

Town of New Durham Planning Board Meeting

January 4, 2022

January 27, 2022

**TOWN OF NEW DURHAM  
PLANNING BOARD MEETING**

**January 4, 2022, 7:00PM**

**New Durham Town Hall, New Durham, NH 03855**

**APPROVED January 27, 2022**

*Join Zoom Meeting*

*<https://us02web.zoom.us/j/89507787468?pwd=U3VjN1NRa0JTVUZMMEE4eWhzbXV1dz09>*

*Meeting ID: 895 0778 7468 Password: 550074 Workshop Zoom Link*

*Or via telephone number: 1-646-558-8656 Meeting ID: 895 0778 7468 Password: 550074*

*Technical difficulties or For Assistance with Zoom application please contact Land Use  
Administrative Assistant Robin McClain at [ndlanduse@newdurhamnh.us](mailto:ndlanduse@newdurhamnh.us) or contact Planning  
Board.*

*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, Planning Board Chair

Bob Craycraft, Planning Board Vice Chair

Dorothy Veisel, Board of Selectmen representative – via Zoom

David Bickford, Planning Board member

Scott Drummey, Planning Board member

**ALSO PRESENT**

Robin McClain, Land Use Assistant

Brad Jones, Jones and Beach Engineers

Janet Berlind, applicant

Paul Raslavicus, resident

Sarah Barley, member of the public

**CALL TO ORDER**

Chair Allard called the meeting to order at 7:04PM.

**PUBLIC INPUT**

None.

**AGENDA REVIEW**

No changes were made to the agenda.

***Continued Public Hearing of Stormwater Conditional Use Permit application submitted by Jones and Beach Engineers on behalf of Paul Berlind, Map 116 Lot 012, on 206 South Shore Road.***

Chair Allard reopened the public hearing at 7:06PM.

Chair Allard stated an opinion was received from Town Counsel which indicates that if the 24.6% lot coverage legally existed prior to the adoption of the zoning ordinance, it is entitled to stay at that coverage. Chair Allard stated the Board needs to determine if the coverage was permitted and legally constructed at the time.

The Board discussed when the 20% limit was put in place; it was noted the ordinance has been in place since 1971, and the requirement for a maximum lot coverage of 20% is believed to have been enacted prior to 2000. The Board then discussed whether the construction was complete prior to 2000 and Chair Allard noted it is the responsibility of the applicant to show the construction predates the ordinance. Mr. Jones stated he would need to do some research but its not likely the construction predated the ordinance; he will also research whether a variance was ever granted. Chair Allard noted if a variance was granted, the Planning Board does not have authority to add additional impervious coverage which is not permitted by the Ordinance. He stated they would need to go before the Zoning Board of Adjustment for relief from the ordinance or rework the plans to get the coverage below 20% impervious coverage.

Mr. Jones asked if the original site plan was approved by the Planning Board, would that change the status whether it was grandfathered. Chair Allard replied it would not and explained only the ZBA has authority to grant relief.

Chair Allard outlined some things he sees as possibly necessary for a conditional use permit, including stabilizing the bank, noting the soils are sandy. Mr. Jones explained they have done a lot to stabilize the lot. Chair Allard stated he will also have questions about what the maintenance process would involve for the track, and what plan is in place for obsolescence and future maintenance of the equipment. Vice Chair Craycraft stated he may want to have a third-party review with the Town Engineer.

It was agreed to continue the Public Hearing to the February meeting.

**Vice Chair Craycraft made a motion to continue the public hearing to February 1, 2022, 7:00PM at the New Durham Town Hall for a Stormwater Conditional Use Permit application submitted by Jones and Beach Engineers on behalf of Paul Berlind, Map 116 Lot 012, on 206 South Shore Road. Mr. Bickford seconded the motion. Roll Call Vote: Ms. Veisel – aye; Mr. Bickford-aye; Mr. Drummey -aye; Vice Chair Craycraft – aye; Chair Allard – aye. Motion passed, 5-0-0.**

***Continued Public Hearing for Revisions to the Zoning Ordinance to Article XIV, Shorefront Conservation overlay district***

Chair Allard reopened the public hearing at 7:54PM. He noted comments were sent by Terry Jarvis and these were shared with the Board. Edits were made to provide parking for four vehicles.

The Board reviewed and discussed comments submitted by Mr. Raslavicus.

Sarah Barley, resident, submitted comments for review by the Board.

Chair Allard closed the public hearing at 9:08PM.

**Mr. Drummey made a motion to recommend the proposed changes to Article XIV, Shorefront Conservation overlay district, be adopted and placed on the 2022 Town Warrant. Mr. Bickford seconded the motion. Roll Call Vote: Ms. Veisel – aye; Mr. Bickford-aye; Mr. Drummey -aye; Vice Chair Craycraft – aye; Chair Allard – aye. Motion passed, 5-0-0.**

***Continued Review of Articles XXI Section G.1.b and F for potential changes to the Zoning Ordinance.***

The Board reviewed the proposed changes. Chair Allard noted the Public Hearing for these changes will be held next week, January 11, 2022 at 7:00PM.

Mr. Raslavicus raised concerns with the conflicting articles and suggested they follow with what the State RSAs outlined, including RSA 483-B:9(c).

The Board agreed to move forward with the proposed language to the Public Hearing.

***Review and acceptance of Adam Doiron's revisions to the soil table and Zoning Ordinance***

The Board discussed whether there is time to make changes to the soil mapping. It was confirmed the changes have not been approved by the Board and there is not enough time to post for a public hearing at this point with the January 31 deadline. The Board discussed whether it could be made available for use by residents and engineers. After discussion, it was agreed to make the information available; Vice Chair Craycraft will draft a disclaimer indicating the table has not officially been accepted but is acceptable to utilize.

***Determine date for continued discussions with members of the Strafford Regional Planning Commission to review PREPA Grant progress on waterfront properties***

Chair Allard stated the Town Administrator is still looking into the financial responsibility of the Town; he stated the grant was for a total of \$10,000 and recalls the discussion being the Town would have to pay \$5,000 but it would be "in-kind". Vice Chair Craycraft agreed there would be no funds going directly to SRPC; he stated there was supposed to be budgeted money set aside

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for the in-kind services as well as revisions to ADUs. Chair Allard asked Ms. McClain to arrange a meeting with the Town Administrator, Vice Chair Craycraft and SRPC.

Ms. Veisel left the meeting.

### **APPROVAL OF MINUTES**

Meeting of October 5, 2021 – Edits were made. **Mr. Drummey made a motion to approve the minutes as amended. Mr. Bickford seconded the motion. Roll Call Vote: Mr. Bickford-aye; Mr. Drummey -aye; Vice Chair Craycraft – aye; Chair Allard – aye. Motion passed, 4-0-0.**

Meeting of October 19, 2021– Edits were made. **Mr. Drummey made a motion to approve the minutes as amended. Mr. Bickford seconded the motion. Roll Call Vote: Mr. Bickford-aye; Mr. Drummey -aye; Vice Chair Craycraft – aye; Chair Allard – aye. Motion passed, 4-0-0.**

Meeting of November 2, 2021 – Postponed.

Meeting of November 16, 2021 – Postponed.

### **ADJOURN**

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

The meeting was adjourned at 10:39PM.

Respectfully Submitted,

*Jennifer Riel*

Jennifer Riel, Recording Secretary