

**TOWN OF NEW DURHAM  
PLANNING BOARD MEETING  
December 1, 2020, 7:00p.m.  
Virtual Meeting, New Durham, NH 03855**

*DRAFT: These minutes are strictly a draft copy and are awaiting amendment or approval at a subsequent, duly noticed public meeting. Amendments to these minutes will be noted in the minutes of said meeting. The draft will be posted on the website as a draft copy for public informational use only.*

*Under the emergency provisions of RSA 91A, this meeting took place electronically via Zoom.*

*IN LIGHT OF THE COVID 19 (CORONA VIRUS) SOCIAL DISTANCING  
ADVICE MADE BY THE GOVERNOR AND CDC, THE TOWN OF NEW DURHAM NH  
FOLLOWING A DECLARATION OF EMERGENCY BY THE PLANNING BOARD  
CHAIRPERSON, IS PROVIDING A MEETING PARTICIPATION VIA TELEPHONE  
CONFERENCE FOR YOUR SAFETY.*

*This meeting is for members and the public to utilize the Zoom platform to prepare for future meetings and public hearings. All members of the Planning Board and Town Administrator have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following. In accordance with Governor's Executive Order #12, pursuant to RSA 91-A: 2*

*In accordance with Governor's Executive Order #12, pursuant to RSA 91-A: 2  
Join Zoom Meeting*

*<https://us02web.zoom.us/j/89031890935?pwd=eWZ5emdvL3Z0cXE4OStlOGFXVnA4dz09>*

*Meeting ID: 890 3189 0935 Passcode: 238372*

*Or via telephone number: 1-646-558-8656; Meeting ID: 890 3189 0935 Passcode: 238372*

*Note: Town of New Durham offers no security assurances to those connecting via PC to a third party software and hardware not configured or controlled by our IT Service provider.*

**PRESENT**

Jeff Allard, Chair – excused absence  
Bob Craycraft, Vice Chair – via Zoom  
Scott Drummey, member – via Zoom  
Dorothy Veisel, Board of Selectmen representative – via Zoom  
David Bickford, member – via Zoom

**ALSO PRESENT**

Scott Kinmond, Town Administrator – via Zoom  
Brad Jones, Jones Engineering – via Zoom  
Ken Raymond, resident – via Zoom

Anne Ross-Raymond, resident – via Zoom  
D. Grandin, resident – via Zoom

### **CALL TO ORDER**

Vice Chair Craycraft called the meeting to order at 7:06pm.

Vice Chair Craycraft confirmed the meeting was posted appropriately with access numbers. He stated that in the event the public is unable to access the meeting, it would be adjourned and rescheduled. Vice Chair Craycraft stated all motions would be voted on by roll call. Vice Chair Craycraft asked Planning Board members to introduce themselves and identify anyone in the room with them, as well as applicants, applicants' representatives and members of the public.

### **AGENDA REVIEW**

No changes were made.

### **PUBLIC COMMENT**

Ms. Veisel stated it is looking like the information they had received regarding posting public notices on the Town website, was incorrectly interpreted. She explained they will need to continue posting public notices in the newspaper which will be added cost and suggested they review their fees again to ensure costs are covered.

### **Review of Conceptual Consultation**

Submitted Ken and Ann Ross-Raymond for building workshop on woodlot status. Property located at Map- 217 Lot-007, 60 Pine Point Road.

Mr. Bickford stated he would need to recuse himself from this discussion; he explained he owns two woodlots and the interpretation could be beneficial to his situation. Mr. Drummey stated he also owns a woodlot but doesn't see a conflict of interest with discussing this case. They discussed whether a neutral interpretation and recommendation could be made by them and concluded with Mr. Bickford recusing himself and moving forward with three members of the Board discussing the review.

Ken Raymond, resident,, stated they are new to town; their property abuts a woodlot with a large barn on it and they assumed some type of outbuilding was an appropriate use of a woodlot. Mr. Drummey confirmed it is not. Ms. Ross-Raymond noted the ordinance makes no reference to out-buildings such as a storage shed for tools and whether that is an appropriate use. She asked for examples of what is allowed on woodlots. Mr. Drummey noted the tax card does not indicate the property is listed as woodlot and noted it was probably taken out of that status. Vice Chair Craycraft stated he reviewed the tax card history and noted the lots in this vicinity were designated as woodlots but it's unclear on the current status. He explained woodlots were started in 1982 with the idea of the parcels being 10 acres or greater to allow homeowners an option for processing and harvesting firewood. Ms. Ross-Raymond stated they do heat with wood and this is their intention for the lot. Mr. Drummey outlined the ordinance and was clarified no camps, houses or dwellings are allowed but camp trailers may be present for up to 60 days during active use. He stated it is his interpretation that a shed would not be allowed. Ms. Ross-Raymond stated

sheds for equipment are not dwellings and there doesn't seem to be specific prohibition of them. Vice Chair Craycraft reviewed definitions and noted the definition of a buildable lot has to meet current regulations; these were not considered buildable lots at the time of creation. Vice Chair Craycraft noted the lot would have to go through the process of removing the lot from woodlot status which would include bringing the road up to Class V standards. Ms. Ross-Raymond stated that would be about  $\frac{3}{4}$  mile of road work. Mr. Drummey noted neighboring properties have buildings on them but its unclear when those were constructed and the status of the property at the time. The Board reviewed the map and tax cards; it was confirmed the lot is taxed as a residential lot. Mr. Raymond explained their road is privately maintained by the homeowners association. Town Administrator Kinmond stated there are currently no Class V road standards in the ordinance but they utilize the subdivision road standard which are within the Zoning Ordinance under the roads division. Mr. Raymond questioned why the Town would have jurisdiction in this case over privately owned roads. Vice Chair Craycraft stated the Town would be concerned over the safety and wellbeing of the public and access ways. Mr. Raymond stated he doesn't see how this is different than a driveway which is not a public right-of-way. Ms. Veisel stated they still need to make sure safety resources can still access a property. Mr. Raymond stated by law, towns are not obligated to provide safety services on Class VI roads. Town Administrator Kinmond confirmed that is correct and property owners have to sign a waiver of liability. Mr. Raymond confirmed this road is not maintained through the winter. He asked if he wanted to put a road on his property to the back of his property there wouldn't be anything to prohibit him as it would be private. Mr. Drummey stated he could use it as a wood road but no structure could be put on it unless there is access to a Class V road. Vice Chair Craycraft stated the change in status should be recorded somewhere. Ms. Veisel suggested they get on the agenda for a Board of Selectmen meeting.

### **Review of Conditional Use Permit – Map ?, Lot ?**

Brad Jones, Jones Engineering, stated the disturbance on the lot is only 9,750 square feet; the lot is 27,000 square feet so around 30% of disturbance. The slopes are 0-15% and they meet all criteria except the 25% disturbance of lot. He stated they went before the Zoning Board and the impervious coverage was reduced to 16%; stone drip edge was added, as well as rain gardens and porous pavers. The Shoreline Permit was approved along with erosion control measures. The Board reviewed the requirements for storm water management along with Conditional Use permit requirements.

D. Grandin, resident, asked how many conditional use permits are approved for residential. Vice Chair Craycraft stated there have been some and are typically around Merrymeeting Lake on small, steep lots.

### **NEW/OLD BUSINESS**

The Board discussed the change in interpretation of recent legislation regarding the posting of public notices. Ms. Veisel stated the issue was submitted for legal review and the interpretation of the boards was deemed to be incorrect. Town Administrator Kinmond explained the notices for the Planning Board aren't as extensive or costly as the ZBA and explained there is an offsetting revenue which is charged to applicants. Vice Chair Craycraft asked Town Administrator Kinmond to communicate the changes affecting the Planning Board and to ask

them to budget accordingly.

### **APPROVAL OF MINUTES**

Meeting of October 28, 2020– Edits were made. **Ms. Veisel made a motion to approve the minutes as amended. Mr. Bickford seconded the motion. Roll Call: Ms. Veisel – aye; Mr. Bickford – aye; Vice-Chair Craycraft – aye; Mr. Drummey– aye. Motion passed, 4-0-0.**

Meeting of November 5, 2020– Edits were made. **Mr. Craycraft made a motion to approve the minutes as amended. Mr. Bickford seconded the motion. Roll Call: Ms. Veisel – aye; Mr. Bickford – aye; Vice-Chair Craycraft – aye; Mr. Drummey – abstain. Motion passed, 3-0-1.**

### **MAIL/CORRESPONDENCE**

None.

### **NEXT MEETING**

December 15, 2020, 7:00pm.

### **ADJOURN**

**Mr. Drummey made a motion to adjourn. Ms. Veisel seconded the motion. Roll Call: Ms. Veisel – aye; Mr. Bickford – aye; Vice-Chair Craycraft – aye; Mr. Drummey – aye. Motion passed, 4-0-0.**

The meeting was adjourned at 9:04pm.

Respectfully Submitted,

*Jennifer L. Riel*

Jennifer Riel, Recording Secretary