

**MINUTES  
NEW DURHAM PLANNING BOARD  
2 JUNE 2015**

Chair Drummey called the meeting to order at 7:02 pm.

**Roll Call:** Scott Drummey (Chair), Bob Craycraft (Vice Chair), Dot Veisel, Terry Chabot, Recording Secretary Amy Smith.

**Excused:** Greg Anthes

**Others Present:** Videographer Corky Mork, Dave Bickford, Tom Varney, PE, Zannah Richards, Tim Roy, Paul Raslavicus, Dan Roy.

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

**Acceptance & Public Hearing - Jane Corcoran - Conditional Use Permit - disturbance of 4,700 square feet in order to construct a cottage/house with walk-out basement, installation of a well and septic system and widen an existing driveway - 390 South Shore Road- Tax Map 114 Lot 35.**

Chair Drummey opened the Acceptance & Public Hearing for Jane Corcoran for a Conditional Use Permit for disturbance of 4,700 square feet in order to construct a cottage/house with walk-out basement, installation of a well and septic system and widen an existing driveway for property located at 390 South Shore Road, Tax Map 114 Lot 35. Present for the hearing was agent for the applicant Tom Varney, PE, Real Estate Agent Zannah Richards, Paul Raslavicus and abutters Tim and Dan Roy.

Ms. Chabot informed Board members and the audience that she is an acquaintance of Jane Corcoran and they share mutual friends.

Ms. Smith informed Board members she received a letter from Road Agent Mike Clarke regarding the project. Board members reviewed the plans and application materials. Ms. Smith noted an Inspection & Maintenance Manual and Log has been submitted but it has not yet been signed by the property owner. Ms. Smith also stated Varney Engineering submitted an application for a variance today for the location of the septic tank being less than 125' from the lake. Ms. Smith noted the ZBA hearing will be held on 14 July 2015. Mr. Varney noted a State Shoreland permit and a State septic design are pending.

**Vice Chair Craycraft made a motion to accept the application as complete. Ms. Veisel seconded the motion. The motion was unanimously approved.**

Mr. Varney stated the lot is currently a vacant lot with an existing driveway and wooden dock that has 100' of frontage on Merrymeeting Lake. Mr. Varney noted there was a cottage on the property at one time but it was torn down and removed. Mr. Varney stated Mrs. Corcoran proposes to build a house with a walk-out basement, install a septic system and well, and widen

the existing driveway to three spaces. Mr. Varney stated a catch basin with leaching chambers will be installed to infiltrate stormwater runoff from the driveway and road and drip edges will be installed under the eaves to infiltrate roof runoff. Mr. Varney noted infiltration steps will be constructed for lake access.

Ms. Smith noted Mr. Raslavicus had asked her a question earlier regarding the property so she checked the building notes. Ms. Smith stated according to the record a demolition permit was issued in 2007.

Mr. Dan Roy questioned the distance from the proposed septic system to his well. Mr. Varney referred to the plan and noted Mr. Roy's well is notated on the plan as the small circle under contour line 674 but it is not labeled. Mr. Varney stated the proposed septic system will be about 85' from Mr. Roy's well. Chair Drummey noted Mr. Roy's well needs to be labeled on the plan along with the distance between the proposed septic and Mr. Roy's well. Chair Drummey also noted there is a typo in the driveway detail. The width should be 27' not 25' if each of the three spaces is 9' wide. Ms. Smith noted the class of the road needs to be shown on the plan. Chair Drummey asked if there is a gulley on the 20' right of way strip at the front of the lot. Mr. Varney stated it is a mound not a gulley.

Board members agreed to have a site walk of the property on Saturday 27 June 2015 at 9 am and will meet at the site. Chair Drummey asked Ms. Smith to invite the Building Inspector to attend.

Chair Drummey stated his next two items are suggestions and not requirements. Chair Drummey suggested instead of using the silt sock to consider a swale and planting vegetation. Chair Drummey also suggested the use of black locust wood instead of pressure treated wood. Chair Drummey noted black locust is naturally rot resistant.

Ms. Smith read a letter from Road Agent Mike Clarke dated 2 June 2015 regarding the proposed septic system being 5 feet from road frontage. Road Agent Clarke granted his approval with the stipulation that all leach field vent pipes are at least 15 feet off the edge of the pavement and that they are delineated. Road Agent Clarke also requested his letter be attached to the engineering drawings dated 20 May 2015.

Ms. Veisel stated the deed states the property is subject to 'flowage rights of the Public Service Company of New Hampshire' and asked what that meant. Mr. Varney stated the property is subject to Public Service of New Hampshire being able to lower the level of the lake.

Vice Chair Craycraft noted the 'Inspection & Maintenance Manual and Log' needs to include the infiltration steps. Vice Chair Craycraft also stated, on the first page of the 'Inspection & Maintenance Manual and Log' the "should" found in '1<sup>st</sup> Year Post Construction' and 'Annual Inspections' needs to be changed to "shall". Vice Chair Craycraft also noted per the Zoning Ordinance (Article XVII G-1) the Operation and Maintenance Plan "shall be a condition of approval".

Audience member Paul Raslavicus stated the lot is non-conforming and because the existing cottage was demolished over two years ago the new structure would need to meet a 75' setback

from the lake and not a 50' setback. Board members reviewed Article XX of the Zoning Ordinance and found Mr. Raslavicus to be correct. Mr. Raslavicus noted the applicant could apply to the ZBA for a variance for the setback. Ms. Smith noted she had not yet processed the ZBA application submitted today for the septic tank location and Mr. Varney could add the lake setback issue onto that application if he wished. Chair Drummey noted the setback line on the plan also needs to be changed.

**Vice Chair Craycraft made a motion to recess the Public Hearing for Jane Corcoran for a Conditional Use Permit for disturbance of 4,700 square feet in order to construct a cottage/house with walk-out basement, installation of a well and septic system and widen an existing driveway for property located at 390 South Shore Road, Tax Map 114 Lot 35 until 21 July 2015 at 7 pm at the Town Hall. Ms. Chabot seconded the motion. The motion was unanimously approved.**

#### **Review of Minutes**

Board members reviewed the minutes of 19 May 2015.

**Vice Chair Craycraft made a motion to approve the minutes of 19 May 2015 as printed. Ms. Veisel seconded the motion. The motion was unanimously approved.**

#### **Review of Mail**

Board members reviewed the mail. Chair Drummey asked Ms. Smith to copy and pass out a portion of a NH Department of Environmental Services newsletter regarding potable well water. Chair Drummey asked Ms. Smith to include 'new building potable well water standards - Local vs. State code' on the agenda for 16 June 2015. Chair Drummey asked Ms. Smith to invite the Building Inspector to attend this meeting.

#### **State House Updates**

Mr. Bickford informed Board members HB 286 - the Bill that would allow Building Inspectors to enforce deed restrictions was killed in the Senate. Chair Drummey asked why. Mr. Bickford stated they believed deed restrictions should remain a civil matter. Mr. Bickford stated SB-146- the Bill regarding accessory dwellings will be looked at again in the summer and voted on in January.

**At 8:15 pm Ms. Veisel made a motion to adjourn. Ms. Chabot seconded the motion. The motion was unanimously approved.**

Respectfully submitted,

Amy Smith  
Recording Secretary