

**NEW DURHAM PLANNING BOARD  
New Durham Town Hall  
September 19, 2017, 7:00p.m.**

**Present**

Scott Drummey, Chair  
Dot Veisel, Member  
Jeff Allard, Member

**Excused Absence**

Bob Craycraft, Vice Chair  
Rod Doherty, Selectman Representative

**Also Present**

Laura Zuzgo, Administrative Assistant  
Paul Zuzgo, LLS  
Tom Varney, Engineer  
Bill Bailey, Resident  
Cory White, Resident  
Terry Jarvis, Chair CIP  
Deb Randall, Architect

**Call to Order**

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

**Capital Improvement Program Committee**

Terry Jarvis, Chair CIPC, stated the committee has been worked on correlating the CIPC presentation with the Master Plan, which is a new requirement by state statute. Ms. Jarvis explained the process followed by the committee in developing the presentation and noted they are making several new recommendations including moving forward with municipal facilities studies so when the committee meets in 2018 a draft of the study may be complete. She stated they are also recommending looking at every Town building to ensure maximum use and efficiency. Ms. Veisel suggested after years of financial neglect, it is time to put revenue towards taking care of the Town's properties. There was further discussion of prior committee actions and future goals. Ms. Jarvis stated the recommendations focus on what the departments will need over the next ten years. The summary of recommendations were reviewed and discussed. It will be discussed further for vote at the next meeting.

**Bailey Family Limited Partnership – Conditional Use Permit (hearing continued)**

Ms. Jarvis noted the applicant also presented a variance request before the ZBA regarding a statute and was forwarded to legal counsel for advice on the 75' setback under the shoreline protection act. Tom Varney, engineer with Varney Engineering requested the

*Approved*

Planning Board give their approval while waiting for a decision by ZBA. Chair Drummey replied he is not comfortable with going forward in that way. Mr. Varney stated they could go forward with the original footprint but they will still need a conditional use permit. Mr. Allard suggested waiting for further discussion when Mr. Craycraft is present, noting it's a complicated situation with the lot being non-conforming, steep slopes.

Chair Drummey opened the Public Hearing for Tax Map 121, Lot 44, 176 South Shore Road.

Mr. Varney stated the building will be rebuilt using the existing footprint but they will request a variance from the ZBA for bumping a portion out but it would be over the 75' setback. He outlined the plans for catch basins and driveway, noting several trees will be removed to build the garage. Chair Drummey asked for clarification on the driveway materials. Ms. Veisel asked for clarification as to the actual setback. Mr. Varney presented maps and graphics of the proposal for review. These were reviewed and discussed. It was noted the square footage would be nearly double but that's due to a second story being added. Mr. Allard stated his concerns are about the safety of the lake, noting the design around the lake was poor and it was designed for camps but now larger year round houses are being put in. He wants to take an overall view rather than just a single case out of the 200 lots on South Shore Road. There was discussion of storm water and pollution mitigation options. Chair Drummey asked how the driveway is going to be kept clean from dirt and subsequent runoff.

Paul Raslavicus, resident, stated he has been following this case at the various meetings and he has concerns about decisions made by the Planning Board and Zoning Board, referencing the statutes of the State which clearly outline the ordinances regarding restoration or rebuilding. He stated that according to the statute, the application plans presented are for demolition and reconstruction, not a restoration or remodel. There was extensive discussion whether a variance can be granted and possible legal repercussions, which Ms. Jarvis noted legal counsel is looking into.

**Ms. Veisel made a motion to approve the conditional use permit for Tax Map 121, Lot 44, 176 South Shore Road and that the applicant has the right to resubmit an amended application if there is a favorable ruling from the Zoning Board of Adjustment. Mr. Allard seconded the motion. Motion passed, 3-0-0.**

**Penny Williams Application - Hearing Continuation**

Paul Zuzgo stated the shoreline permit was submitted in May and it was noted the Notice of Decision has been received. The ten conditions were reviewed and discussed to ensure compliance. The Board reviewed and discussed the application.

**Ms. Veisel made a motion to approve the Conditional Use Permit application for Map 240, Lot 37, Jones Pond Road subject to the following conditions: fix typo on the Operations and Maintenance Manual; add signature line to each page of the**

**Maintenance Log; sign the Manual. Mr. Allard seconded the motion. Motion passed, 3-0-0.**

Ms. Zuzgo questioned whether this action removes the property from woodlot status as that was one of the conditions. The Board reviewed the file for previous decisions and determined this action does remove the property from woodlot status.

**Other -**

Corey White, resident stated regarding his property currently in wood lot status, he would like to request a waiver by the Planning Board from the road frontage ordinance in order to bring the road to standards. The ordinance was reviewed by the Planning Board and noted there are some discrepancies; then it was determined a variance would be needed by ZBA which would allow them to have road frontage on a class V road. Once a road is brought to class V standards a hearing may be held to remove it from woodlot status and a permit can be issued at that time. It was agreed by the Board to provide a recommendation to the ZBA regarding this case, noting the discrepancies in the ordinance.

**Penny Williams Application – Lot Line Adjustment Hearing Continuation**

It was noted that now that the conditional use permit has been granted, they can go forward with the lot line adjustment. The Board reviewed the application. A copy of the slope map was reviewed and Mr. Zuzgo explained the proposed changes which includes adding 5 acres to the lot and adding water frontage. It was noted the property is not currently buildable as there is no road frontage and the plans are only adding more property and access to the current lot.

**Mr. Allard made a motion to accept the waiver requests submitted by Paul Zuzgo as indicated in the application for Tax Map 240, Lots 36 and 37. Ms. Veisel seconded the motion. Motion passed, 3-0-0.**

**Ms. Veisel made a motion to accept the application for a boundary line adjustment for Tax Map 240, Lot 36 and 37. Mr. Allard seconded the motion. Motion passed, 3-0-0.**

**Ms. Veisel made a motion to grant the boundary line adjustment for Tax Map 240, Lot 36 and 37 as shown on the boundary line adjustment, Penny Williams, Penny Lane. Mr. Allard seconded the motion. Motion passed, 3-0-0.**

**Mail/Correspondence**

A wetlands permit was received for 3 Cedargren Road.

Chair Drummey shared lecture series information for the board to review.

**Adjourn**

*New Durham Planning Board*

*September 19, 2017*

*Approved*

**Ms. Veisel made a motion to adjourn. Mr. Allard seconded the motion. Motion passed, 3-0-0.**

The meeting was adjourned at 10:58pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary