

These minutes were approved at the April 12, 2006, meeting.

**DURHAM PLANNING BOARD
WEDNESDAY, FEBRUARY 22, 2006
TOWN COUNCIL CHAMBERS, DURHAM TOWN HALL**

MEMBERS PRESENT: Richard Kelley; Stephen Roberts; Arthur Grant; Councilor Needell; Nick Isaak (arrived late); Kevin Webb (arrived late)

ALTERNATES PRESENT: Councilor Carroll; Lorne Parnell; Bill McGowan; Susan Fuller

MEMBERS ABSENT: Richard Ozenich; Annmarie Harris

I. Call to Order

Chair Kelley said that alternate Susan Fuller would be filling in for regular member Nick Isaak, Bill McGowan would be filling in for Kevin Webb, and Lorne Parnell would fill in for Richard Ozenich. (Mr. Isaak and Mr. Webb subsequently arrived during the meeting.)

II. Approval of Agenda

Stephen Roberts MOVED to approve the February 22, 2006 Agenda as submitted. The motion was SECONDED by Arthur Grant, and PASSED unanimously 7-0.

III. Report of the Planner

- Mr. Campbell said the CMAQ meeting had been postponed, so he wouldn't be hearing back on the Main Street grant for a few more weeks.
- He said the Town Council had voted to adopt the remaining sections of the Zoning Ordinance, except for the Historic District Overlay Ordinance. He said all of the votes were unanimous except for the one on the Shoreland Protection Overlay ordinance.
- He noted the letter in Board members' packets concerning NHDOT's approval of highway signs, and said that before they were put up, the agency wanted the Town Council to endorse the signs. He said this would be on the Council's March 6th Agenda.
- Mr. Campbell pointed out that the Smitty's building had been taken down, and the gas tanks had been removed. He said no contaminated soil had been found in the vicinity of where the tanks had been. He said some contamination had been found under the building, most likely from the former hydraulic lifts, and said the developer was getting rid of it. He said the Town was waiting for two bonds from the developer, and said once these were obtained, the work could start.
- He said he had not heard anything yet concerning the former Cumberland Farms site, and said he hoped there would be some interest soon in redeveloping it.
- Mr. Campbell said copies of the as built plans for the Hotel would be reviewed one more time, and the Chair could then sign off on them.

- Mr. Campbell said administrative assistant Karen Edwards had sent out the Notice for the 2006 OEP spring conference on April 1st. He said Board members interested in attending the conference should let Karen know by March 9th.
- Mr. Campbell noted the request for postponement of the acceptance consideration for the Spruce Woods development. He said if the Board wished and if there was time, there could be some discussion on the application that evening.
- He said the draft Findings of Fact and Conditions of Approval for the Scorpion's Bar and Grill site plan review application were ready, in case the Board had time to review them that evening

Councilor Carroll asked if it would be possible to follow up, under New Business, the issue of the signs proposed for Route 4. She said she thought this matter should be discussed before it went to the Council. Councilor Carroll also asked if there might be time at the meeting to discuss some issues concerning elderly housing in Durham.

Councilor Needell noted the upcoming meetings on the regional wastewater outfall issue, and asked what the dates were for this.

Mr. Campbell said the key meeting would be held on March 25th, but said a pre-hearing was being held that week.

IV. **Acceptance Consideration of an Application for a Conservation Subdivision** submitted by Spruce Wood Retirement Trust, Dover, New Hampshire to construct 92 age-restricted housing units in a combination of one, two and three unit buildings. The property involved is shown on Tax Map 13, Lot 14-2, is located at Mill Road and Packers Falls Road and is in the Residential B Zoning District. **(The applicant has requested that this application be postponed.)**

Chair Kelly said the applicant had requested that the acceptance consideration be postponed.

Mr. Campbell explained that Town Engineer David Cedarholm, after reviewing the formal application for the Spruce Woods development, had taken a different view than former town engineer Bob Levesque, and would rather see septic systems and possibly wells for the development instead of connecting to the Town's sewer and water systems.

Mr. Campbell outlined some of the issues involved with the choice of the appropriate wastewater and water systems for the development. He provided details on issues concerning the Town's sewer system, and also explained that Mr. Cedarholm was concerned about the issue of recharge of the stratified drift aquifer, which underlay a portion of the area for the proposed development.

Mr. Campbell said that based on previous discussions with Town boards, developer Jack Farrell had in recent months moved ahead with engineering the sewer and water hookups for the proposed development. He said Mr. Farrell would now be going to the Water/wastewater/solid waste committee concerning this matter, and also said he would go before the Town Council to see if it would approve the sewer and water permits.

Mr. Campbell said the project had therefore come to a halt for the time being, and said these issues would need to be ironed out before the application came back to the Planning Board. He said if Mr. Farrell was turned down by the other boards, it was hard to say what would happen with the project.

Board members discussed the process for resolving this issue.

Mr. McGowan asked for details on wastewater/water management that had previously been envisioned for the development, and there was discussion on the concept of hooking up to the Town's wastewater and water infrastructure.

Chair Kelley asked if Board members had any objection to the applicant's request for postponement, and no issues were raised.

- V. **Public Hearing on an Application for Site Plan Review** submitted by Scorpion's Bar & Grill, Durham, New Hampshire on behalf of Kyreages Inc., York Harbor, Maine, to expand the current business into the adjacent retail space formerly U Village Pizza. The property involved is shown on Tax Map 5, Lot 1-17, is located at 43-45 Main Street and is in the Central Business Zoning District

It was noted that the site walk of the proposed expansion was done on Friday, February 17th, with Board members Bill McGowan, Lorne Parnell, Susan Fuller, Jerry Needell and Kevin Webb in attendance.

Mr. Grant and Mr. Isaak both said they would recuse themselves because they had missed the site walk. Mr. Campbell noted that Board members weren't required to recuse themselves for missing a site walk, and Mr. Grant said he therefore would not recuse himself. Mr. Isaak said he would participate in the discussion, but would not vote.

Bill McGowan MOVED to open the public hearing. Susan Fuller SECONDED the motion, and it PASSED unanimously 7-0.

The applicants, Graham Camire and Frank Silva of Minerva Food and Drink, LLC, described the proposed project, using two new plans they had prepared, one which showed the facilities as they currently existed, and the other which showed the proposed layout for the renovated facility.

They described the re-opening of a doorway between the two facilities, and the installation of a service window so that food could be passed from the kitchen of the Pizza shop to the Scorpion's side of the facility. They also explained that an existing dividing wall in the kitchen would be removed, along with existing kitchen facilities, and that a fire door would be installed.

The applicants said the kitchen in the Pizza shop would remain, and said some of the appliances in the kitchen would be replaced. They also indicated that more floor space would be provided as a result of moving back the counter of the Pizza shop.

There were no members of the public who wished to speak for or against the application.

There was detailed discussion on the respective hours that the bar and the restaurant portions of the establishment would be open. It was clarified that both facilities would open for lunch at 11:00 am, 7 days a week; that at 9:00 pm, the door between the two facilities would be closed; that the bar would close at 1:00 am; and that the Pizza shop would continue to serve slices of pizza until 1:30 am on Tuesday, Thursday, Friday and Saturday.

There was also discussion on how State Liquor Commission rules would apply to the establishment. The applicants said that technically, there was one liquor license for the entire establishment, and explained that the intent was to offer wine and beer with meals in the dining area, and to keep that area more of a dining atmosphere, while providing a full bar in the existing the Scorpion's side of the building.

There was discussion about the proposed door separating the restaurant and bar portions of the establishment. The applicants said if this were not required, they wouldn't plan on putting it in.

Mr. Campbell said the applicants should check with Mr. Johnson on this, noting that if the door were not there, he would consider them two separate businesses.

Chair Kelley noted concerns that had been raised by the Police Department and the Fire Department about the dumpster, and asked if there had been any progress concerning this.

The applicants said the dumpster would be gone by March 1st, and said that Libby's had tentatively agreed to share its dumpster with them. They said if this arrangement didn't work out, Campus Convenience had said it would share its dumpster.

Mr. Isaak noted that the drawing for the renovation indicated that the men's room wall was open, and the applicant said this was an error. Mr. Isaak also said the exit doors needed to swing out, instead of in, in the drawing.

Councilor Needell noted that these and other details would be reviewed by Code Enforcement Officer Tom Johnson.

Chair Kelley suggested to the applicants that they work closely with Mr. Johnson on these items.

Councilor Carroll noted there had been discussion at a previous Board meeting on the idea of recycling cardboard at the establishment, and the applicant said he needed to get information on that again.

Chair Kelley asked the applicants how soon they would like to get the work done, and was told the hope was to get much of it done by March 18th, after spring break.

Councilor Needell said it was his understanding that there were two phases to the project, and that the kitchen work would occur later on. There was discussion on this.

Councilor Needell said there were a number of exits that met the Fire code, and noted the plan was to add an emergency exit at the back of the building.

The applicants said there already was an exit through the kitchen, but said the door would be replaced and another door would be installed.

Mr. McGowan received clarification that customers wouldn't be able to get through the door separating the two sections of the establishment after 9:00 pm. There was discussion that the door would be closed and locked in order to keep under age people from going into the bar area.

There was also discussion that the changes being made to the establishment would raise the allowed occupancy somewhat, once work was completed, and that this was regulated by the Fire Department.

Chair Kelley asked if food sales occurring after 9:00 pm in the pizza portion of the business could be counted for the business as a whole.

The applicants said yes, it was one business, and also said the purpose of the window was to connect the two portions.

Chair Kelley said the bar would be able to show the food sales occurring after 9:00 pm that were solely purchased and eaten in the pizza portion of the business.

Chair Kelley asked if the building had a sprinkler system, and was told it did. He said the establishment also needed to have an alarm system that tied in with the Town Fire Department.

Councilor Needell encouraged the applicants to be sensitive to the issue of potential problems with late night sales, although noting this was not the purview of the Planning Board.

The applicant said he had seen how the old business had been run, and said he would keep an eye on this issue.

Councilor Needell MOVED to close the public hearing. Bill McGowan SECONDED the motion, and it PASSED unanimously 7-0.

There was discussion on the Findings of Fact and Conditions of Approval for the site plan review application. Some suggestions were made for additions. The final FOF and COA are listed below.

Findings of Fact and Conditions of Approval – Scorpion's

1. The applicant submitted an Application for Site Plan Review with supporting documents on December 29, 2005.
2. The applicant submitted floor plans on December 29, 2005.
3. The applicant submitted a letter of intent on December 29, 2005.
4. The applicant submitted a waiver request from Section 7.02(D) of the Site Plan Regulations on December 29, 2005.

5. Robert J. Gallo of McNeill, Taylor and Gallo submitted a letter on January 24, 2006, stating that Kyreages Inc. has agreed to lease terms for both commercial spaces.
6. The Planning Board accepted the application at its January 25, 2006 meeting.
7. A Site Walk of the property was held on February 17, 2006.
8. The Planning Board held a public hearing on February 22, 2006. No members of the public were present to speak.
9. The Planning Board received a new set of floor plans at the February 22, 2006 meeting.

WAIVERS

The applicant requested a waiver to Section 7.02 (D) of the Durham Site Plan Regulations.

CONDITIONS OF APPROVAL

Conditions to be met prior to the Signature of Approval on the Site Plan.

1. The applicant shall supply two paper copies for signature by the Planning Board Chair showing the changes discussed at the February 22, 2006 Planning Board meeting.
2. The applicant shall provide the Planning & Community Development Department with a copy of the waiver from the Durham Department of Public Works for dumpster screening as outlined in Chapter 118, Article III, Section 118.10 of the Durham Town Code for Libby's Bar & Grill.
3. The existing dumpsters for Scorpion's Bar & Grill will be removed.
4. A copy of the updated plan discussed at the February 22, 2006 Planning Board meeting shall be provided to the Planning & Community Development Department.
5. A letter of agreement for sharing the dumpster must be obtained and a copy submitted to the Planning & Community Development Department.

Conditions to be Met Subsequent to the Signature of Approval on the Site Plan:

1. These Findings of Fact and Conditions of Approval shall be recorded with the Strafford County Registry of Deeds, at the applicant's expense, within seven (7) days of the Chair's signature on the Plan.
2. No customer access between the pizza section of the restaurant and the bar annex will be allowed via the interior common doors after 9:00 p.m.
3. Any work shall require a permit and shall comply with all New Hampshire State Building, Mechanical, Electrical, Plumbing, Energy, Accessibility and Fire Codes.
4. All applicable State agency permits must be obtained and followed (Liquor Commission, Bureau of Food Protection etc.)

Chair Kelley said he didn't have an issue with the waiver from doing a site plan, because nothing was going on outside of the building. There was discussion on this.

Chair Kelley said the applicants should make sure that the wall screening the men's room should be included in the final plan, along with the men's room exit door swinging out.

There was discussion that the applicants should go over this plan with Mr. Johnson, and that he would use it as part of inspecting the property. Chair Kelley said if Mr. Johnson came up with any additional issues, these should be worked out, and the finalized plan should then be provided to the Board for signatures.

Mr. Camire asked if the Waiver was still applicable if it turned out that the Campus Convenience dumpster instead of Libby's dumpster would be shared with Scorpion's Bar and Grill.

Chair Kelley said it was not.

Councilor Needell noted that this property would now be one business instead of two, and asked if there were any issues concerning signage. There was discussion about this.

The applicants said the awnings would stay up, and there was discussion that this should be discussed with Mr. Johnson.

Mr. Grant said he was appreciative of the memo from Kevin Webb on the site walk. He suggested that it be attached to the FOF and COA, because it provided useful information, and explained the application more fully. It was agreed that this should be placed in the Town files with the application.

Mr. Webb arrived at the meeting at 8:10 pm.

Arthur Grant MOVED to approve the Findings of Fact and Conditions of Approval submitted by Scorpions Bar and Grill for an Application for Site Plan to expand the current business into the adjacent retail space formerly U Village Pizza. Susan Fuller SECONDED the motion, and it PASSED unanimously 7-0.

(The voting members on this motion were: Richard Kelley, Stephen Roberts, Arthur Grant, Kevin Webb, Susan Fuller, Lorne Parnell; and Councilor Needell.)

VI. Other Business

A. Old Business

Mr. Campbell said he had reviewed the Hotel plans, and said everything had been done as indicated on the as-built plans. He said he would have Chair Kelley sign off on the plans. There was discussion about the chain link fence issue.

Mr. Campbell updated the Board on the situation concerning the Route 108 project, and noted that the executive directors of the Strafford Regional Planning Commission and the Rockingham Planning Commission had both sent letters to NHDOT concerning the fact that the project had

inadvertently been postponed, and should be moved back up. He also said the Town would need to stay on top of this.

There was discussion on the Northern Connector, which had been addressed by TAC. Mr. Campbell said he hadn't found any evidence that the Northern Connector was in the State's 10 year plan, but had found it was listed in the Long Range Plan at one point, was taken out, he had requested that it be put back in, and then it was inadvertently left out of the Long Range Plan again. He said he had contacted NHDOT, and said Tim Roach of the Strafford Regional Planning Commission would be putting it back in.

Councilor Carroll said according to the approved Zoning Ordinance, elderly housing seemed to be allowed in every part of Town. She said Durham was now seeing that perhaps allowing it everywhere was too much, and said the Town might find that this was the only type of housing that would be built. She asked what planning mechanisms there were to deal with that kind of unbalanced development.

Mr. Campbell said there were communities that allowed a certain percentage of total housing to be elderly housing, and said most towns he had seen allowed 10% of their housing stock for age restricted housing. He said this would be a running percentage, over time.

Chair Kelley asked if Mr. Campbell could find out what percentage of housing in Durham was elderly housing, and Mr. Campbell said he could do this.

Mr. Webb said he could think of very few regular subdivision proposals that had come in, in recent years, so the percentage that was elderly housing was probably high. He said regular subdivisions had been essentially shut down.

There was discussion about this. Mr. Campbell noted there was a lot of housing built during the mid to late 1990's, none of it age restricted. He said he thought that was what spawned a lot of what was in the Master Plan concerning elderly housing. He said since that time, there hadn't been a huge increase in the Town's housing stock.

Councilor Needell said encouragement of elderly housing was a response to the Master Plan, and had been encouraged by the Zoning Ordinance. He said with the currently adopted Zoning Ordinance, even under the conditional use process, the Board couldn't say that an applicant couldn't build elderly housing. He said an amendment to the Ordinance would be required in order to change this.

There was discussion about the process that would be required to change the direction of housing in Durham.

Ms. Fuller said in other words, the Board would have to take out some of the elderly housing zones, rather than update the Master Plan.

There was discussion that the zones could be left as they were, but percentage caps could be put in place for elderly housing.

Mr. Roberts said his concern was the tremendous increase in the minimum lot size, and the reduction of the number of lots that could therefore be built. He said this was going in the wrong direction, in terms of social responsibility. He spoke in detail about the fact that many people had to commute further north these days, because of the lack of affordable housing in southern New Hampshire.

Ms. Fuller said it actually contributed to sprawl.

Chair Kelley said the fact that elderly housing was scattered across the community meant it was not likely that public transportation could service these housing developments. He said the situation would be different if the developments were more clustered.

Mr. Roberts noted that Mr. Ozenich had said that what bothered him in the elderly housing development he lived in was that there were too many old people.

Councilor Needell said he didn't see anything in the Master Plan to limit elderly housing, and said in fact he saw just the opposite. He said if the Planning Board were going to change its perspective on this issue, it would have to think hard about what this would be based on. He also noted that the Council had adopted an impact fee ordinance, and that the fee structure was being developed. He said this fee structure could have an effect on the kinds of development that were being encouraged.

Chair Kelley said he agreed that the Zoning Ordinance had to be based on the Master Plan, but noted that the Master Plan was going to be reviewed soon by the Planning Board. He said if elderly housing was a great concern, that process would be the vehicle to address it, and said the Board could follow through after that with zoning changes.

Councilor Carroll said the Master Plan seemed to reflect whatever seemed to be the issues at the time it was worked on. She said that during that kind of process, it was sometimes hard to see that in some ways a plan might be unbalanced. She said the Planning Board had some perspective on the Master Plan now, and could see how it might be out of balance.

Mr. Webb noted that the concern about elderly housing was regional, and that there was now a glut of elderly housing, with many units not selling.

Mr. Campbell said there was also concern about the fact that with too many elderly people moving to the State, this had a significant impact on labor markets.

Councilor Carroll said she would like to suggest a possible solution. She asked that Mr. Campbell put together some information based on existing statistics on elderly housing in Durham, which could be used to propose an amendment to the Zoning Ordinance that set some percentage as a strategy for controlling the amount of elderly housing, and could be used if needed. She said that otherwise, the Town was wide open.

Mr. Grant said that was a very good approach, but said he thought the Board should look at rental housing first. He said the problem in Durham was not an excess of elderly housing, it was the amount of rental housing, which was pushing up prices so high that no developer would build

affordable housing in Durham when he could build student housing. He said land costs were fantastic, not because of a shortage of land, but because of competition for uses of that land that would bring the highest dollar. He said it would actually be admirable in some ways if Durham became an elderly community.

Mr. Campbell noted there were some things the Board had done with the Zoning Ordinance concerning mixed use in some zoning districts. He said hopefully this would encourage development in those areas, rather than renting houses, and said hopefully there would be more UNH student housing projects.

Chair Kelley noted that this would take some time.

Ms. Fuller suggested that the Board should start looking at housing issues of various kinds as part of the Master Plan implementation strategy. She said regardless of the type of housing, perhaps it could happen if there were creative developers, and they could get some funding assistance.

Mr. Campbell said with current zoning that type of affordable housing was probably multi-units, which would probably have to occur in the western part of Town. He noted that the Town didn't allow duplexes anymore in most districts, which was a perfect example of an affordable house.

Chair Kelley said looking at the Master Plan would be a good time to bring these issues to the front burner.

There was discussion as to whether elimination of duplexes from most districts arose as a result of the Master Plan or the Zoning Rewrite process. Mr. Campbell said almost every duplex went to students, and said he thought that was what had driven the concern about duplexes.

Mr. Isaak said it related to the concerns of pocket neighborhoods, and he noted that this issue had impacted the Hotel development.

Mr. Campbell said the Master Plan did have a section on affordable housing, but said he didn't think the Board had captured this with the Zoning Ordinance.

Ms. Fuller said that as the real estate market went back to normal, there was more pressure on developers to sell what they had started. She said if this market continued, there would be a little less pressure on the land than what had been seen in the last 7-8 years, and there might be an opportunity for more affordable housing.

Mr. Campbell said there had been a cooling off of the housing market, and provided details on this.

Councilor Carroll said the Board had talked about elderly, rental and workforce housing, and said getting an understanding of elderly housing and where it fit in the community was the easiest one for the Board to get a handle on. She said the other two were much more problematic, but had to be dealt with. She suggested that the Board start to segment these things,

get an understanding of them, and do what needed to be done before it was too late. She provided details on some of the issues involved.

There was discussion on the upcoming Board meetings on the Master Plan implementation strategy. Chair Kelley said transportation was another important issue to be looked at as part of this process, and also said he didn't want the Board to lose sight of water issues. He noted that the water issue related to the Spruce Woods development, and also noted that when Mr. Bencks' had made his presentation to the Board, water issues hadn't been discussed that much. He said water issues should be a concern of the Planning Board, and said he hoped the Board would get involved in understanding the problems, as well as in developing solutions.

Councilor Carroll noted the Route 4 sign issue, and said she had questions on where the signs would go, and what they would say. She said this was about more than just putting signs up, and said an educational program was needed, involving the cooperation of the University, in order to make sure faculty, staff, students, and visitors were aware of the signs, and that they would be effective.

There was discussion on proposed locations: 1) coming South on Madbury Road from the Town of Madbury to the light at the Route 4 intersection; 2) coming south on Route 108 from Dover (placed before the on-ramp for Route 4, directing travelers onto Route 4; and 3) heading west on Route 4, before the light at the intersection of Route 4 and Madbury Road (letting people know they needed to keep going on Route 4).

Chair Kelley said he believed NHDOT would make a proposal concerning these locations, and would bring it to the Planning Board for review and comment. He also noted Mr. Benck's commitment in July to form a group to kick around ideas concerning traffic, and said the Board wouldn't let that idea go.

Councilor Needell said the placement of the signs was very important, and said the idea was to inform people coming from various directions to get onto Route 4 and then go down Route 155 and come into Town that way.

Mr. Grant said the next step was to eliminate the left turn onto Madbury Road, at the Route 4/Madbury Road intersection, heading west.

Mr. Roberts said putting up the signs was meaningless, because if the signs weren't logical to drivers, they would go where they had to go. He said what Mr. Grant was speaking about was what would make a difference.

Chair Kelley said he agreed they wouldn't see a lot of immediate changes as a result of the signs, but said by implementing them first, they would begin to instill the behavior that this was the way people were going to have to travel in the future. There was discussion about this, especially about the difficulty of changing peoples' current driving patterns.

Chair Kelley said if the Town wanted to see some changes in the shorter term, it needed to make some radical changes to the traffic circulation in Town, and to make it difficult for people to follow the routes other Board members had described.

Councilor Needell said putting up the signs wouldn't harm anything, and would pave the way for additional changes. He also said it was important to make it really unpleasant to not follow the signs. He said both needed to be done together. He said he didn't agree with stopping cars and making them going the other way, but said they needed to make it worth peoples' while to follow the instructions.

Mr. Isaak said Route 4 was meant to be a bypass, but it had actually enabled people to come down Madbury Road, whereas in the past they wouldn't have done this.

Ms. Fuller noted there were times of day when she would want to stay on Route 4, and take another 6 minutes, if it meant she could avoid traffic in Durham.

Councilor Needell said another place for a potential sign was at the 155/125 interchange. He said a sign there currently said "Durham", but said a sign which said "UNH", pointing straight ahead, would be a good idea, to encourage UNH traffic to go up to the Lee traffic circle.

Mr. Isaak agreed there needed to be differentiation between Durham and UNH in signage.

Mr. Roberts noted that the traffic at the Lee traffic circle was getting worse over time, and there was discussion about this.

Councilor Carroll said at the last Town Council meeting, Administrator Selig had been directed to put together for the Council a fact sheet about water issues. She said the Planning Board would be able to make good use of it.

Chair Kelley said the previous town engineer had shared with him an AutoCad plan of the Town's distribution system. He said it was amazingly complicated, noting pipes went back and forth in terms of Town or University ownership. He also said that in some cases, pipe was owned by one entity, but maintained by the other.

Mr. Campbell said there was no specific business for the March 8th meeting.

Mr. Parnell asked what had happened to the Gibbs proposal and Mr. Campbell said he hadn't heard back from them. He noted that there would be a full site plan review for the project.

Mr. Campbell said he had put together a presentation on the role of the Planning Board, which could be televised at the March 8th meeting, but then could be repeated on DCAT at various future times. He noted it was short, and was based on a brochure he had created a few years back. He said it was important to provide citizens of Durham with as much information as possible on what the Planning Board did, and noted that an example of this was the fact that he had provided copies of the Board's Rules of Procedure for the public hearing that evening.

After some discussion, it was agreed that the March 8th meeting would include Mr. Campbell's presentation, as well as discussion on the Master Plan implementation strategy. It was agreed that the March 22nd Board meeting would also focus on the implementation strategy.

VII. Approval of Minutes

January 18, 2006

Page 8, 2nd paragraph from the bottom, should read, "The Planning Board voted 6-1 in favor of making these changes, with Councilor Needell voting in the negative."

Councilor Needell MOVED to approve the January 18, 2006 Minutes as amended. Steve Roberts SECONDED the motion, and it PASSED unanimously 7-0.

January 25, 2006

Page 1 - should indicate that Bill McGowan was present at the meeting, and that Annmarie Harris and Stephen Roberts were not present.

Page 2, 2nd full paragraph, spelling should be "Graham Camire"

Page 3, 2nd full paragraph, should read "Mr. Campbell said he thought the applicant should request a waiver..."

Page 11, 6th full paragraph, should read "Mr. Pesci..." 7th full paragraph, should read "Mr. Bencks..." Mr. Bencks

Page 13, 3rd paragraph down, should read "**Gregg Betts, 11 Edgewood Road**"

Page 14 5th paragraph from bottom, should read "...updating the access way behind the Snively Arena..."

Page 16 first new paragraph, should read "He asked how many of the clientele at the Forest Park Growing Places facility were children of University students, staff and faculty."

4th full paragraph, should read "Mr. Campbell said he had thought that only the children of Forest Park students attended the daycare center..."

Kevin MOVED to approve the January 25, 2006 Minutes as amended. The motion was SECONDED by Needell and PASSED unanimously

February 1, 2006

Page 3, 2nd paragraph, should read "**Jim Jalmberg, Park Court**, read from..."

3rd paragraph on that page, should read "She read a letter from resident Henry Smith...",

Page 9, 1st paragraph, should read "Councilor Needell said what worked in the Board's favor was that it had Rules of Procedure, and as long as..."

3rd paragraph from bottom, should say "Mr. Roberts said..."

Page 10, last paragraph, should read "Mr. Roberts said his concern was that the primary issue was not whether alternates participated in deliberations, but whether they did so in a coercive way. He said the Chair of the Planning Board needed to exercise proper judgment to control the meeting."

Stephen Roberts MOVED to approve the February 1, 2006 Minutes. The motion was SECONDED By Bill McGowen, and PASSED 6-0-1, with Kevin Webb abstaining because of his absence from that meeting.

VIII. Adjournment

Nick Isaak MOVED to adjourn the meeting. The motion was SECONDED by Bill McGowen, and PASSED unanimously 7-0.

W. Arthur Grant, Secretary