

**MINUTES
NEW DURHAM PLANNING BOARD
21 JULY 2015**

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

Roll Call: Scott Drummey (Chair), Terry Chabot, Greg Anthes (Selectmen's Representative), Dot Veisel (arrived at 7:35 pm), Recording Secretary Amy Smith.

Excused: Bob Craycraft

Others Present: Videographer Corky Mork, Code Enforcement Officer Joe Asbury, David Swenson, Paul Raslavicus, Tom Varney, PE, Zannah Richards.

Public Input: There was no public input.

Chair Drummey informed audience members and the viewing public that member Dot Veisel would be about half an hour late to the meeting. Chair Drummey suggested proceeding with other business prior to opening the public hearing.

Review of Minutes

Board members reviewed the site walk minutes of 13 July 2015.

Ms. Chabot made a motion to approve the minutes of 13 July 2015 as written. Mr. Anthes seconded the motion. The motion was unanimously approved.

Approval of the 7 July 2015 minutes was put off until Ms. Veisel arrived.

Review of Mail

Board members reviewed the mail.

East Central Arms

Code Enforcement Officer (CEO) Joe Asbury stated he received a complaint from a resident regarding East Central Arms' signs. Mr. Asbury stated he has spoken to the business owner regarding the signs and has given him 90 days to comply with the sign regulations. Mr. Asbury stated he believes it is important to keep the business open and work with the property owner. Mr. Asbury noted he e-mailed his decision to the resident who made the complaint. Mr. Swenson complimented Mr. Asbury on the way he handled the situation and stated he is happy to have business in New Durham.

Appendix B

Ms. Smith stated it was brought to her attention at the 14 July 2015 Zoning Board of Adjustment meeting that there are some discrepancies between the chart known as Appendix B found in the back of the Zoning Ordinance and the Ordinance itself. Ms. Smith stated she informed the ZBA and the members of the public that she would bring Appendix B to the attention of the Planning Board at their next meeting. Ms. Smith stated she informed the public the text of the Zoning

Ordinance is what governed and the chart was for easy reference. Chair Drummey noted the Board has some time to work on this but it should be corrected by December so the corrections could be placed on the warrant. Ms. Smith stated she would go through the Ordinance and make the appropriate corrections to the chart and bring them to the Board for review.

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. (Recessed from 2 June 2015)

At 7:15 pm Chair Drummey opened 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.

Chair Drummey informed the audience and viewing public the Board conducted a site walk of the property on 27 June 2015.

Tom Varney, PE, representing Ms. Corcoran, stepped forward and submitted revised plans for the Board's review. Mr. Varney noted he changed the configuration of the stairs based on feedback at the site walk, added the class of the road to the plan, labeled the neighbor's well, noted the wooded area to remain, corrected the typo regarding the parking spaces, and added the 75' setback line. Mr. Varney also stated he submitted a corrected 'Inspection & Maintenance Manual and Log' and changed the word 'should' to 'shall' as was noted at the 2 June 2015 meeting. Ms. Smith noted Ms. Corcoran still has to sign the document.

Mr. Varney informed Board members the Zoning Board of Adjustment (ZBA) approved two variances for the lot at a hearing held on 14 July 2015, one for the setback of the structure and one for the septic tank and leach bed. Ms. Smith noted the variance for the septic tank and leach bed is contingent upon a signed waiver from an abutting property owner (also Ms. Corcoran) acknowledging the proposed leach bed is to be 46' away from the dwelling.

Chair Drummey opened the hearing for public comment. Mr. Raslavicus had some questions regarding the ZBA's decisions. Ms. Smith read the ZBA's minutes of 14 July 2015 to clarify for Mr. Raslavicus and the Board. Chair Drummey closed the public input portion of the meeting.

Ms. Chabot made a motion to approve the application of 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 contingent upon the following conditions:

- 1) the Zoning Board of Adjustment's condition that a signed waiver from the property owner of Map 114 Lot 33 acknowledging the proposed leach bed is to be 46' away from the dwelling.**
- 2) a signed copy of the 'Inspection & Maintenance Manual and Logs'**
- 3) State approved septic plan**

4) State approved Shoreland Permit. Mr. Anthes seconded the motion. The motion was approved with three affirmative votes (Anthes, Chabot, Drummey) and one abstention (Veisel).

Ms. Smith explained she would draft the Notice of Decision for Chair Drummey to sign but the CEO is not able to issue permits for the construction of the structure until the conditions of approval have been met. Mr. Asbury asked how he would know. Ms. Smith stated a copy of the State septic approval would actually come to him and she would let him know once the other items have been received.

Review of Minutes

Board members reviewed the minutes of 7 July 2015.

Ms. Veisel made a motion to approve the minutes of 7 July 2015 as printed. Ms. Chabot seconded the motion. The motion was approved with three affirmative votes (Chabot, Drummey, Veisel) and one abstention (Anthes).

DES Well Water Testing

Ms. Veisel stated at the Selectmen's meeting of 20 July 2015 it was stated a letter would be sent out by the State DES to certain property owners regarding testing of wells for possible MtBE contamination. Mr. Anthes passed out a copy of a map showing the sampling district. Mr. Anthes stated the testing is voluntary and he believes it involves about 160 properties. Chair Drummey asked if the results would be made public. Mr. Anthes stated he is not sure.

At 8:06 pm Ms. Chabot made a motion to adjourn. Ms. Veisel seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith
Recording Secretary