

**DURHAM PLANNING BOARD MINUTES**  
**MONDAY, AUGUST 11, 2003**  
**PUBLIC HEARING ON ZONING ORDINANCE REWRITE**  
**DURHAM TOWN HALL – COUNCIL CHAMBERS**  
**7:00 P.M.**

**MEMBERS PRESENT:** Stephen Roberts, Vice Chair; Rachel Rouillard; Amanda Merrill; Ann Marie Harris; Arthur Grant; Neil Wylie; Kevin Webb, Alternate

**MEMBERS ABSENT:** David Watt, Chair; Richard Ozenich; Nick Isaak

**OTHERS PRESENT:** Jim Campbell, Planner; Mark Eyereman, Consultant for town; Victoria Parmele, Minute Taker; and Interested members of the public

**I. Approval of Agenda**

*Arthur Grant MOVED to approve the agenda. The motion was SECONDED by Neil Wylie and PASSED unanimously.*

**II. Introduction**

Stephen Roberts, Vice Chair of the Planning Board, explained that he was filling in for Planning Board Chair David Watts. Mr. Roberts provided a brief introduction regarding the purpose of the public hearing, which was to allow public comment on the proposed revisions to the Zoning Ordinance developed by the Zoning Ordinance Rewrite Committee. Mr. Roberts said the committee had completed its review of Parts A, B and C and the zoning map for the Zoning Ordinance.

Vice Chair Roberts introduced Mark Eyereman, the consultant assisting the Planning Board, who provided an overview of the revisions prepared by David Watts, as well as the significant revisions which Mr. Eyereman had prepared, and a single-page summary of the changes that have been made and changes that are still in progress.

Mr. Roberts indicated articles of the Zoning Ordinance which would not be discussed at this meeting--Article 2 definitions; non-residential and overlay districts; Article 12, zoning standards; the LBD and OR districts which will be placed with several other new zoning districts including Church Hill, the Courthouse, Coe's Corner, Professional Office OR Madbury Rd, OR multi-unit, OR-Beech Hill/Tech Drive, OR0Route 108, and Durham Business Park. Article 13- overlay districts- wetland conservation, shoreland, flood hazard, aquifer protection, historic overlay, personal wireless service facilities, Part

C – performance standards for parking, landscaping, signs, lighting, and design standards. These items are still in the zoning re-write process.

Vice Chair Roberts noted that Town Planner Jim Campbell would be giving a review of the technical details involved with going through the process of making changes to the Zoning Ordinance.

Vice Chair Roberts explained that public comments would occur after Mr. Eyereman's presentation.

Town Planner Jim Campbell said this was the first public hearing in a series of hearings. He informed the public that the next hearing was scheduled for August 25, 2003. He said the Planning Board has expressed interest in continuing the hearing into September because it wants to obtain as much public input as possible. Mr. Campbell encouraged residents unable to attend the hearings to submit their comments in writing. He also noted that once the Planning Board has forwarded its recommendations to the Town Council, additional public hearings would be held at the Town Council level.

Mark Eyereman provided an overview of the significant changes which have occurred between the current draft ordinance and what people who were part of the process saw in December and January 2002. Mr. Eyereman also provided an overview of significant revisions to the proposed Zoning Ordinance amendments since the first public hearing, conducted on \_\_\_\_\_.

Vice Chair Roberts noted the work that had been done on the zoning rewrite had been in accordance with the approved 2000 Comprehensive Master Plan. He asked members for questions and comments on the proposed revisions.

Malcolm Sandberg, 15 Langley Road, asked as a point of clarification if the overlay districts were under consideration tonight. Vice Chair Roberts replied that they were not.

**III. Public Hearing on the Zoning Ordinance Revision** – The Zoning Ordinance Rewrite Committee has completed its review of Part A, Part B, and Part C and the Zoning Map for the Zoning Ordinance. The new provisions for Part A consist of the Administrative Provisions, for Part B the Zoning Districts (including the Table of Uses and Dimensional Requirements) and for Part C the Performance Standards.

***Neil Wylie MOVED to open the public hearing. The motion was SECONDED by Arthur Grant. The motion PASSED unanimously.***

Vice Chair Roberts suggested use of the "Overview of Significant Revisions" document as a way to focus the discussion. He asked members of the public if they would prefer this approach, and they said they would.

Kevin Webb added that if members of the public had prepared statements to make concerning the revisions, they should have the opportunity to present them.

**Malcolm McNeill, 44 Colony Cove Road** said he had come on behalf of himself, and commended drafters of the revised Zoning Ordinance on their efforts in translating the goals of the Master Plan. He said he would provide detailed comments in writing, and proceeded to make general comments about the changes. He said these comments reflected his feeling that the Zoning Ordinance should try to find a way of applying predictability to results before the Planning Board, to effectively balance residential and business development in the town, and to be sensitive to the private property rights of the citizens. He said some effort had been made in regard to the ordinance, but described two general areas of significant concern. The first concern related to any efforts of the Planning Board in the revisions to limit the authority of the ZBA. He said he was aware that the ordinance had not been reviewed by an attorney. Mr. McNeill said that once the community authorized the ZBA, the authority and powers of the ZBA are entirely controlled by state statute. He said that the ZBA is the escape valve if there needs to be relief from an ordinance, and said the board did not have authority to determine where the ZBA had authority and where it did not. Mr. McNeill said in his view, the community had no authority in that regard except to set criteria for special exceptions, because they only exist if criteria are set. He noted the criteria appear to have been deleted and said that the special exception process without criteria is meaningless. Mr. McNeill recommended the board consider using more in the way of special exceptions, and the use of more standards. He said he highly endorsed the Planning Board getting control of the special exception process.

Mr. McNeill said his greatest concern about the revisions to the Zoning Ordinance related to the conditional use permit, and suggested that the change in words make it far more difficult to administer than was the case before. He said that in the previous ordinance, at least relatively clear criteria were there, that if met, allowed one to say a standard had been met. He said the standards relating to conditional use permits continue to be so subjective that they provide no certainty. Mr. McNeill said that if he were representing a client, he would not even seek a conditional use permit, but instead would seek a variance. He said that property owners had the right to know if they have been judged by a standard that was universally applied. He said the Planning Board should “bite the bullet” and decide what is permitted in a zone and what is not, noting that applying “maybe” to a proposed development was worse than saying “no”.

Mr. McNeill provided some additional specific comments, which included the following:

- Discussion of “established character of the neighborhood” under Section 3: Character of Site Development on page 50 was too subjective. However, Mr. McNeill liked the language concerning screening.
- Section 4: Character of the buildings and structures. Mr. McNeill quoted from Attorney Peter Laughlin that building design could only be regulated by passage of an historic district ordinance.
- Mr. McNeill felt that some of the standards discussed in the ordinance on preservation of natural, cultural, and scenic resources crossed the line in terms of

government control over private property. He said this discouraged diversity of land use opportunities in the Town.

- Mr. McNeill said the many conditional uses listed in the OR zone should be permitted as a matter of right or excluded, rather than be in the limbo state of conditional use. He said that especially research facilities and labs should be permitted, since this zone is called Research.
- Concerning provisions for elderly housing in the OR zone, which is a permitted use in this zone for duplexes and multi-use projects. Because elderly housing always has a positive fiscal impact to community and is thought to be highly desirable use, he would suggest allowing elderly housing as single family as well, or as part of mix of housing types – for example, the Homemakers project in Rochester, which is a mix of singles, duplexes, triplexes, etc being concerned, looks to be very desirable combination.
- Prohibition of manufactured housing – consider being more open with considering it in residential zone, given growing resemblance of these homes to stick built housing.
- Minimum shore frontage requirement of 200 ft. in OR zone seemed to be a grossly unreasonable standard, especially when the town has both the state and local shoreland protection acts in effect.
- Suggested that for zones where is felt should be used for other than residential use, the following additional uses should be considered: OR zone – hotels, theatres, hospitals, warehousing with appropriate controls. Mr. McNeill also spoke about an ETP Zone he had helped draft for the City of Dover to bring in Liberty Mutual relates to uses permitted as matter of right: labs, computer and data processing facilities, offices, and other uses that would not be offensive to neighborhood – manufacturing of drugs, computing and accounting machines, radio and TV equipment, etc. He said that if a company comes to Durham, and says it wants to be located close to UNH, want to employ people, help you with your tax base, they can look at this list, and the Town hopefully can say yes.
- Suggested there should be no height limit in the OR zone, but if there was one, to pick either 30 ft or 35 ft., but not both.

Neil Wylie asked what ETP meant. Mr. McNeill replied “Executive and Technical” zone, which was designed to develop what it appears Durham is trying to bring to the OR zone.

Mr. McNeill stated that the 2001 Simplex standard on the effective balancing test the Supreme Court came up with what could be considered as criteria for many of the uses that town feels cannot be permitted. Mr. McNeill said he would have comments on the conservation subdivision, but in the absence of subdivision regulations completion, it was hard to comment on that yet. He concluded saying that the Zoning Ordinance which had evolved was very large, it was three years out from the Master Plan, and also that the degree of uncertainty in town regarding allowable use of property was great. He asked the Planning Board to try to bring closure to the process, and in a form that recognized there is an inherent balancing act that needs to take place, which recognizes the constitutional right of people to know what the limits are on their property, and not be

subject to subjective standards. He said that his greatest concern regarding uses that we wish to bring to the community is that they are masked by such undefined standards.

Jim Campbell noted that most of the uses Mr. McNeill had listed most likely would be included in one or more of those zones.

**Chris Bolt, lawyer with Donahue, Tucker and Ciandella**, said he represented Green and Co., an “almost” property owner in Durham. They have a contract to buy Jesse Gangwer’s property. He said that the changes to the zoning map put this property, which was previously zoned residential, into OR zone. He said there were significant wetlands between the right-of-way for Route 4 and the useable portion of the tract, and that the remainder of tract and access is through Madbury. Mr. Bolt said they have been working on developing the tract in as “green” a way as possible. He said the change in zoning made no sense, because this specific tract did not fit into the OR framework, including the fact that it did not have the commercial type of access and frontage that companies and the Town would want. He said the tract is also adjacent to a residential subdivision. Mr. Bolt requested the tract be put back into the RB zone. He also requested additional time in the future to comment on other aspects of the revised ordinance, having just seen most recent changes for the first time.

Arthur Grant asked if Mr. Bolt was implying that the Planning Board had very recently rezoned the tract, explaining that the tract was in the OR zone in December of 2002 and was drawn from the Master Plan, and that nothing had been done recently to slip in that change.

Mr. Bolt said he was not implying that, but had only recently observed that the tract was in the OR zone. He said the comment still held that the tract was not the type of property that belonged in the OR zone, and might well rob the economic value of the tract for Mr. Gangwer.

**Dick Lord, 85 Bennett Road**, asked for clarification of the permitted uses tables on page 88. He said he lived in the Rural district, and that in looking the table of permitted uses, it appeared that he could have an apartment as a permitted use. He said he might want to change an existing studio area in his home into an office for professional person in the future, but that it appeared this was not a permitted use in that district. He asked if he decided he wanted to have a home business, and also decided to create a limited liability corporation so he could protect that business and gain the tax advantages of renting space in his home for a home office, if that was a violation of the ordinance. Mr. Lord said that renting an office to a professional person potentially would have far less impact than a student renting there, and considerably less than a home business.

Kevin Webb noted that Mr. Lord had made a good point, and that this needed to be looked at. Neil Wylie and Vice Chair Roberts agreed.

**Jesse Gangwer**, owner of 50 acres being rezoned from agriculture-residential to the OR zone, spoke about the same tract earlier discussed by Mr. Bolt. He said that some years

back, he was asked to open up a portion of another tract (150 acres) for an office and research park, and was cooperative, but the idea fell through. He subsequently went to the Town and asked if it wanted to buy the 150 acres. Mr. Gangwer said the Town did not as it already had an office park. He said he then subdivided it, and sold each of the abutter's portions of the land. Mr. Gangwer said he did not think the Town really wanted an office and research park, and felt the only reason the Town was rezoning his 50 acres and the rest of the acreage was so it could say there was an office park in Durham, even though no one would want to build on it because they would have to go through the town of Madbury in order to do so. He said he was working with the Green Company to sell it, and would do everything he could to work with them. Mr. Gangwer said he felt he had previously done all that he possibly could to work with the Town to get an office park.

**Jack Farrell, Little John Road**, said that he had been on the Master Plan Steering Committee, and had been chairman of the subcommittee on land development regulations. He said that the board had done a great job to implement a good part of what the subcommittee had discussed and recommended. However, he said that not being able to see the whole package--the revisions to the conservation subdivision regulations of the Zoning Ordinance along with changes to other regulations, made it hard to evaluate where things are going. He said the resource-based concept, which he had been involved in addressing in the land development regulations subcommittee, had focused on the issue of the wide spectrum of soils quality in Durham and the relevance of this to density issues. He commented that the draft changes to the Zoning Ordinance address soils too simplistically by using just the categories "wetlands" and "non-wetlands", and said that under the revised ordinance, if a landowner had soil that is non wetlands, he/she could do anything with it.

Mr. Farrell said it was important to be able to incorporate natural resource information into development considerations, which he said seemed to have been the purpose for the resource-based concept. He said that if the Planning Board were to apply the rules as now drafted, there would be a cookie cutter approach which might be making it easier to put in more units on a given piece of land. Mr. Farrell said the board had thus opened the gate a little wider.

Neil Wylie said he had been trying to understand the soils-based rationale, and one issue he had focused on was the septic system aspect. He said that in looking at the State regulations, the State in the worse soil conditions, requires 90,000 sq. ft, while the Town requires 120,000 sq. ft. Therefore, he did not understand why the Town should be concerned if it is already over what the State requires. Mr. Farrell replied that the State had minimum standards, but that many NH communities have soils standards in excess of state standards, so Durham would not be the first. He said if the Town intends to take a more proactive position in protecting some of this land before it gets into the process, when it's too late for the most part, it needs to push the envelope a bit in terms of exceeding state standards. He said from his experience in Durham, it was important to distinguish between those soils that are marginal and those that are really good, and that the Town needed to be able to recognize a variety of soils. Mr. Farrell said the focus of his subcommittee was not on the demographics of development, but on development

potential as it related to natural resources in the town. He said everyone knew of properties in Durham that should not have been developed.

Amanda Merrill asked Mr. Farrell if he was saying that the new language proposed for the Zoning Ordinance would allow a greater number of units on a given piece of land than the old language would. Mr. Farrell responded in the affirmative.

Vice Chair Roberts said the board was involved in doing buildout calculations. He also said that one of the items on the list was the use of overlay districts as a technique to control development that could hold up in court. Mr. Farrell replied if that was an integral part of what the conservation subdivision approach was supposed to be, it should be in the packet. He said he could not provide final comment on the ordinance changes until he saw all the pieces.

Arthur Grant said they had developed draft revisions to the subdivision regulations in July, and asked Mark Eyereman if he had incorporated the changes into the draft. Mr. Eyereman replied that it was about 90% complete.

Mr. Grant said the revisions laid out the process. He acknowledged the difficulty of evaluating the Zoning Ordinance revisions without also seeing an update of the subdivision regulations, and felt the board could make a draft of the regulations available.

Neil Wylie said it would be great to get the information on soils from Mr. Farrell, but asked whether in the end the Town should be preserving more of the best land in open space, or building on the best land and preserving the land that was not as good. He said his concern was that the Town could do a soils-based analysis, but then what were they supposed to do with that information.

Mr. Farrell said that was something the subcommittee was trying to determine. He said that the most severe restrictions on a property, which were physical, needed to be considered first, then additional layers, such as wildlife, farmland, etc, could be factored in so that all these layers of information would be considered together as part of a process.

**Beth Olshansky, Packers Falls Road**, thanked the Planning Board for its hard work in revising the Zoning Ordinance, including the work in connecting the Zoning Ordinance to the goals of the Master Plan. She said she appreciated the fact that Jack Farrell came to help clarify what the intentions of the land development regulations subcommittee were.

Ms. Olshansky submitted a document entitled “Land Development Regulations” for the Planning Board to consider. She quoted recommendations from the Master Plan that conservation based development design should be adopted as the only “by right” development method for all residential zones. She also quoted the portion of the Master Plan that said the Town should adopt soils-based density standards for all residential developments in areas not served by public water and sewer.

Ms. Olshansky said her document showed an adjusted tract acreage approach (taken from Randall Arendt's book on conservation based development design) where various types of constrained land would be deducted from the total gross tract area. She noted that Arendt said this type of land was not meant to be built on, for a variety of reasons. She also noted that the document she was submitting included a "Durham Usable Acreage Definition/Determination" which represented a combination of the current draft of the Durham Zoning Ordinance and the approach taken by Randall Arendt in *Growing Greener*. She said that Jack Farrell had a good handle on how to calculate this, and said she hoped the board could take advantage of his expertise.

Ms. Olshansky spoke of a specific development parcel in the Town, and said that one could build more houses there now than before, based on the proposed changes to the Zoning Ordinance. She said her global concern, as an advocate for conservation zoning, was that as we move the same number of houses onto half of the space, and put them near the roads, visually we will create dense housing along our rural roads, with conserved land tucked in the back. She said she hoped the Planning Board would consider that as they moved forward.

Ms. Olshansky agreed with Attorney McNeill that conditional use permits should be eliminated as an option in the Zoning Ordinance, but also said that if the option to use them remained in the ordinance, development proposals asking for them should be considered at more than just the Planning Board level. She said there needed to be another set of eyes to evaluate them.

**Richard Gallant, 594 Bay Road**, said he had asked for a soils map from the Town the previous week and was told there was none. He asked how one could make a judgment about what could be done with a piece of land without a soils map. He said other towns like Durham facing development pressures such as Rye, have soils maps.

Mr. Gallant also commented on proposed changes to the Zoning Ordinance that appeared to limit the authority of the ZBA. He said that if these proposed changes are deemed illegal, at least the Town should have representation in some legal way before the board, so the board can make a judgment between two opposing parties. Mr. Gallant referred to the Simplex case. He said the case was very narrowly defined, yet was being thrown around frequently these days, in requests for variances.

He said he did not think the ZBA powers should be limited and that ZBA board members were honorable citizens trying to do the right thing but who do not have enough information from the opposing point of view.

**Peter Smith, 100 Piscataqua Road**, said he very much appreciated the job before the Planning Board in revising the Zoning Ordinance, noting that he had previously been on the Planning Board for nine years. He also said it was enlightening to find himself in the position, as a Town Council member, of having to work with what the Planning Board has created.



Mr. Smith said he agreed with Mr. Gallant's comment regarding the proposed limiting of ZBA authority. He also said he agreed with some of Malcolm McNeill's comments concerning conditional use permits, based on his years of experience working with the concept as a Planning Board member. He said that while he acknowledged that the present Planning Board had gone to great lengths to deal with the difficulties inherent in the conditional use permit concept, he could not agree that the concept should remain in the Zoning Ordinance.

Mr. Smith noted that it was an awesome power to say what someone could and could not do with his/her land, and thus there was a strong tendency for a Planning Board to want to hedge somewhat, and the way to take some of the edge off of might appear to be to include a "maybe" option regarding potential development, with a conditional use permit option. Mr. Smith said that as he lived with the conditional use process, he began to see more and more how difficult it was to deal with "maybe". He said that while attempts could be made to clarify the decision-making process, through developing a variety of objective criteria and standards, that frankly in the end the Town would be kidding itself if it thinks these difficulties have been avoided.

Concerning the role of the Town Council in evaluating conditional use applications, Mr. Smith said he did not think the Council should play such a role (he reiterated that he did not really want the Planning Board to play such a role either). Mr. Smith also spoke about proposed changes to language in the Zoning Ordinance concerning special exceptions. He agreed that there had to be some means of providing flexibility concerning proposed land changes/development, but he said he would want to see special exception as a very narrow concept when it comes to altering the use of the land. He also said that to the extent that a special exception exists, it has to be based on reasonably stated criteria.

Mr. Smith made a number of other more specific comments regarding wording of the proposed revisions to the Zoning Ordinance, including a comment on wording regarding fiscal and other impacts. He said the wording "likelihood of economic success" should be added, because if one was trying to balance interests, it should be part of the meaning of fiscal analysis.

Mr. Smith also had a general comment about the way the Zoning Ordinance addressed the shoreland areas of Durham. He said the tendency in planning and zoning was to think from the perspective of someone who owned land along the shoreland. He said it was important to include wording that also reflected the point of view of people who do not own land in the shoreland.

Peter Smith had one last comment that reflected his concern about the existence of the conditional use process. He said the process of trying to get a permit was sufficiently complicated that those people who have the financial and other resources to follow it have a significant advantage over those who do not.

**Malcolm Sandberg, 15 Langley Road**, said he was impressed by how thoroughly the Planning Board had incorporated public comments into the draft revisions of the Zoning Ordinance. He said he had made detailed notes in the margins of his copy of the document, and would give these notes to the board. He said he would take the present time to address some fundamental issues regarding the Zoning Ordinance.

There was discussion at this point, and at various times at the hearing, about the importance of consistently using/defining the word “acre” in the Zoning Ordinance.

Mr. Sandberg said, concerning the conditional use process, that he was inclined to support a Zoning Ordinance that provided predictability to landowners and potential landowners. He said there was a great deal to be said for saying yes or no, so that then the landowner could take it from there. Mr. Sandberg said the Planning Board appeared to be set on continuing the conditional use process, and noted that the list of possible conditional uses had been shortened.

Mr. Sandberg said that if the Zoning Ordinance was going to address the character of buildings, why not adopt architectural standards throughout the Town. He said this would be a good idea especially if we are interested in maintaining and enhancing the look of established neighborhoods in the Town. Mr. Sandberg said one of the ways one could introduce historical character was through an overlay district. He noted that the Historic District Commission has developed revisions to its overlay district, which extend the boundaries of the district, and thus represented a fairly extensive area of the Town. He said the board might want to give favorable consideration to the recommendations of the HDC, and then take a look at what we would have in the way of standards in those areas where we are considering conditional use.

Jim Campbell said he had not seen a recommendation to extend the boundaries of the district, and wondered if the Historic District Commission actually put that into the document. Mr. Sandberg said it had.

Vice Chair Roberts asked how Mr. Sandberg would accomplish what Beth Olshansky had recommended concerning conservation subdivisions, and putting houses on continuous basis along the roads. Mr. Sandberg said this was an issue he would be addressing at some point.

Mr. Sandberg also said that if the Planning Board decided it wanted to continue to use conditional use permits, he was not convinced the Town Council should be excluded from the process. He said the wording in the existing ordinance had been acknowledged to be difficult, but didn't agree with the revisions where the Town Council is ruled out of the process. He said the Zoning Ordinance is finally approved by the legislative body and says what someone can do. When someone comes along looking for a conditional use, they are really asking for a condition to amend the law. The legislative body made the law, and should basically provide for the exception to that law. He said he still thought the Planning Board should be involved, should hear requests and make a recommendation to the legislative body. If the PB endorsed the conditional use, then the

legislative body, which has interests other than land use, such as fiscal impacts, should have the final say. And the Zoning Ordinance should clearly say that the town council would not be restricted to strictly fiscal issues, but should be able to review the entire application to determine if, in its opinion, it is in the best interest of the town to change the law.

Mr. Sandberg commented on the Table of Uses starting on Page 84. He said the Master Plan looked out 30-50 years, and proposed that the Town try to achieve certain development patterns over time, which would involve a gradual phasing in of growth. Mr. Sandberg said he was concerned that the table in the revised Zoning Ordinance suggests that we may be allowing uses today in 2003 which for good planning purposes might not be quite right now, and may be more relevant in 10 or 20 years. He wondered if too much was being allowed too fast for the town to be able to keep up with demands that might be imposed on the town once the barn door was opened. Mr. Sandberg said the Master Plan stated that the town of Durham should grow outward from its centralized base, in response to the demands of regional growth, and said he was concerned that much of the development in the town was taking place on the outer portions of the Town.

Mr. Sandberg said that increasing setbacks, and requiring buffers were effective ways to limit the impact of growth.

Amanda Merrill asked Mr. Sandberg if he had recommendations concerning other impacts of growth, for example, schools. He suggested a decrease in net yield, and said it would be more productive for us to be more restrictive today, and less restrictive later on.

Vice Chair Roberts suggested the usefulness of overlay zones as a growth restriction technique, which could keep us out of court issues regarding State recommended lot sizes yet lets us accomplish the same type of goal.

Mr. Sandberg said it might be useful for the public to see a table of what we have under the existing Zoning Ordinance, and what we would potentially get based on the revisions. He said his deepest concern was with the phasing.

Mr. Sandberg's final main comments related to the Residence Coastal Zone. He said he noticed a number of places where certain uses were permitted in the Rural zone and in the RC zone but not in the RA and RB zones. He said he was especially concerned about the permitted use of kennels in the OR zone, RC zone and Rural zone. The RC zone puts kennels on the edge perhaps of a body of water, and said from personal experience that the noise from a kennel carried on the water and could be offensive. He said he felt the Residence Coastal zone is as much a "residence zone" as the RA and RB zones, so that if something is not good in the RA or RB zone, it is also not good, and in some cases is less good, in the RC zone.

#### **IV. Other Business**

***Neil Wylie MOVED to continue the public hearing concerning proposed revisions to the Zoning Ordinance to August 25, 2003. The motion was SECONDED by Kevin Webb and PASSED unanimously.***

**V. Adjournment**

***Neil Wylie MOVED to adjourn. The motion was SECONDED by Arthur Grant and PASSED unanimously.***

The meeting ADJOURNED at \_\_\_\_\_ PM.

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Amanda Merrill, Secretary