

**TOWN OF NEW DURHAM
PLANNING BOARD WORKSHOP
September 19, 2023, 7:00 PM
New Durham Town Hall, New Durham, NH 03855**

PRESENT

Jeff Allard, Planning Board Chair
Bob Craycraft, Planning Board Vice Chair
Marc DeCoff, Board of Selectmen Representative
Scott Drummey, Planning Board Member
Anne Ross-Raymond, Planning Board Member

ALSO PRESENT

Susan Stillwell, Land Use Assistant
Tom Varney, Varney Engineering LLC
Joseph Opolski, applicant
Courtney Grugnale, Housing Navigator
Jen Czysz, Strafford County Regional Planning

CALL TO ORDER

Chair Allard called the meeting to order at 7:00 PM. Introductions were made of the Board members present.

AGENDA REVIEW

No changes were made to the agenda.

PUBLIC INPUT

None.

NEW/OLD BUSINESS

PB 2023-003 – Opolski – Map 101, Lot 039/008, 181 North Shore Road Conditional Use Permit within Shorefront Conservation Area & Steep Slopes Conservation District – New Information Received from Weston & Sampson – September 6, 2023

Chair Allard reopened the public hearing at 7:01 PM. He stated the public hearing was opened at the last meeting and it was agreed review was needed by the Town Engineer, Weston and Sampson. Chair Allard stated Mr. Varney responded to the comments from the Town Engineer which led to revisions of the plans.

Mr. Varney stated the parking area across the street was decreased and explained the revised water management plan for handling overflow runoff.

Chair Allard opened the hearing to input from the public. None was indicated.

The Board reviewed and discussed the plans. Vice Chair Craycraft stated his main concerns were the culvert and retaining wall, both which have been addressed in the revised plans. The Board agreed the Town Engineer will need to review the project after completion and sign off on it.

MOTION: To approve the request for a Conditional Use Permit for Opolski – Map 101, Lot 039/008, 181 North Shore Road Conditional Use Permit within Shorefront Conservation Area & Steep Slopes Conservation District with the following conditions:

- **Homeowner must sign a covenant to be recorded at the Strafford County Register of Deeds giving the Town the Right to inspect storm water BMPs in the future with the Town's Right to inspect running with the land.**
- **Certificate of Completion will be issued by Building Inspector after the Design Engineer affirms that the Stormwater/Drainage Plan for the Conditional Use Permit is Built as Designed according to Engineered Drawing revision 3 dated 13 September 2023.**
- **The O&M Plan includes 4 BMPs at a cost of (\$25 + 4x\$10 = \$65). The Annual Maintenance Log and fees paid in December.**

Motion by Ms. Ross-Raymond. Second by Vice Chair Craycraft. Motion passed 5-0-0.

Part Time Planner - Housing Navigator, Courtney Grugnale – Current Projects and Executive Director at SRPC, Jen Czysz – Hop Grant and Planning Support Services

Jen Czysz, Strafford County Regional Planning, explained the option for contract planner services; she stated typically she assigns a planner to a single town so they can be fully immersed in the town's ordinances and keep the details straight. Currently SRPC staff work part time for a Town while the balance of their work is for SRPC. She stated this allows a professional planner to assist municipalities without taking on a full-time employee. Ms. Czysz explained the billable rates for planners are \$65-90/hour; the contract for 40 hours per month is \$35,000 per year.

Ms. Grugnale will be here until September 2024. The Town would be funding this position after March 2024. The position is approximately 8 hours a week/40 hours per month.

The Board discussed the jobs the housing navigator could assist the Town with: Application Completeness, Plan Reviews, Zoning Compliance and Recommendations, Interactive Communication with Applicants, Meeting Attendance. Prep for Zoning Amendments and Town Meeting Planning.

Chair Allard suggested building a Flow Chart for potential applicants to determine what they need to do and who they need to talk to get their job done.

HOP Grant and Planning Support Services: This is for the Master Plan. Will begin in November. One candidate is available who currently works in Farmington on a Hop Grant; otherwise SRPC staff will fill role. Ms. Grugnale and Interim Town Administrator Cecile Chase will decide.

First Meeting Date for New Durham Development Committee

Ms. Grugnale will be reaching out to the committee nominees to set meeting dates. Chair Allard stated the meeting will need to be publicly posted and minutes taken.

New Legislation regarding Well Radius – Information from Josh Thibeault

Well radii must be shown on Plans but an easement is no longer required if the well radius extends onto abutter property. It is now the burden of the property owner to ensure that well water is not contaminated.

Policy/Procedures for Third-Party Review of Site Plans – Postponed.

Clarification of Zoning language regarding ‘grandfathering’ foundation, demolish and move back (in Shorefront Conservation Area), and define ‘demolish’. – Anne Ross-Raymond

Ms. Ross-Raymond stated she looked at Case Law of grandfathering a foundation. As long as the foundation is in continuous use, it’s still valid. Grandfathering says you can do the same thing you have been doing.

Chair Allard stated he is concerned with nonconforming structures in the Waterfront Setback; he stated he is researching non-conforming structures that are demolished in the Shorefront (RSA 483-B). He stated the Shoreline Protection Act clearly states that if a structure is demolished, the structure must then be moved back. The Board reviewed and discussed the Zoning Ordinance and it was confirmed it indicates structures must moved back as far as possible. There was extensive discussion about the application and enforcement of the ordinances.

There was discussion about the Code Enforcement Officer currently issuing building permits for construction in violation of the Zoning Ordinance.

Bruce Mayberry’s Impact Fee Report of 2017 for Infrastructure – Postponed.

Proposed FY 24 Planning Board Budget

The Board reviewed and discussed the budget. It was suggested to encumber funds from 2023 to 2024 for Town Engineering services.

After discussion, it was agreed to add the Budget item for part time Planner for \$32k/year. It was also agreed to keep contracted services for \$4000 for Weston and Sampson study of Storm Water management by getting contract signed before December.

Mail & Correspondence –*Wetlands Permit Application for Murphy, Map 112, Lot 014*

Vice Chair Craycraft noted no problems stood out to him with the application.

APPROVAL OF MINUTES

Meeting of July 26, 2023 -Site Walk – Edits were made. **MOTION: To approve as amended. Motion by Vice Chair Craycraft. Second by Ms. Ross-Raymond. Motion passed 5-0-0.**

Meeting of August 1, 2023– Edits were made. **MOTION: To approve as amended. Motion by Mr. DeCoff. Second by Ms. Ross-Raymond. Motion passed 5-0-0.**

Meeting of August 9, 2023 – Site Walk– No edits were made. **MOTION: To approve as presented. Motion by Vice Chair Craycraft. Second by Mr. DeCoff. Motion passed 5-0-0.**

Meeting of August 15, 2023- Edits were made. **MOTION: To approve as amended. Motion by Mr. DeCoff. Second by Vice Chair Craycraft. Motion passed 5-0-0.**

Meeting of September 13, 2023- Site Walk- Edits were made. **MOTION: To approve as amended. Motion by Mr. DeCoff. Second by Ms. Ross-Raymond. Motion passed 5-0-0.**

FUTURE MEETINGS

Business Meeting – October 3, 2023

ADJOURN

MOTION: To adjourn the meeting. Motion by Mr. Drummey. Second by Mr. DeCoff. Roll Call Vote: Ms. Ross-Raymond-aye; Mr. DeCoff-aye; Mr. Drummey-aye; Mr. Craycraft-aye; Chair Allard-aye. Motion passed 5-0-0.

The meeting was adjourned at 10:04 PM.

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary