

**TOWN OF NEW DURHAM
PLANNING BOARD MEETING
August 4, 2020, 7:00p.m.
at “ZOOM” Virtual**

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

Attendees log into:

Join Zoom Meeting

[https://us02web.zoom.us/j/86244355739?pwd=UGw4OXZjNGtPTlZmZHZZam0xbndEUT09MeetingID:86244355739](https://us02web.zoom.us/j/86244355739?pwd=UGw4OXZjNGtPTlZmZHZZam0xbndEUT09MeetingID:86244355739Password:967166) Password: 967166 Or via telephone number: 1-646-558-8656; Meeting ID: 86244355739 Password: 967166

Technical difficulties contact Town Administrator Scott Kinmond at skinmond@newdurhamnh.us or by phone a 603-556-1516. Assistance with Zoom application please contact Brian Cauler at 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, Chair – via Zoom
Bob Craycraft, Vice Chair – via Zoom
Dorothy Veisel, Board of Selectmen representative – via Zoom
David Bickford – via Zoom

ALSO PRESENT

Scott Kinmond, Town Administrator – via Zoom
Christopher Berry, via Zoom
Terry Jarvis, resident – via Zoom
Steve Dunn, resident – via Zoom

CALL TO ORDER

Chair Allard called the meeting to order at 7:05pm.

Chair Allard 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. Chair Allard stated all motions would be taken by roll call. Chair Allard asked Planning Board members to introduce themselves and identify anyone in the room with them, as well as any members of the public.

Agenda Review

No changes were made to the Agenda.

Conceptual Consultation – Map ???, Lot ???

Ms. Veisel stated she is an abutter to this property and will be recusing herself from this discussion.

Christopher Berry, Berry Surveying and Engineering LLC, stated due to technical difficulties, he won't be able to share any files. Chair Allard noted the Board has the lot plans as well as his narrative. Mr. Berry stated the property is located on the corner of Tash Road and Route 11; he stated the property was subject to subdivision approval which took place in 2010. There was a former greenhouse on the property they are looking to develop for commercial use. Mr. Berry stated formerly there was a house on the property but was subdivided off and what remains is a commercial piece. He stated the applicants would like to construct a 2500 square foot structure to do minor automotive repair; Mr. Lessard would like to have three bays and he would be the only employee. The bays would allow for vehicles to remain undercover and should be a minor commercial use per the zoning regulations. Mr. Berry explained the ordinances of 2019 reference maps which he has not been able to see copies of; and there have been revised zoning which he hasn't been able to get updates for so it's been hard for them to discern what will be needed from the Zoning Board of Adjustment and a conditional use permit from the Planning Board. Chair Allard noted there are now maps from 2020 for land use suitability and he is working on the zoning ordinance changes. He stated this lot is in fact within the aquifer overlay district. The Board reviewed the description of "minor commercial use" in the ordinance and Chair Allard stated this use would fall under the description. A special exception will be needed as well as an environmental study will be required to show the impact is equal to or less than the impact of a single family dwelling. Chair Allard stated a special exception or variance may be necessary due to "prohibited uses" such as storage of petroleum related products. Mr. Bickford asked what a variance would be for. Chair Allard stated if this comes as a minor commercial use it would be a special exception but if other aspects of the ordinance would be violated, then a variance would be needed. Mr. Craycraft concurred. Mr. Berry confirmed the special exception would be for the aquifer overlay district. He also confirmed there is no intention to merge the lots which are all owned by the same owner. Mr. Berry stated there are no plans to sell any items retail. Ms. Jarvis suggested that Mr. Berry read the minutes of ZBA meetings of April and January 2020 for additional guidance as to how the ZBA views proposals of this kind. She also suggested review of the ZBA decision of Case #2020-001. Mr. Berry confirmed they have conformance to lot size and coverage.

Conceptual Consultation –Accessory Dwelling Unit, Map 244, Lot 55

Steve Dunn, resident, stated his builder was planning on attending this meeting to present the plans but due to technical problems he won't be able to. Mr. Dunn stated they had a conceptual meeting with the Board about a month ago for a possible stand-alone ADU. The new plans would be for an ADU to be constructed in one of the existing garage bays with an additional 18'x24' addition to the existing garage. Mr. Dunn stated they are here now because their builder Rick Gray, went to the Town Hall to submit an

application but was apparently instructed incorrectly and turned in paperwork for variances. He stated they can't find a form which allows them to apply for a Conditional Use Permit but was sent the Conditional Use Applicant. Chair Allard stated he would have the Land Use assistant forward the appropriate documents. It was confirmed the garage is currently attached to the house; the lot size is 1.92 acres. Mr. Dunn stated they need to know what is still needed to get the application reviewed. Chair Allard stated he will get the information to Mr. Dunn when he can sit down with the Land Use assistant. He stated there needs to be a Conditional Use Permit checklist and a Land Use Application; then they can review what has been submitted already. Chair Allard explained with all Conditional Use Permits, public hearings are held and abutters are notified. Mr. Dunn noted the deadline for the September meeting is August 10 and asked to have the documents recovered and submitted by that deadline. Town Administrator Kinmond stated they will work with Mr. Dunn to get this resolved.

APPROVAL OF MINUTES

Meeting of July 21, 2020 – Postponed.

Old Business

Chair Allard stated he sent to Mr. Drummey, a summary of the public hearing on changes to the Zoning Ordinance and hopes by the time of the next meeting, Mr. Drummey will have the changes incorporated in the ordinances and updated on the Town website.

Mr. Bickford stated he was asked to go before the Building Inspector to discuss issues he has with the zoning ordinances. He asked how these should be presented to the Board. Chair Allard suggested the Board go through this at the meeting of August 18.

Next Meeting:

August 18, 2020, 7:00pm

ADJOURN

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

The meeting was adjourned at 8:35 pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary