

**DURHAM PLANNING BOARD  
WEDNESDAY, OCTOBER 8, 2003  
TOWN COUNCIL CHAMBERS, DURHAM TOWN HALL  
7:00 P.M.**

**MEMBERS PRESENT:** David Watt, Chair; Stephen Roberts, Vice Chair; Arthur Grant; Neil Wylie; Nick Isaak; Kevin Webb, Amanda Merrill; Richard Ozenich,

**MEMBERS ABSENT:** Rachel Rouillard, Annmarie Harris

**OTHERS PRESENT:** Jim Campbell, Town Planner; Todd Selig, Town Administrator; Paul Beaudoin, Business Manager, Victoria Parmele, Minute Taker; members of the public

**I. Approval of Agenda**

Chair Watt said that Richard Ozenich would be a voting member that evening.

*Arthur Grant MOVED to approve the agenda. The motion was SECONDED by Richard Ozenich, and PASSED unanimously.*

**II. Report of the Planner – Jim Campbell**

Mr. Campbell said he, Mike Lynch and Bob Levesque had met with UNH representatives concerning the draft request for qualifications for the Main Street enhancements project, whose planning and design phase would be starting at the end of next year.

He also said he had attended a CIRPS (Center for Integrated Regional Problem Solving) Advisory Committee meeting on Friday, Oct. 3, 2003, which was a follow-up to a symposium held in September.

Mr. Campbell said noted he had attended the NECAPA (Northern New England Chapter of the American Planning Association) conference, and told Board members he had been nominated to be co-editor of the NH Planners Association newsletter.

Mr. Campbell said the hotel project was moving forward. He noted the HDC had recently met to discuss the application, and had scheduled a public hearing on the application for Oct 23rd. He also said that the Town Council had decided not to hear the Conditional Use Permit application until the HDC had completed its review.

Mr. Campbell said there was one new application for the next meeting--a conceptual review of a conservation subdivision for the Craig Meadows subdivision. He told Board members

there had not yet been word from Superior Court on the court decision.

Arthur Grant requested that Mr. Campbell ask the Town Attorney if it was appropriate to discuss the proposed conservation subdivision when the court case was still pending.

Neil Wylie said he didn't see how the Board could objectively hear the Craig Meadows project, even at the conceptual stage, while the case was still pending.

Jim Campbell said he would get a written opinion from the Town Attorney on this matter.

Mr. Campbell said he had recently spoken with Doug Bencks, UNH Planner, on a number of issues, and said the Town was waiting for a letter from UNH in relation to the T-mobile application. He said he and Mr. Bencks also discussed a proposed manure equipment building, located near the Dairy Bar. Mr. Campbell also said there had been no movement on the police station, although the station is planned for the Mast Road Extension area. Finally, he said he and Mr. Bencks spoke about plans for Quad Way and Craig Supply.

- III. **Acceptance Consideration of an Application for Boundary Line Adjustment** submitted by Gamma Theta Corporation, Portsmouth, New Hampshire on behalf of themselves and Granite Bank, Durham, New Hampshire to change the boundary line between two properties. The properties involved are shown on Tax Map 2, Lot 14-2 and Lot 14-5, are located at 66 and 70 Main Street and are in the Central Business Zoning District.

**Jonathan Hutes**, an alumni board member of Gamma Theta Corporation, spoke before the Board, and apologized for not being at the previous Planning Board meeting. He explained that the parcel in question had been leased to Granite Bank for 15-20 years, and recently the fraternity's board members had decided to sell it the parcel, which presently is used by the bank as a parking lot. He said the parcel had approximately eight parking spots. He noted it was an unbuildable lot, and it made sense to adjust the boundary line and sell the lot.

In answer to a question from Arthur Grant, Mr. Hutes said the parcel in question was the back parcel with the catch basin. He explained that two adjacent parcels owned by Gamma Theta were being leased to the bank, but the fraternity would be keeping the front parcel. Concerning the conditions of approval for the application, Mr. Hutes explained that these had been met, including screening for the dumpsters.

Jim Campbell noted that comments from Zoning/Code Enforcement Officer Tom Johnson had been incorporated into the conditions of approval.

It was noted by Board members that because this application represented a modified procedure, a public hearing was not required, but members of the public could speak if they desired. Jim Campbell said there was sufficient information to accept the application that evening.

***Neil Wylie MOVED to accept the Application for Boundary Line Adjustment submitted by Gamma Theta Corporation, Portsmouth, New Hampshire on behalf of themselves and***

***Granite Bank, Durham, New Hampshire to change the boundary line between two properties. The motion was SECONDED by Nick Isaak, and PASSED unanimously.***

Chair Watt said Kevin Webb would be a voting member that evening.

There were no comments from the public, and the Board agreed it would deliberate on the application. The conditions of approval were read for the public.

Kevin Webb suggested under the Conditions of Approval that #7 should say “Planning Board Chair” instead of Planning Board.

***Arthur Grant MOVED to approve the Application for Boundary Line Adjustment submitted by Gamma Theta Corporation, Portsmouth, New Hampshire on behalf of themselves and Granite Bank, Durham, New Hampshire to change the boundary line between two properties. The motion was SECONDED by Richard Ozenich, and PASSED unanimously.***

#### **IV. Discussion of Draft Capital Improvement Program (CIP).**

Chair Watt explained to the public that the CIP was a plan the town put forward every year to identify needed expenditures to improve the Town’s infrastructure, equipment, etc. He said it technically originated with the Planning Board, but in reality originated with the Town’s professional staff.

Town Administrator Selig said the CIP was an important planning document. He said the intent over the past three years had been to align the CIP closely with the operating budget, as well as long term budgetary projections, in order to make the CIP a meaningful physical projection of where the Town was headed concerning its long term projects.

He said there had recently been improvements made to the CIP, including extension of the time horizon to 10 years, instead of the previous 6 years, so the CIP would be able to provide the Town with a better view of the long-term. He also said the CIP included a detailed fiscal forecast, presented department by department, and incorporating operational expenditures but also long-range capital projects, so there would be a clear bottom line sense of the tax rate impact of each project. He noted the general fund and also the water and sewer funds had been broken out this way. He also said many of the projects listed were public works projects, and told Board members the Public Works Director would be present at the next Planning Board meeting if the Board had questions for him on the CIP.

Mr. Selig stressed that the document which Board members were seeing was a draft. He said comments received would be incorporated into it, and the CIP would then be finalized within the next four weeks, in time for the budget presentation before the Town Council.

Chair Watt asked Administrator Selig to explain what the Town Council did with the CIP once they received it.

Administrator Selig explained that the Town charter calls for the Town Administrator to develop the CIP, and present it to the Planning Board in October, finalizing it and once the Planning Board has made its comments, finalize it and present it before the Council in November. He said that technically, the charter envisioned the finalized CIP going to the Planning Board in October, but said in the effort to align the CIP closely with the budget, the decision was made to move forward a Draft of the CIP in October, to both Boards. He noted that Town Councilors have received copies of the Draft CIP. He said when they receive the finalized CIP, because it is aligned with the operational budget, the Council will review and adopt the CIP, the first year of which will actually be included line by line in the operational budget. He stressed that the only year of the CIP that would be a sure thing would be that first year of the program – 2004. He said the numbers for 2005-on would be planning projections, representing the Town's best guess of projects needed, and their costs.

Stephen Roberts asked if the 2004 amounts were based on quotes or estimates. Administrator Selig said they were based on a combination of the two.

Mr. Roberts also asked if inflation was incorporated into the numbers. Mr. Beaudoin said that for most expenditures he used an inflation rate of 5% per year, and for most revenues, he used an inflation rate of 3% per year.

Administrator Selig said he and Mr. Beaudoin would discuss the way the revaluation, and also the \$ 2.5 million land acquisition bond, were factored into the projections.

Paul Beaudoin said he wanted this to be a useful document that could be used in planning for the future of the Town. He said ideas gathered last year from the Planning Board and other were very helpful, and showed that the CIP actually could work. He said as Todd had noted, the valuation increase and how that should be showed in the CIP was still being worked out.

Mr. Beaudoin next went through the key details of the draft CIP document.

**Conservation Commission \$2.5 million Bond for Land Acquisition, and also another \$100,000 for land acquisition, for a total of \$2.6 million.** Mr. Beaudoin said the additional \$100,000 had been put into the budget, and said it would only be spent if funding was received from the Federal government. He said there was a neutral impact on the budget because the money allocated would only be spent if matching money came in.

Arthur Grant asked if that \$100,000 was separate from the bigger \$2.5 million and was money the Conservation Commission could use to acquire land it identified. Administrator Selig said they could, and that in addition, \$10,000 was appropriated for operational expenses for the commission. He said a contingency fund of \$50,000 had been appropriated for the last two years, for unanticipated events, and if not needed, they lapsed into separate account set up for land conservation purposes. He said this money could also be used for recreational purposes if the Council desired this.

Kevin Webb noted the Conservation Commission had the change of use fee funds available to it, and that figure was presently about \$250,000, and had not been spent in several years.

**Woodridge Tennis Courts** - Mr. Beaudoin said the Public Works Dept proposed to spend \$135,000 to revamp the tennis courts, and said this work would involve re-grading and repaving, which should last for another 20 years.

**Athletic Fields** – Mr. Beaudoin said the proposed location for the fields was the town gravel pits on Packers Falls Rd, and the four year plan was to build two athletic fields on the site, with the fields ready for use by the public by the 5<sup>th</sup> year.

Richard Ozenich asked if the gravel being removed was sellable. Mr. Beaudoin said he hoped it could be sold to help offset some costs.

Administrator Selig asked Board members if they thought this location for the fields would be good. Various Board members said this seemed to be a good location, and agreed there was certainly a need for them.

**Vehicle Replacement – police department**

Mr. Beaudoin said a two vehicle per year replacement cycle for the police department makes sense because once vehicles no longer are used by them (after 3 years), they get used by other town personnel, so are used until they are ready for the junkyard. He said the better these vehicles were maintained at the front end, the longer they could be used for other town staff.

Stephen Roberts made a general comment that it would be helpful to know if the various items in the CIP reflected projected growth in the population of the Town. Mr. Beaudoin said for the most part it did not, and Administrator Selig said this depended on the particular item.

**Cisterns** - Mr. Beaudoin said the Fire department was requesting funding for 4 years, to develop cisterns in the outlying areas of the Town not serviced by municipal water. He said this would allow better fire fighting ability in those areas, where water is also not available from other resources – ponds, etc. Mr. Beaudoin noted that the Fire Chief was requiring that new developments have their own cistern built in for fire protection. In answer to a question he said one new cistern per year was proposed.

Kevin Webb asked if the cistern requirement for new development had been put into the Zoning Ordinance. Administrator Selig said he would check with Jim Campbell on this. He noted that a cistern requirement for subdivisions over a certain size, as a condition for approval, had been very effective in New Boston, NH. Board members said it was important to consider the threshold for such a requirement.

**Road Resurfacing Program** - Mr. Beaudoin said that realistically this was a 14 year program, but that it was addressed over a 10 year period in the CIP. He passed out an updated version of the road program. Administrator Selig said the major change from the previous version was the moving up of the work to be done in the Wood Ridge neighborhood to 2004, based on a petition from many of the residents of the neighborhood. Mr. Beaudoin

said they tried to keep the cost of road resurfacing to approximately \$250,000 per year.

Stephen Roberts asked if the plan included paving of formerly unpaved roads that might then be suitable for development, and was told it did not.

Neil Wylie said it was important, over the long-term, to look at the impacts of changing the elevation of the road, such as drainage problems, and blending of curbs in with the road-- problems which once existing, were hard to reverse. He noted some of the curbing on Madbury Road had become dangerous because of this. He suggested reclamation of material made more sense than simply adding another layer of asphalt in some areas, and also suggested in some cases sidewalks should be raised.

Kevin Webb asked about priority coding in the CIP, and asked if this was a ranking. He was told it was.

**Sidewalk reconstruction of Pettee Brook Road, between Madbury Rd. and Main Street**

Paul Beaudoin said this item was originally scheduled for 2003-2005, and was pushed back so it would take place from 2004-2006. He said the project included redoing the sidewalks and adding enhanced street lighting, similar to what is on Main Street, and trying to make that area of Madbury Rd. and Pettee Brook Rd. similar in appearance to Main St.

**Sand Storage Shed** - Mr. Beaudoin said this was needed in order to be in compliance with the Town's Stormwater II permit.

**Stormwater II Project** – Mr. Beaudoin said this was required, under federal regulations, and this particular money would be spent on having an engineering firm gather information on the Town's stormwater program, and put this information into GIS mapping. Jim Campbell said the project was broken out over several years, and noted that Bob Levesque had given a presentation to the Board on this, and also said they had received a stormwater management plan some time back. Administrator Selig said one of the components of the stormwater program was to mark drainage grates in the Town, and noted that UNH students had helped mark these areas. He mentioned to students in the audience that this information needed to be updated.

**Wiswall Bridge Replacement** - Mr. Beaudoin said money was allotted for engineering in 2004, and money would be spent for construction and repairs in 2005. Jim Campbell noted that the majority of that money would come from the State.

Neil Wylie suggested that construction of a wood bridge, made out of wood composites, would be a great idea.

Stephen Roberts asked if any provisions had been made for pedestrians.

Administrator Selig noted the small park located at one end of the bridge, and said that as part of the project, wood railings would be extended on either side of the bridge to keep

people from parking inappropriately.

Stephen Roberts asked if neighbors of the bridge had been shown the plans for the bridge, and was told they had not, but a public hearing was planned to present the plans.

**Repair of Wiswall Dam** - Mr. Beaudoin said there were severe cracks in the foundation of the dam. He said it was not clear whether the federal funding for the fish ladder at the dam was going to come through, and explained that doing the dam repairs in conjunction with this would save money.

Chair Watt asked if a study had been done on dam removal, and if so, what its conclusions were. Administrator Selig said the process was not complete yet. He said mapping of the bottom of the upstream side of the river was being done to determine the water capacity in that area, and also said there had been talk about whether the area behind the dam could be used to possibly recharge the Spruce Hole aquifer. He said it was also being considered whether some large water storage tanks should be located in the area behind the dam. He said these ideas related to the Town's desire to insure that its water supply be maintained.

Stephen Roberts asked about the age of the dam. It was noted the dam was in place when the industrial mills were operating on the river.

Kevin Webb said he was surprised the project was rated so low.

**Pump house renovations** - Mr. Beaudoin said the renovations would be made to the exterior of the building. He noted the Town owns the building, which is not being used for anything right now, and is an eyesore.

Neil Wylie asked if the building could possibly be removed. He said he had not realized the building was not being used for anything.

Administrator Selig said the building had no functional use at the present time. He said there had been some talk about transforming the building into bathrooms, but that had not been pursued. He agreed that if the building was not going to be used, the question of possibly removing it was valid.

**Flow Gauge on Upper Side of Wiswall Dam, as part of impoundment, to measure inflows** - Paul Beaudoin said the Town didn't presently have a way to measure these inflows. He said this project was included under the Town's water fund. (He noted that the previous projects discussed were part of the general fund).

Kevin Webb said \$30,000 seemed like a lot of money to spend for a manually read flow gauge.

**Improvements to Wastewater treatment plant** – Mr. Beaudoin said money had been allocated over 5 years, from 2004-2008, for regular maintenance and upgrades to the facility.

He said the work was paid for through the wastewater fund, and also said two thirds of the money for the operation of the facility came from UNH.

Stephen Roberts asked what the present utilization of the plant was, and was told it was 51%.

**Major Phase III of Wastewater treatment plant improvements** - Mr. Beaudoin said this involved placing of the outfall for the treatment plant further down the Oyster River, in order to improve the dilution rate. He said the area where the outfall currently flows in is not deep enough to sufficiently dilute the outfall from the plant, and that by moving the outfall further down toward the mouth of the river, this dilution would improve. He said a plan was still in the works to get all of the seacoast communities together to contribute toward a regional outfall, but said that if this didn't occur, the Town had to have its own plans in place in order to satisfy the dilution requirements of its permit.

Kevin Webb asked if this regional outfall would include Maine, and was told it just involved New Hampshire.

Arthur Grant asked if UNH was a participant in discussions on the proposed regional outfall, noting they had a marine lab on the river and did a lot of ocean research on Great Bay. Jim Campbell said he believed they were involved.

Administrator Selig said an alternative to moving the outfall was to dredge the river to make it deeper at the present outfall location to allow better dilution. He noted this would also address some recreational issues, especially relating to the UNH crew team, which currently had a limited time to practice because of the changing tides.

He said there was some question whether the dredging would sufficiently improve the dilution rate. He also said some property owners in the area were concerned that the dredging might mean more recreational use of the river, and he also said there were questions about possible impacts to the local ecosystem.

Arthur Grant asked whether the proposed \$50,000 for design costs included the cost for studies on the outfall and alternatives, or would that be covered under some other program. Administrator Selig said the regional outfall study was being undertaken by the State of NH. He said the dredging study had utilized grant funds previously, but that he needed to check on where it presently stood.

**Roof Replacement for Sludge Re-processing Plant** - There was no discussion on this item.

**Fire Dept. Upgrades** - Mr. Beaudoin said the upgrades involved installation of central air conditioning, and installation of sprinkler systems. He noted this was a contingency proposal, if a new building wasn't going to be built.

Neil Wylie said sprinklers were something that perhaps the landlord (UNH) should provide. It was also noted it was ironic that the fire station didn't have sprinkler system.

**Fire Station Replacement** - Stephen Roberts asked if the new fire station and upgrades



increased the Town's ability to service additional areas/structures in the Town. He asked about the Town's present capability to respond to fires. Paul Beaudoin noted that the Town had agreements with surrounding towns about providing mutual aid, so this represented additional capacity.

Administrator Selig said construction requirements for new construction largely addressed the issue of retarding fires before the fire department could arrive. He also said the Town was fortunate that the UNH Fire Dept existed, and said this would allow the Town to deal with the fire protection aspects of most types of industrial development. But he noted that the current fire station was fully occupied and was not the most comfortable work environment for fire department staff.

**Main Street project** - Administrator Selig said this project ran from Pettee Brook Lane to the Route 155A interchange, and that the Town's contribution would cost \$125,000. He said the total project was much more, but grant funding for the larger amount did not come through. He said they originally co-applied with UNH for the funding. He noted the contribution the Town was making was essentially just for the overlay of the roadway.

**Replacement of Water mains on Madbury Rd., Woodman Rd., and Matthews Terrace.** Mr. Beaudoin said there had been numerous breaks in these mains in recent years because they were old, so they needed to be replaced.

Arthur Grant asked if the road would have to be repaved when the main were replaced, and Administrator Selig said they would check on that.

#### **NW-SE Transportation linkage**

Jim Campbell said the money would be used for a feasibility study/needs assessment. He said there was no dedicated funding for the studies, and it was not eligible for the CMAC grants. He said he was looking into other grant money for it, and said the Master Plan said that if outside funding could not be found, the Town would have to come up with the money itself. He noted the study was scheduled for 2006, but said if there was any way to move it up, he would.

Neil Wylie said he would also like to see the study done sooner.

#### **Downtown Sidewalks**

Jim Campbell said the funding did not come through for the Transportation Enhancement grant, but there would continue to be discussion on a 20% match with UNH.

Neil Wylie suggested that wording in the CIP implied the sidewalks would be made accessible to bicyclists. Jim Campbell noted the language was a holdover from a previous grant proposal that included a bike lane, and would be removed.

#### **Playground Equipment**

Mr. Beaudoin said the equipment was over 25 years old, and the structures were built out of pressure treated wood. He said this would be replaced with modular aluminum and vinyl

equipment. In answer to a question from Amanda Merrill, Mr. Beaudoin said the structure would be about the same size as the present one.

### **Repair of Crommets Creek Bridge**

Administrator Selig noted there had been plans to replace the bridge, but that repairs would be done instead.

### **Water System Study**

Mr. Beaudoin said the Public Works Dept. had requested an engineering study be done to insure that water quality and volume were sufficient.

Stephen Roberts asked how much of the Town's water capacity was being used. He noted this was a question for the economic development committee as well as the Planning Board.

Administrator Selig explained that this depended on the season. He said information on this had recently been provided to the Council at their meeting, and said he would bring that information to the next Planning Board meeting.

### **Bike Lanes/Sidewalk on Route 155A and Main Street**

Jim Campbell said that the most recent grant application eliminated the bike lanes on 155A from the application because they did not have support from the Town of Lee, and there was also indication from the State DOT that they would not support it. He said that rather than jeopardize the whole application, the bike lanes were removed. Mr. Campbell explained that the work would be done on Main Street, going from the railroad bridge to Route 155A, and would include shoulder work to match what the State has done. He said there would be additional drainage work and sidewalks would be put in on both sides, which would help with pedestrian safety.

**Spruce Hole Aquifer Study** – There was no discussion on this item.

**Mill Plaza Access Study** - Jim Campbell said this study, intended to look at alternative access to Mill Plaza, was mentioned in the Master Plan. He said the estimates for this alternative access were quite expensive, and might include having to buy additional land. He said because of this, examination of the viability of the current access, if improved, would be part of the study

Arthur Grant asked why the Town would want to increase public access to Mill Plaza if it was private property. A Board member noted the goal would be to alleviate traffic at the location.

Mr. Grant said the Town should not do anything to suggest that the Town would be opening up the Chesley Drive issue again.

There was additional discussion about traffic issues and options in this area.

**Wagon Hill parking, etc.** - Jim Campbell said this project was discussed in the 1995 Wagon Hill master plan, as well as in the Recreation chapter of the Durham Master Plan. He said the project would provide a parking lot, for approximately 150 vehicles, and would also include renovations to the barn, and seasonal bathrooms. He noted the Council had suggested the possibility of user fees for Wagon Hill. He said the area was underutilized, and if a fee was considered, there should be some services available for the public. He said the project was planned for 2009, but discussion about it should start sooner than that.

Arthur Grant said the project deserved to be done sooner, and other board members agreed. Kevin Webb said 150 parking spaces seemed excessive, and others agreed with this as well.

Jim Campbell said he would be happy to move the project up.

Nick Isaak asked what the building on the property was presently used for, and was told the farmhouse was rented to Durham police officers, at a somewhat lower rent, so security of the property could be provided.

Administrator Selig said the idea of turning the building into a science center, geared toward land conservation was being considered. He said he had been in touch with conservation groups in the area who were interested in using the L for their offices, the barn for their canoes, etc.

Amanda Merrill said an environmental school had used the area for school groups 10-15 years ago., and that this had worked well at the time.

Jim Campbell said the idea of having a larger parking area came from the desire to be able to handle charter buses, weddings, etc. He said his thought had been that transportation enhancement grants could perhaps help pay for this.

**US 4-Route 108 improvements** - Jim Campbell said the State would be providing most of the funding for this – for ramp improvement, lane designations, traffic light, etc. He noted this project was in the State's 10 year plan.

**Bennett Rd. Railroad Bridge** - Administrator Selig said prior to last year the bridge had been owned by Gilford Rail Company, which had kept it safe but had done minimal work at maintaining it. He explained that the State had worked out an arrangement with Gilford Rail that it would take ownership of the bridges for 10 years and then turn them over to the municipalities. He said Durham, and other Town weren't sure they wanted to take ownership of the bridges, and noted Durham had not yet signed onto this. He said Gilford Rail would like the bridge to be raised, but that this would involve significant work, and noted the work recently done to the bridge had been done by the State.

Jim Campbell told Board members they would not have as much time to discuss the CIP at the next meeting, and recommended that additional comments/suggestions be provided to Town staff before the meeting.

Stephen Roberts asked that the CIP include a statement that said the Town did not anticipate significant residential or commercial growth within the community, was intended to maintain the community over the years, and was not a “growth” oriented CIP.

Arthur Grant suggested Mr. Roberts comment should be included in the Planning Board chair’s letter to the Town Council regarding the CIP.

Neil Wylie suggested that in the future, a public hearing to present this information and then receive input from the public should be held earlier in the process, so that citizens could be more involved in the CIP process.

Kevin Webb asked if the CIP could be posted online, but was told it was too big.

Arthur Grant provided a copy of the CIP to students in the audience who had stayed for the whole presentation. Administrator Selig said he would be glad to provide final copies of the CIP to the students.

Jim Campbell suggested that if there were not many comment still coming from Board members, Chair Watt could draft a letter for the Board to review before passing it on to the Council.

Stephen Roberts said there should be some reason given as to why the tax rate was going up 39% over 10 years, even accounting for inflation, and yet the Town was not providing for additional growth in the Town.

## **V. Other Business**

### **A. New Business**

Chair Watt said the new procedures called for a quarterly planning meeting, and one therefore should be held for the final quarter of the year. He asked Board members what should be planned for this meeting.

Jim Campbell noted that generally in Nov-Dec. the board had only one meeting per month because of the holiday. He said the planning meeting could be held on a different night, or could be done during the monthly meeting if there were no new applications.

Chair Watt said he was interested in addressing the situation where the master planning process was getting mixed in with the zoning rewrite process. He said there needed to be a process for dealing with comments that related to the master plan, even as the zoning ordinance was being revised.

Jim Campbell said perhaps a list of those things the public had said which differed from the master plan should be developed, but he recommended that they not get into considering revising the master plan until they were done with the zoning rewrite.

Neil Wylie said if ideas were considered which would contradict the current master plan, this would take the wind out of the zoning rewrite process, and the Board would begin to hear people say the rewrite process should be postponed. He stressed that the priority at present should be to get the revised zoning ordinance to the Town Council.

Chair Watt agreed that this was the main priority, but said it was also important to get to the point where planning was ongoing, instead of episodic. He said he wanted to cultivate the sense that there was an orderly, continuous process for improving the zoning ordinance, so that it was a living document instead of something that was created from scratch, like a phoenix from the ashes, every ten years.

Amanda Merrill said there was potential for confusion if master plan questions got into the zoning rewrite process.

Neil Wylie said it would be good idea for Board members to talk about a better planning process, in general, such as a better way to structure the master plan, as opposed to focusing on suggestions that seemed to contradict the zoning ordinance revisions.

Jim Campbell said he and Chair Watt would give some thought to this issue.

Arthur Grant noted that Chair Smith had made his annual presentation to the Town Council, and it had come up at the meeting that he was not familiar with the section being drafted on the ZBA as well as the section on special exceptions. He said there needed to be a process for making sure the ZBA is involved.

Jim Campbell said he had sent Chair Smith a copy on the proposed special exception changes, and noted there was a representative from the ZBA on the zoning rewrite committee, and Tom Johnson was also involved. He said the Planning Board needed to make sure that the connection with the ZBA was being made.

## **B. Old Business:**

Jim Campbell they were working with Broadcast Signal Labs to get an independent review of the T-Mobile information. He said the company had agreed to provide something in writing, and he asked the Board if they needed to be at the meeting as well.

Arthur Grant said a report would be sufficient, but asked that there be extra copies provided for the public.

Kevin Webb said it was more important to stress to T-Mobile that a UNH representative should be present. Jim Campbell said he had not heard back on this yet.

Kevin Webb asked when the hotel proposal was being presented to the Town Council. Jim Campbell said this would happen after the Historic District Commission held its public hearing on October 23<sup>rd</sup>. He said the Town Council had decided not to put it on their agenda until the HDC had approved it.

Kevin Isaak said he thought the Board had asked the applicant to install a fence, in addition to a hedge, in order to preventing pedestrian traffic into the hotel parking lot. He said the applicant had included the fence in the application, but was now not including the hedge, and asked for clarification on this.

Jim Campbell said he had talked to John Harwood about this. He also said John would be attending the public hearing as the staff person for the Planning Board, and would address these kinds of details.

## **VI. Approval of Minutes – September 10, 2003**

Page 1st paragraph under Report of the Planner, should read “CMAQ”

Page 2, 6<sup>th</sup> paragraph should read “Chair Watt read the letter, dated September 10, 2003, for the record.”

Page 3, 2<sup>nd</sup> paragraph from bottom, should read Strafford Ave., not Stratford Rd.

Page 4, 2<sup>nd</sup> paragraph from bottom, should read “Kevin Webb said he had asked Ms. Zompa...”

Page 6, 4<sup>th</sup> paragraph, should read Fred Jervis. Also, the third sentence of this paragraph should read “He said the University favored the water tower.” Finally, the fifth sentence should read “...but he said his greatest concern was the lack of transparency..”

Page 7, 4<sup>th</sup> paragraph, should read “He noted the ZBA has no authority to approve or disapprove a lot merger.”

Page 7, 5<sup>th</sup> paragraph, should read “Ms. Scott said she would like to see...”

Page 8, 5<sup>th</sup> paragraph, should say “Brian Geiger, Davis Ave..” Last sentence of this paragraph should read, In response to a comment from MR. Geiger about telecommunication coverage from Foss Farm, Board members asked for clarification...”

Page 9, 6<sup>th</sup> paragraph, should read Armita Geiger. 3<sup>rd</sup> sentence in paragraph should have a period at the end.

Page 10, 7<sup>th</sup> paragraph, delete sentence “Board members continued the discussion of reconsideration, in particular the proper placement in the agenda of reconsideration of a previous agenda item.” Also delete the sentence “Councilor Grant recommended that...”

Page 10, 8<sup>th</sup> paragraph, should read “Amanda Merrill also noted that a related question had been raised with the Town attorney about other potential situations in which the rules are silent; in the case of reconsideration, it had been suggested that it could not be done because the rules were silent.”

Page 10, 2<sup>nd</sup> paragraph from bottom – strike entire paragraph.

Page 11, 6<sup>th</sup> paragraph, should read “Duane Hyde of the Nature Conservancy, pointed out other conservation properties in the area: the Langmaid conservation property; a Town owned property across Longmarsh Road; the Minicello Tract owned by the Nature Conservancy; the Sawtelle property acquired by...”

Page 11, 8<sup>th</sup> paragraph, should read “...and Conservation officers out of the Durham office of NH Fish and Game would patrol...”

Page 12 – roman numeral VI should be removed from the motion at the top of the page. In addition, the roman numeral for the Douglas Baker Application for Subdivision should be VI.

Page 12, 5<sup>th</sup> paragraph, should read “F.X. Bruxton, representing the applicant, said he proposed to

Page 12, 2<sup>nd</sup> paragraph from the bottom, should read “The motion was SECONDED by Nick Isaak.”

Page 13, 4<sup>th</sup> paragraph, should read “...which was the only source of water for the Fire Department....)

Page 14, 3<sup>rd</sup> paragraph, should read, “Jim Campbell also noted he had forwarded a letter from Chair Watt to the Town Council regarding the conditional use application from Paul Berton.”

***Arthur Grant MOVED to approve the minutes, as amended. The motion was SECONDED by Stephen Roberts, and PASSED unanimously.***

## VII. Adjournment

***Arthur Grant MOVED to adjourn the meeting. The motion was SECONDED by Richard Ozenich, and PASSED unanimously.***

Adjournment at 10:00 pm

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Amanda Merrill, Secretary