

**DURHAM PLANNING BOARD MINUTES  
WEDNESDAY, AUGUST 28, 2002 – 7:00 P.M.  
DURHAM TOWN HALL – TOWN COUNCIL CHAMBERS**

**MEMBERS PRESENT:**

Dave Pease, Chair; Suzanne Loder; David Watt;  
Amanda Merrill; Arthur Grant, Alternate Town  
Council Rep.; Tracy Wood, Alternate; Julian  
Smith, Alternate

**MEMBERS ABSENT:**

Neil Wylie, Rachel Rouillard, Annmarie Harris,  
Town Council Rep.

**OTHERS PRESENT:**

Jim Campbell, Planner

Chair Pease called the meeting to order at 7:00 PM

**I. Approval of Agenda**

*Amanda Merrill MOVED to approve the agenda. David Watt SECONDED the motion.*

Julian Smith suggested that the minutes be moved to later in the agenda.

*Arthur Grant MOVED to amend the agenda to move item III, Approval of Minutes, to item VII. Julian Smith SECONDED the motion.*

*The motion to approve the agenda as amended PASSED unanimously.*

**II. Report of the Planner**

Jim Campbell reported on the following:

- He urged the Board to attend to the approval of the minutes during this meeting, as the minutes have accumulated.
- In the correspondence packet to the Board was an invitation to the Seacoast Regional Smart Growth Roundtable. The deadline for the conference is Sept. 12 and it is available to the first 425 people who register.
- He met with Ti Crossman, from Strafford Regional Planning, who will update the Tax Map next week.
- Department Heads met as a group today to review the CIP.
- The UNH Master Plan process will be beginning soon.

**III. Acceptance Consideration of an Application for Subdivision** submitted by David M. Garvey, Garvey & Co. Ltd., Durham, New Hampshire, on behalf of Rockingham Properties I LLC, Belmont, Massachusetts, to create 15 new lots of which 12 are to be commercial use and 3 are to be residential use. The property involved is shown on Tax Map 11, Lots 8-1 and 9-1, is located along Dover Road and Stone Quarry Drive and is in the Limited Business Zoning District and the Residence B Zoning District.

Jim Campbell gave an overview of this application.

Dave Garvey stated that would be open to suggestions for the name of the proposed road off of Stone Quarry Drive. He stated that the sites would be for smaller sized professional office space. He stated that the residential lots will be left undeveloped until the zoning ordinance pertaining to those lots is rewritten and, hopefully, therefore bringing those lots into a commercial zone.

In response to question from Tracy Wood, Dave Garvey spoke about the changes in the site configuration from the previously presented plan.

In response to a question from Arthur Grant, Jim Campbell stated that all materials needed for acceptance have been received. He stated that the only outstanding issues would be the road naming, and that he doesn't yet have the permits for the municipal access and the permits the applicant has applied to the state for.

***Arthur Grant MOVED that the Durham Planning Board accept the Application for Subdivision submitted by David M. Garvey, Garvey & Co. Ltd., Durham, New Hampshire, on behalf of Rockingham Properties I LLC, Belmont, Massachusetts, to create 15 new lots of which 12 are to be commercial use and 3 are to be residential use. Suzanne Loder SECONDED the motion.***

David Watt asked if there was a way to restrict the residential lots from having residential houses built on them, as that the intent expressed by the applicant was that those lots will be commercially developed when those lots are rezoned in the Zoning Ordinance rewrite process. He asked why 3 residential lots were being created, rather than 1 large lot that would be subdivided later.

Jim Campbell stated that if the change to the Zoning Ordinance, which would rezone the residential lots to commercial, did not pass for some reason, then the applicant would probably want to have some use of those lots.

Dave Garvey stated that in case that the residential lots were not rezoned, he would like to have options in getting productive use of the lots.

Chair Pease stated that he would like to note that because of Annmarie Harris's absence, Arthur Grant would be a voting member, and because of Rachel Rouillard's and Neil Wylie's absence, that Tracy Wood and Julian Smith would be voting members.

***The motion PASSED unanimously.***

Chair Pease stated that the Public Hearing would be scheduled for September 11, 2002.

The Board discussed when they would be able to have a site walk. They scheduled the site walk for 8:30 AM on September 9, 2002.

**IV. Public Hearing Presentation by the Oyster River Cooperative School District on a proposed expansion/renovation to the Oyster River High School located on Coe Drive.**

***David Watt MOVED to open the Public Hearing. Suzanne Loder SECONDED the motion and it PASSED unanimously.***

Bradlee Mezquita, of Appledore Engineering, gave a presentation of the proposed High School renovation/expansion. He spoke about the existing site in regard to the proposed additions and changes to the site. He spoke about the wetland impacts on the site, and the permits that have been applied for. In response to a question from Arthur Grant, he spoke about the roof runoff and the proposed drainage plan. He stated that for the parking areas, that they would be working within the wetland buffer but would not be impacting the wetland itself.

In response to a question from Tracy Wood, Blaine Cox, Oyster River School District Business Administrator, stated that existing storage buildings would be removed, and the items stored in those buildings would be moved to the new maintenance facility.

In response to a question from Julian Smith, Tom Carroll, School District Superintendent, stated that the entire community is serviced by school buses, but there are a number of students who need to drive their car to school. He stated that parking will still be restricted to only seniors.

Jim Campbell spoke about his letter to Blaine Cox regarding the drainage pipe material.

Tracy Wood suggested that, in addition to adding classroom space to accommodate the needs of the current student population, that there should be additional space provided in preparation for future population growth. Mr. Carroll stated that proposed plan would accommodate up to 1000 students, and that the 10 year projections for the population does not exceed 850 students. In response to a question from David Watt, he spoke about where classrooms might be added should additional space be needed in the future.

David Watt asked where on the proposed site plan that modular classrooms could be located while additional classrooms were built, if the population were to grow beyond the proposed capacity.

Mr. Carroll stated that the reason for the use of the modular classrooms now is because there are so few classrooms in the building. He stated that in the larger proposed building there would be more flexibility to accommodate more students, just by increasing class sizes, until new classrooms would be built.

In response to a question from Arthur Grant, Mr. Mezquita stated that the other land on the lot, not shown on the site map, would not be usable.

Don Hirst, 42 Coe Drive, asked about the environmental impact of the parking areas. Mr. Mezquita spoke about the runoff plan in regards to the wetland areas on Coe Drive.

Mr. Hirst stated that he was concerned about the impact of salt usage on a stand of pine trees on Coe Drive, as the trees are an important wind block. He stated and he was also concerned about the impact on a pond that he has on his property. Mr. Mezquita stated that they have met the criteria for the state permit and they are subject to review by the state regarding the wetlands.

Mr. Hirst spoke about his concerns regarding the parking areas, as well as with the lighting that will be added to the site.

In response to a question from David Watt, Mr. Mezquita spoke about the lighting plan for the site.

Arthur Grant stated that in consideration of the neighborhood, that lower light poles and more lights might be more appropriate.

Mr. Mezquita spoke about the proposed height of the building. He presented some elevations for the building.

In response to a question from Chair Pease, Mr. Carroll stated that parking spots will be assigned and this will relieve the traffic congestion in the lot. He stated that parking on Coe Drive will be eliminated except for that which is in front of the tennis courts.

Tracy Wood suggested that Coe Drive have limited parking hours, rather than have no parking allowed.

Julian Smith stated that he felt that so many parking spaces were not necessary and that the students did not need to bring their cars to school when bus transportation is available for them.

Arthur Grant stated that the Chairman's letter commenting on the review should indicate the concern about the height of the light poles.

Suzanne Loder stated that she would urge that the School District be sensitive to the neighbors' concerns about the neighborhood impact.

***Arthur Grant MOVED to close the Public Hearing. David Watt SECONDED the motion and it PASSED unanimously.***

- V. Public Hearing on a Subdivision and a Boundary Line adjustment** submitted by Doucet Survey, Newmarket, NH, on behalf of Charles & Susan Gonet and Edward Ricker, Durham, NH, for the purpose of creating two lots from one lot and adjusting the lot line along a third lot. The new lot will not be a buildable lot. The properties are located on Dame Road, are shown as Tax Map 19, Lots 1-2 and 2-0 and are in the Rural Zoning District.

***Suzanne Loder MOVED to open the Public Hearing. Tracy Wood SECONDED the motion and it PASSED unanimously.***

Bill Doucet, of Doucet Survey, spoke about the request for waiver requiring submission of the copy of the purchase and sales agreement.

Jim Campbell stated that he felt this would not be an issue because the owner of the property is the applicant.

Mr. Doucet stated that a note has been submitted addressing the concern of not allowing development of the property. He stated that the state subdivision approval is pending, and such would be a condition of approval.

Arthur Grant stated that he had no problem with the note on the plan that was submitted, but stated that he questioned the note referencing the "plan intent" should the plan be changed. He stated that he believed that not allowing the property to be subdivided into buildable lots should be a condition of approval.

Jim Campbell stated that the Findings of Facts that he has drafted included that no further subdivision would take place. Mr. Doucet stated that he and the Nature Conservancy have no problem with this Condition of Approval.

***Amanda Merrill MOVED to close the Public Hearing. Suzanne Loder SECONDED the motion and it passed unanimously.***

The Board reviewed and made changes and corrections to the draft Findings of Fact and Conditions of Approval for the approval of the application for Subdivision and Boundary Line Adjustment.

***Suzanne Loder MOVED that the Durham Planning Board waive 7.02 (E) of the Subdivision Regulations, requiring the applicant provide the purchase and Sales Agreement between the Nature Conservancy and Charles Gonet. Tracy Wood SECONDED the motion.***

Jim Campbell stated that although the Purchase and Sales agreement may not be necessary due to the circumstances, the Board should still waive the submission requirement. He stated that if the applicant were to submit the document it could have sensitive details blacked out.

***The motion PASSED unanimously.***

The Board continued review and discussion of changes and corrections to the draft Findings of Fact and Conditions of Approval.

***Arthur Grant MOVED to authorize the Chairman of the Planning Board to sign for the Board should Note 10 to the Plan needs to be changed to reflect the correct conservation party, without changing the intent of the note. Suzanne Loder SECONDED the motion and it PASSED unanimously.***

***David Watt MOVED to approve the amended draft Findings of Fact and Conditions of Approval for approval of Subdivision and Boundary Line adjustment. Suzanne Loder SECONDED the motion and it PASSED unanimously.***

- VI. Continued Deliberation on a Application Site Review** submitted by Smithfield Construction, Portsmouth, New Hampshire, for the purpose of constructing twelve elderly housing units. The properties involved are located on Edgewood Road, are shown on Tax Map 1, Lots 16-20 and 16-21 and are located in the Residence A Zoning District.

Jim Campbell spoke about updates to the draft Findings of Fact and Conditions of Approval for an Application for Site Review. He spoke about additional materials submitted by the applicant regarding the condominium association.

In response to a question from David Watt, Joe Caldarola spoke about the condominium association and the Expandable Land issue.

The Board reviewed and made changes and corrections to the draft Findings of Fact and Conditions of Approval for Approval of an Application for Site Review.

*Amanda Merrill left the meeting at 9:30 PM*

***Suzanne Loder MOVED that the Durham Planning Board approve the amended draft Findings of Fact and Conditions of Approval for Approval of an Application for Site Review submitted by Smithfield Construction, Portsmouth, New Hampshire, for the purpose of constructing twelve elderly housing units. David Watt SECONDED the motion and it PASSED unanimously.***

*Suzanne Loder left the meeting at 10:10 PM*

- VII. Approval of Minutes** – June 12, 2002; June 26, 2002; July 10, 2002; July 24, 2002; August, 14, 2002

***Arthur Grant MOVED to postpone Approval of Minutes until the September 11, 2002 agenda. Tracy Wood SECONDED the motion and it PASSED unanimously.***

**VIII. Other Business**

There was no Other Business

**IX. Adjournment**

***Arthur Grant MOVED to adjourn. Tracy Wood SECONDED the motion and it PASSED unanimously.***

The meeting adjourned at 10:15 PM