

**TOWN OF NEW DURHAM
PLANNING BOARD MEETING
December 6, 2022, 7:00PM
New Durham Town Hall, New Durham, NH 03855**

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

Nicole Zoltko – Town Administrator – via Zoom
Robin McClain, Land Use Administrative Assistant
Martin Wendt, resident
Jody Wendt, resident
Jeff Hertel
Christine Hughes
James Gamble, applicant
Andy Walker
Melody Hughes
Jeorgia Tassis-Laskas

CALL TO ORDER

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

AGENDA REVIEW

No changes were made.

PUBLIC INPUT

None.

Review of application for Planned Subdivision for The Hertel Family Trust, Van Hertel, trustee, for property located on Meaderboro Road, Map 270 Lot 17.

Chair Allard confirmed the public hearing was posted appropriate and abutters were notified.

The Board reviewed the application for completeness. Chair Allard confirmed acreage was calculated based on soil types; he noted build envelopes are not indicated on the plans. It was noted the plans revised 10/24/22 do show building envelopes. Vice Chair Craycraft noted there are steep slopes, and the envelopes should not be going into those areas without a Conditional Use permit; the Board agreed conditions of approval would require the building envelopes to be adjusted. The Board discussed whether there is a sufficient buildable area with appropriate access to the lots. It was confirmed there are utility easements on the property.

Vice Chair Craycraft motioned to accept the application for The Hertel Family Trust, Van Hertel, trustee, for property located on Meaderboro Road, Map 270, Lot 17, as complete. Mr. Drummey seconded the motion. Motion passed unanimously.

The Board discussed the building envelopes relative to the steep slopes.

Chair Allard asked about the soil types. Vice Chair Craycraft noted the soils are classified as prime agricultural in the natural resources. He stated with the various constraints on the parcel, he agrees with how they are divided. Mr. Bickford pointed out these lots are not really suitable for agricultural uses and the Board agreed the lots can be readily preserved as agricultural. Chair Allard noted the plans need to have setbacks including road, side and rear setbacks.

Chair Allard suggested approval from the Road Agent be obtained in regard to the driveway locations to verify sight distances. It was noted there are requirements for having the wetlands delineated per the ordinance; Chair Allard stated that needs to be done. The Board agreed the areas around the building envelopes need to be tagged.

Mr. Drummey motioned to approve the planned subdivision for The Hertel Family Trust, Van Hertel, trustee, for property located on Meaderboro Road, Map 270 Lot 17, with the following conditions:

- **Lot revision dated to be updated on page 2 to 10/24/2022.**
- **A letter from the Road Agent is needed approving the driveways for each lot, concerning frontage and site distances.**
- **Topographic map to show method and topography data.**
- **Building envelopes need to show proposed driveways, lot setbacks, steep slopes, and wetland buffers to show building can take place.**
- **Soils data needs to be shown and consistent across pages.**
- **Wetland areas need to be flagged and marked with durable tags in areas that border the building envelope and shall be placed every 25 to 50 feet.**

Mr. DeCoff seconded the motion. Motion passed unanimously.

Conceptual Consultation with James Gamble and Christine Hughes to discuss possibility of woodlot status removal for property located on Valley Road, Lot 257- 054.

Ms. Hughes stated Mr. Gamble owns a lot which is being sold to Ms. Tassis-Laskas; she stated the lot is in woodlot status; it has 90 feet of road frontage and stated the buyer and seller are proposing to adjust the lot lines so the road going to the property will cross the buyer's lot. She stated a variance would be needed as there would only be about 150 feet of frontage. The Board reviewed the lot maps.

Chair Allard stated a nonconforming lot cannot be more nonconforming and they can't create a new nonconforming lot; he stated if frontage is given up, that will make a lot nonconforming, and the second lot would still be nonconforming. He also explained the necessity of a minimum lot size which is also based on soil typing. Chair Allard suggested the only way this might be possible is through variances.

Ms. Hughes suggested another proposal for lot 5-2, where there would be an adjustment of the road on a diagonal so the property maintains the same frontage and a right of way would be used across the Gamble property. Chair Allard stated sufficient frontage needs to be maintained based on the size of the lots; it was noted the total existing is 390 feet so it is not enough for even one lot. Vice Chair Craycraft noted the lot needs to come out of woodlot status, but it requires 400 feet of frontage. Chair Allard suggested that might be able to be done through variances. There was discussion whether there is a Class V road which could be used for access. It was noted that a woodlot does not permit a home to be built on it. Ms. Hughes stated the property owner doesn't want to develop the lot and only wants to put a single home on it. Chair Allard stated without knowing the soil types, it is difficult to determine the required lot size. An option suggested was to get an easement from the property owner to cross the lot and then request a variance from the ZBA to allow using a lot with 90 feet of frontage; Chair Allard summarized either one of the lots needs a lot line adjustment for more frontage; a variance be obtained or upgrade the road to Class V standards.

Other

Chair Allard stated there are issues that need to be discussed by the Board but may require going into nonpublic session as it may be construed to affect the reputation of an individual.

Mr. Drummey motioned to enter into nonpublic session pursuant to RSA 91:A, 2.C. Vice Chair Craycraft seconded the motion. Roll Call Vote: Mr. DeCoff – aye; Mr. Bickford - aye; Mr. Drummey – aye; Vice Chair Craycraft – aye; Chair Allard – aye. Motion passed, 5-0-0.

The Board entered nonpublic session at 9:27PM.

The Board reentered public session at 10:25PM.

Mr. Drummey motioned to seal the minutes of the nonpublic session of December 6, 2022. Mr. DeCoff seconded the motion. Roll Call Vote: Mr. DeCoff – aye; Mr. Bickford -aye; Mr. Drummey – aye; Vice Chair Craycraft – aye; Chair Allard – aye. Motion passed, 5-0-0.

ADJOURN

Mr. Drummey motioned to adjourn. Mr. Bickford seconded the motion. Motion passed unanimously.

The meeting was adjourned at 10:33PM.

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary