles parked on their property on a regular basis." Acting Chair Drummey noted the total number of vehicles allowed for sale is noted on the plan as well.

Atty. Hoover noted the Easement Deed has been revised to show the 50' width but can't be recorded until the Site Plan is recorded as the plan number will be listed on the Easement Deed. Acting Chair Drummey noted a building permit cannot be issued until the Easement Deed is recorded.

Mr. Varney stated he spoke with Steve Drouin at the State Department of Transportation (DOT) regarding clarification of the driveway permit to include the inspection station and light repair aspect of the business. Mr. Varney stated Mr. Drouin informed him the application would need

to be changed to include the inspection station and light repair. Mr. Varney noted Mr. Drouin indicated he would approve the revised application. Mr. Varney noted he has submitted the revised application but has not yet received the approval letter.

Mr. Varney reviewed the revised plan with the Board and highlighted changes that were made as a result of the 17 June 2014 public hearing. Mr. Swenson suggested, on page 2 of the plan set, to add 'at any one time' to the note specifying the total number of vehicles for sale. Mr. Raslavicus suggested, on page 3 of the plan set under the Stormwater Management heading, adding 'or salted' to the note regarding porous pavement not being sanded during winter conditions.

Mr. Craycraft suggested, on page 2 of the plan set, adding the date of the manual -March 10, 2014- to the note regarding the stormwater management 'operation and maintenance manual' and also to add 'records must be kept by the property owner for five years'. Mr. Maynard asked if he needed to submit the records to the Town. Mr. Craycraft stated he did not but he must have them available should the Code Enforcement Officer ask to inspect them. Mr. Raslavicus reminded Mr. Maynard internally lit signs are not allowed.

Mr. Craycraft made a motion to approve the application of Christopher Maynard for a site plan review for an automobile sales and inspection facility for property located on the corner of Rte.11/Depot Road, Map 251 Lot 1 contingent upon the revised driveway permit from DOT and a revised plan set including the addition of the following notes: Page 2 - add the date of the 'Operation & Maintenance Manual & Logs' - March 10, 2014- to the note regarding the stormwater management 'operation and maintenance manual' and also add 'records must be kept by the property owner for five years', Page 2 - add 'at any one time' to the note specifying the total number of vehicles for sale, Page 3 - under the Stormwater Management heading, add 'or salted' to the note regarding porous pavement not being sanded during winter conditions. Mr. Raslavicus seconded the motion. The motion was unanimously approved.

Ms. Smith noted she would contact Acting Chair Drummey to sign the site plan once she receives the corrected plans and the letter from DOT. Ms. Smith noted once the site plan is signed and recorded at the Strafford County Registry of Deeds she would contact Atty. Arthur Hoover so he could add the recording information to the Easement Deed and record it.

Review of Minutes

Board members reviewed the minutes of 1 July 2014. Mr. Craycraft noted on page 2, 2nd paragraph, 3rd sentence, adding the word "plan" between the words 'final' and 'to'. Acting Chair Drummey noted on the bottom of page 3 and the top of page 4 the spacing was off. Ms. Smith stated she is not sure why the spacing is different for that section but would try and correct it.

Mr. Craycraft made a motion to approve the minutes of 1 July 2014 as corrected. Mr. Raslavicus seconded the motion. The motion was unanimously approved.

Review of Mail

Board members reviewed the mail.

ACCEPTANCE & PUBLIC HEARING - Lorna F. Hardy - 2 lot subdivision - 222 Old Bay Road - Map 253 Lot 3

At 8:02 pm Acting Chair Drummey opened the acceptance and public hearing for Lorna F. Hardy for a 2 lot subdivision for property located at 222 Old Bay Road, Map 253 Lot 3. Present for the hearing was Cynthia Balcius, CSS, Paul Zuzgo, LLS, Lorna Hardy, James Hardy, Tom & Ellen Mason. Mr. Zuzgo submitted revised plans for the Board's review and noted proposed house and driveway location, soils information, and wetlands were shown in the buildable area for the 27.03 acre lot. Board members also reviewed a document prepared by Cynthia Balcius regarding soil types found on the property and the categories the soils fall into under current soil standards and how those soil types correspond to the soil types listed in Appendix A of the Zoning Ordinance. Mr. Zuzgo also submitted a revised waiver request. Mr. Craycraft asked Mr. Zuzgo if he reviewed the Stormwater Management & Erosion Control Regulations. Mr. Zuzgo stated he did but since there is no building taking place at this time, nothing is being disturbed, therefore he didn't think the Stormwater Management Regulations applied. Mr. Craycraft stated under Appendix C of the Stormwater Management & Erosion Control Regulations all new subdivisions require conditional use permits at the time of subdivision. Mr. Zuzgo and Board members reviewed the chart found in Appendix C.

Acting Chair Drummey asked Board members if they felt the application was complete enough to accept. **Mr. Craycraft made a motion to accept the application of Lorna F. Hardy for a 2 lot subdivision for property located at 222 Old Bay Road, Map 253 Lot 3, however he does wish to discuss stormwater management further. Mr. Raslavicus seconded the motion. The motion was unanimously approved.**

Acting Chair Drummey opened the hearing to public comment. There was none. Board members continued discussing stormwater management. Acting Chair Drummey suggested if Mr. Zuzgo could provide documentation showing less than 2,000 square feet of disturbance and a slope of less than 15% a conditional use permit would not be needed. Board members agreed. Acting Chair Drummey suggested adding a note to the plan stating development is limited to the buildable area shown on the plan, any variation in location will require Planning Board approval. Also a note stating disturbance will be less than 2,000 square feet on a slope of less than 15%. Disturbance of greater than 2,000 square feet or development on a slope greater than 15% will require Planning Board approval.

Board members reviewed the revised waiver request submitted by Mr. Zuzgo. **Mr. Craycraft made a motion to grant the waiver request for 'Existing Conditions - Natural Features' submitted by Paul Zuzgo dated 14 July 2014 to allow : existing contours, surface drainage features, ledge outcroppings, significant tree stands, wetlands, vernal pools, seasonal or intermittent streams, and other natural features be shown only in the buildable area. Ms. Chabot seconded the motion. The motion was unanimously approved.**

Mr. Zuzgo questioned the numbering of the lots. Board members agreed the small (1.82 acre lot) with the existing house on it should remain as Tax Map 253 Lot 3 and the large (27.03 acre lot) should be Map 253 Lot 3-1.

Mr. Craycraft made a motion to approve the application of Lorna F. Hardy for a 2 lot subdivision for property located at 222 Old Bay Road, Map 253 Lot 3 contingent upon receipt of revised plans showing: corrected lot numbers, a note on the plan stating- Development is limited to the buildable area shown on the plan. Any variation in location will require Planning Board approval, a note stating - Disturbance will be less than 2,000 square feet on a slope of less than 15%. Disturbance greater than 2,000 square feet or development on a slope greater than 15% will require Planning Board approval, and submittal of the affiliated calculations showing the disturbance will be less than 2,000 square feet on a slope less than 15%. Mr. Swenson seconded the motion. The motion was unanimously approved.

Mr. Zuzgo stated he has not yet received State subdivision approval for the smaller lot and therefore does not have the State subdivision approval number to put on the plan. Acting Chair Drummey asked if the Registry of Deeds requires the State subdivision approval number to be shown on a plan. Ms. Smith stated she is not positive if the Registry requires it but it is typically shown for lots less than 5 acres. Mr. Zuzgo stated he will put the State subdivision approval number on the plan once he receives it.

Woodlots

Board members agreed to discuss woodlots at a later date. Mr. Swenson suggested having a list of issues the Board has relative to woodlots with possible solutions the next time woodlots are to be discussed.

At 8:37 pm Mr. Craycraft made a motion to adjourn. Ms. Chabot seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith
Recording Secretary