

**TOWN OF NEW DURHAM
PLANNING BOARD MEETING**

September 20, 2022, 7:00PM

New Durham Town Hall, New Durham, NH 03855

APPROVED November 1, 2022

PRESENT

Jeff Allard, Planning Board Chair

Bob Craycraft, Planning Board Vice Chair

David Bickford, Planning Board member

Scott Drummey, Planning Board member

Marc DeCoff, Board of Selectmen representative

ALSO PRESENT

Robin McClain, Land Use Administrative Assistant

Josh Thibault, Varney Engineering, LLC

Tom Varney, Varney Engineering, LLC

Don Roberts, Realtor

Robert Troendle, Property Owner

Jen Czysz, Strafford Regional Planning Commission

Dot Veisel, Property Owner – via Zoom

Paul Raslavicus, resident – via Zoom

E.J Dean, Applicant – via Zoom

CALL TO ORDER

Chair Allard called the meeting to order at 7:00PM.

AGENDA REVIEW

No changes were made to the agenda.

PUBLIC INPUT

None.

Continued review and acceptance of applications for Site Plan Review and for a Conditional Use Permit for outdoor and indoor storage of equipment, submitted by Varney Engineering LLC, on behalf of Eugene Dean, for property located at Route 11, Map 257 Lot 1

Chair Allard explained an administrative issue which came up; he stated the applicants are submitting a Site Plan as well as an application for a Conditional Use Permit although the Public Hearing notice is only for the Site Plan Review. Chair Allard noted the Site Walk has been done and suggested the Board continue the review but a decision cannot be made on the Conditional Use Permit until the Public Hearing has been properly noticed so would be addressed at the October 4 meeting. The Board concurred. It was confirmed the Site Plan Review could move forward.

43 Mr. Drummey gave a summary of the Site Walk which took place on Monday, September 12.

44 Mr. Varney stated he made the suggested changes to the plans which include the addition of two
45 buildings for a total of four in order to reduce the size of each to meet the ordinance
46 requirements; slabs were removed from the buildings and will have gravel floors. There was
47 discussion about the drainage and Chair Allard noted that per Mr. Varney's information
48 presented, there doesn't appear to be a circumstance where the retention pond would be
49 completely filled; all run off will be well drained into the soil. Vice Chair Craycraft stated he is
50 concerned about the gravel pavement with hydraulic fluids so would like to see a third party
51 review to ensure there is nothing else that should be done for any potential ground water
52 contamination. Mr. DeCoff noted the testimony of the applicant indicated they aren't going to let
53 fluids leak as they need the fluids to remain within the requirement for proper operation. Mr.
54 Bickford stated he wouldn't be opposed to engineering review if a better way to manage leaks is
55 found, but also doesn't see this issue being a large concern. Mr. Dean stated most equipment has
56 only a few gallons while just 1/3 of the requirement has around 25 to 30 gallons. He reiterated
57 they are attentive to ensuring there are no hydraulic leaks. Mr. Varney noted an environmental
58 impact study was done for the Zoning Board; he explained the extensive maps and data used to
59 calculate the depth of the aquifer as well as the surrounding soils; he stated they also do tests for
60 the soils and materials involved. The Board reviewed and discussed management practices for
61 contaminates. Mr. DeCoff suggested each building have a spill kit. Mr. Dean explained they are
62 required to have a spill kit and materials when at events, as well as the means for disposal.

63 **Vice Chair Craycraft motioned to require an engineering review to assess the susceptibility**
64 **of the groundwater aquifer to proposed mitigations. Chair Allard seconded the motion.**

65 **Discussion:** Chair Allard noted the cost will be to the applicant, but it is unclear what the exact
66 cost will be. **Motion passed, 3-2-0.**

67 **Vice Chair Craycraft motioned to continue the public hearing to October 4, 2022 at**
68 **7:00PM. Mr. DeCoff seconded the motion. Motion passed, 5-0-0.**

69 **Public Hearing- Warrant Article for New Soil Regulation with New Map**

70 Chair Allard opened the public hearing at 7:47PM. The Board reviewed the changes made to the
71 soil maps and ordinances.

72 Chair Allard stated the goal was to update the soil types listed in the maps and throughout the
73 ordinances; he stated the updates have been made by a soil scientist who went through the table.
74 He outlined the changes made throughout the ordinances, noting no lot sizes or requirements
75 were made but only updates to references were made. It was noted definitions were updated to
76 reflect current USDA natural resources for developable land.

77 Chair Allard opened the hearing to input from the public. None was indicated.

78 Chair Allard closed the public hearing at 7:54PM.

Mr. DeCoff motioned to approve the changes made to the soil map as presented and to move to the warrant article. Vice Chair Craycraft seconded the motion. Motion passed, 5-0-0.

Public Hearing -Warrant Article for Merged Wetlands and Water Quality Districts

Chair Allard opened the public hearing at 7:58PM. The Board reviewed the proposed changes. Chair Allard explained the purpose was to merge overlay districts and types of structures to avoid repetition and redundancy within the ordinances. He outlined the changes which include standardization of setbacks and buffers. It was noted the wetlands and water quality protection overlay district ordinances were merged; it was explained the changes were drafted proposed by Strafford Regional Planning Commission. Mr. Bickford questioned whether the setback proposals should be reviewed by the Town Engineer. Chair Allard stated he is confident in the work and recommendations presented by SRPC. The Board discussed the cost and funding options for this additional work.

Mr. Bickford motioned to send the proposed wetlands and water quality setbacks changes to the Town Engineer for comment. Mr. DeCoff seconded for discussion. Discussion: Mr. Bickford stated he wants to ensure the setbacks are appropriate for these areas. Mr. Drummey noted there are numerous references utilized in determining the setbacks as well as relevant state laws and land use regulations. **Motion failed, 1-4-0.**

The Board continued to review the edits made and definitions added. It was agreed the changes were substantial and to continue the Public Hearing.

Mr. DeCoff motioned to continue the Public Hearing for the Merged Wetlands and Water Quality Districts proposed changes to October 18, 2022, 7:00PM, New Durham Town Hall. Mr. Bickford seconded the motion. Motion passed, 5-0-0.

Continued discussions with members of the Strafford Regional Planning Commission to finalize proposed changes to ADU Regulations.

Jen Czysz, Strafford Regional Planning Commission, stated the updates have been made and distributed to the Board for review. She summarized the changes and noted they utilized market research to support the proposals. The Board reviewed and discussed the proposed changes. **Discussion of the 2022/2023 budget.**

The Board reviewed the budget. It was noted some invoices had not been received for 2022 contracted services work. The Board discussed contract amounts.

Discuss NHMA and NH Office of Planning and Development/BEA at the 2022 Municipal Land Use Law Virtual Conference for 10-15-22

The Board reviewed the notice regarding the conference. Chair Allard asked Ms. McClain to register three people.

APPROVAL OF MINUTES

Meeting of July 19, 2022- Postponed.

Town of New Durham Planning Board Meeting

September 20, 2022

APPROVED November 1, 2022

116 Meeting of August 2, 2022- Postponed.

117 Meeting of August 10, 2022- Postponed.

118 Meeting of August 16, 2022- Postponed.

119 Meeting of September 6, 2022- Postponed.

120 **ADJOURN**

121 **Mr. Drummey motioned to adjourn. Mr. DeCoff seconded the motion. Motion passed, 5-0-**
122 **0.**

123

124 The meeting was adjourned at 10:39PM.

125

126 Respectfully Submitted,

127 *Jennifer Riel*

128 Jennifer Riel, Recording Secretary