

**MINUTES  
NEW DURHAM PLANNING BOARD  
3 FEBRUARY 2015**

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

**Roll Call:** Bob Craycraft (Chair), Scott Drummey (Vice Chair), Terry Jarvis (Alternate Selectmen's Representative), Terry Chabot (Alternate), Recording Secretary Amy Smith.

**Excused:** Paul Raslavicus, Dot Veisel

**Others Present:** Greg Anthes, Videographer Corky Mork

Acting Chair Drummey designated Ms. Chabot to sit in as a voting member. Acting Chair Drummey noted Ms. Jarvis is sitting in as the Selectmen's Representative for David Swenson.

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

**Review of Minutes**

Board members reviewed the minutes of 20 January 2015. **Mr. Craycraft made a motion to approve the minutes of 20 January 2015 as printed. Ms. Chabot seconded the motion. The motion was approved with three affirmative votes (Chabot, Craycraft, Drummey) and one abstention (Jarvis).**

**Chris Maynard (Map 251 Lot 1)**

Ms. Smith stated she received a call from Mr. Maynard regarding the height of his light poles for his approved automobile sales and inspection facility located on the corner of Route 11 and Depot Road. Mr. Maynard stated the plans call for the poles to be 25' tall. Mr. Maynard questioned if they could be shorter. Ms. Smith stated she reviewed the Site Plan Review regulations Section X - H - 2 - b which states "The maximum height of the luminaire shall not exceed 25 feet". Ms. Smith stated she told Mr. Maynard per the regulations the poles can't be more than 25 feet tall but, in her opinion, they could be less. However, since page 3 of the approved plan set specifies 25 feet tall she wasn't positive and would bring his question before the Board. Board members reviewed the approved plan set. Ms. Smith noted the first two pages of the plan set are recorded at the Strafford County Registry of Deeds but the third page is not. Board members agreed by consensus they did not have an issue with Mr. Maynard erecting light poles that are less than 25 feet tall. Board members asked Ms. Smith to run the scenario by Town Counsel to make sure there are no issues with the light poles being shorter than the plan specifications.

**Other Business**

Acting Chair Drummey stated he and Ms. Smith received an e-mail from Mr. Raslavicus with three items of concern he asked the Board to discuss.

**Off Premises Sign corner of Merrymeeting Road and Main Street.**

Mr. Raslavicus questioned what action had been taken by the Code Enforcement Officer regarding the sign for Maranatha Ministries located on the Foxy Johnnie property. This issue was originally discussed by the Board on 2 December 2014. Ms. Smith stated she e-mailed the Code Enforcement Officer on 4 December 2014 requesting that he look into the matter but has not received a response. Ms. Smith noted she e-mailed Mr. Raslavicus this afternoon letting him know that no response from the Code Enforcement Officer was received. Ms. Chabot and Ms. Jarvis stated the 'new' sign is actually a replacement sign. Ms. Jarvis questioned when the sign ordinance went into effect as it is possible the original sign predates the sign ordinance. Ms. Smith stated she was not sure. Ms. Smith read Article XVI Section N of the Zoning Ordinance. The last sentence of this section states "No nonconforming sign shall be altered in any way in structure or material which makes the sign less in compliance with the requirements of this section than it was before the alteration." Board members asked Ms. Smith to send another e-mail to the Code Enforcement Officer asking him to look into it.

**Wood Materials Business- Map 252 Lot 69**

Mr. Raslavicus questioned when the two year time period since the abandonment of the wood materials business on Rte. 11 would be up. Ms. Smith stated she researched the minutes and on 2 April 2013 the issue was brought up. At the 2 April 2013 meeting it was noted that the business closed in December 2012. Chair Drummey asked Ms. Smith to put a flag in the file noting the permit to allow the display of sheds and woodcrafts expires in 3 years (31 December 2015). Ms. Smith stated she e-mailed Mr. Raslavicus a copy of the 2 April 2013 minutes as well as a copy of the 'flag' she put in the folder which states "Business closed 12/2012. Permit to operate business expires 12/31/2015 unless new owner does exact same business. See Planning Board minutes 2 April 2013".

**Non Conforming Use**

Mr. Raslavicus noted he reviewed the Town of Alton's Zoning Ordinance regarding non conforming lots. The Town of Alton has a provision not found in New Durham's Ordinance and he questioned whether Alton's provision is based on a judicial decision or found in the RSA. Board members asked Ms. Smith to forward Mr. Raslavicus' question to the Town Attorney for his opinion.

**At 7:35 pm Ms. Jarvis made a motion to adjourn. Ms. Chabot seconded the motion. The motion was unanimously approved.**

Respectfully submitted,

Amy Smith  
Recording Secretary