

This set of minutes was approved at the February 25, 2009 Planning Board meeting

**DURHAM PLANNING BOARD
WEDNESDAY JANUARY 28, 2009
DURHAM TOWN HALL - COUNCIL CHAMBERS
MINUTES**

MEMBERS PRESENT: Chair Bill McGowan; Steve Roberts; Richard Kelley; Lorne Parnell; Councilor Julian Smith

ALTERNATES PRESENT: Councilor Jerry Needell; Wayne Lewis

MEMBERS ABSENT: Richard Ozenich; Susan Fuller; Kevin Gardner

I. Call to Order

Chair McGowan called the meeting to order at 7:15 pm.

II. Approval of Agenda

Richard Kelley MOVED to approve the Agenda. Steve Roberts SECONDED the motion, and it PASSED unanimously 5-0.

III. Report of the Planner

Mr. Campbell said the Council had passed on first reading the proposed amendments to Article XXIV, Septic Systems. He said Chair McGowan had attended the meeting to speak on the changes and to answer any questions.

He said he had met with Dan Camera of Strafford Regional Planning Commission on January 12th to go over 2010 Census maps, and said there would be some minor changes made to the maps.

Mr. Campbell noted that he, Administrator Selig, and Code Administrator/Enforcement Officer Tom Johnson had met with Library Board of Trustees Doug Bencks on January 22nd, to discuss the 2 Mill Pond Road property as a possible site for the new library. He noted that Mr. Bencks would be coming back to speak to the Council on this on February 2nd.

Councilor Julian Smith noted that the Trustees would be meeting the following evening regarding this issue.

Mr. Campbell said the EDC had met on January 23rd, and had discussed the market survey to be done for the Town of Durham by students at the UNH Business School. He also said Susan Fuller had updated other EDC members on her discussions with the Conservation Commission

regarding the changes in Zoning in the Mill Road area, as well as possible changes to the Zoning map in the area north of Beech Hill Road. He said this was part of an effort to keep open the communication lines between the EDC and the Commission, and said these kinds of efforts would continue.

Mr. Campbell said the EDC had also discussed assignments for the development of an Economic Strategic Development Plan; the list of Programs/Tools for economic development; the recent changes to the Town code allowing 2 citizen alternates to serve on the EDC; and the project list created by Administrator Selig and Public Works Director Mike Lynch for the possible use of funds from the federal stimulus package.

Mr. Campbell said he had provided this list to Planning Board members, and said if they wanted to discuss it and possibly make additions to it they could do so. He noted that the federal government was looking for shovel ready projects, and said many of the projects on Durham's list had come right from the CIP.

Mr. Roberts said he had heard the presentation by Administrator Selig and Ms. Fuller at the Conservation Commission meeting. He said he spoke at that meeting, and had said he felt that with some of the Zoning proposals, if there had been someone like planning consultant Mark Eyrman carrying the ball, some of the intent of the Zoning would be written into law now. He said with issues like this, professional counsel was needed, to among other things have access to and bring in resources from other States.

Councilor Needell said the Council had voted to decrease the number of Council representatives on the EDC to one, and said the public hearing on this would take place on February 16th.

Councilor Needell asked Mr. Campbell if he had received a letter from John Carroll regarding the stimulus package. He said Board members should have a copy of that as well.

It was agreed that this would be discussed later at the meeting.

Mr. Roberts said a regional traffic study was needed.

Mr. Campbell said Strafford Regional Planning Commission was ready to update the regional traffic model.

Mr. Roberts said what was needed was a traffic expert with experience outside of Durham as well as local experience, who could bring some new tools to the table.

There was discussion on the status of the current traffic modeling project being done with UNH.

Mr. Kelley asked whether UNH students were counted when the census was done, and Mr. Campbell said yes.

Mr. Kelley asked whether the 2 Mill Pond Road site was considered to be large enough to meet the programming needs of the Library.

Mr. Campbell said it was a tight fit, and said there would have to be some compromises in terms of the parking that would be available on site. But he said there was the opportunity to share parking with other properties in the area, and he provided details on this. He also said it would be possible to park along Mill Pond Road.

Mr. Kelley asked if it was known how the federal stimulus funds would be distributed at the local level.

Mr. Campbell said the State wanted control of the money, but said Durham preferred having the money directly earmarked to the Town. He said this hadn't been settled yet. There was discussion that any projects would have to be started within 18 months.

Mr. Kelley said he had looked at the list briefly, and said he did think the Board should discuss it.

Mr. Roberts said that was the role of the Planning Board.

- IV. Public Hearing on a Site Plan Review Application** submitted by Peter Murphy, Newburyport, Massachusetts, for the demolition of the current structures and the construction of a 4-unit building which would create 16 bedrooms with 32 occupants. The basement area may be used for storage, coin-operated laundry, accessory office and workshop for building maintenance. The property involved is shown on Tax Map 2, Lot 12-8, is located at 22 Rosemary Lane and is in the Central Business Zoning District.
- V. Public Hearing on a Conditional Use Permit Application** submitted by Peter Murphy, Newburyport, Massachusetts, for the demolition of the current structures and the construction of a 4-unit building which would create 16 bedrooms with 32 occupants. The basement area may be used for storage, coin-operated laundry, accessory office and workshop for building maintenance. The property involved is shown on Tax Map 2, Lot 12-8, is located at 22 Rosemary Lane and is in the Central Business Zoning District.

Chair McGowan appointed Mr. Lewis as a voting member.

Richard Kelley MOVED on behalf of the applicant, Peter Murphy, to continue the Site Plan Application and the Conditional Use Application from the January 28, 2009 meeting to the February 11, 2009 meeting. Councilor Julian Smith SECONDED the motion and it PASSED unanimously 6-0.

- VI. Approval of a Voluntary Lot Merger per RSA 674:39(a)** submitted by Julianne Hafner Farrell, Trustee, Hopstill Family Trust, Durham, New Hampshire. The properties involved are shown on Map 17, Lots 38-1 and 39-22, are located on Packers Falls Road and are in the Rural Zoning District.

Mr. Campbell reviewed the process for this kind of application. He noted that the applicant was in the process of moving the right of way in order to be able to get to the back parcel he already owned and had to get agreement from the association regarding this.

He said the Board could move forward and approve the merger.

Mr. McGowan said he lived near the property in question although he was not a direct abutter. It was noted that Mr. McGowan would have to sign off on the merger form.

Board members said they didn't have a problem with Mr. McGowan staying at the table to vote on the application.

Richard Kelley MOVED to approve a Voluntary Lot Merger per RSA 674:39(a) submitted by Julianne Hafner Farrell, Trustee, Trustee, Hopestill Family Trust, Durham, New Hampshire for the properties involved shown on Map 17, Lots 38-1 and 39-22, located on Packers Falls Road in the Rural Zoning District; that the notice of the merger be endorsed by the Planning Board; and that this shall be filed at the Registry of Deeds, with a copy filed in the Assessor's Office. Steve Roberts SECONDED the motion, and it PASSED 6-0.

VII. Durham Business Park - Discussion with Eric Chinburg of Chinburg Builders on the development of the Durham Business Park.

Eric Chinburg, President of Chinburg Builders sat at the table with the Board. He noted that over the past few years the company had been trying to find an appropriate commercial use for the Durham Business Park property. He said it had been confirmed that NHDOT's daily trip limitations were for a 20,000 sf commercial building. He said when the original proposal was done, everyone was fairly comfortable that it would be 35,000 sf.

He said another challenge had been the current market, but he said what made commercial development especially difficult in this location was that there was stiff competition from commercial space in the Dover area because of the Dover Business Park up near Liberty Mutual. He said 2 acre industrial lots there were selling for under \$200,000, and he provided details on this. He also said the tax rates in Durham were a challenge for potential commercial owners.

Mr. Chinburg also said that in Dover, two large older buildings had sold to private developers, and said these spaces were going for \$2.50/sf for warehouse space, and for below \$10/sf for office space. He said one couldn't build something new for anything near that. He said the Durham Business park location had a lot of good things going for it, but he said the obstacles in the commercial market were simply too much right now.

He noted that Chinburg Builders did a lot of residential development, some of it cutting edge. He spoke about the Nubanusit Neighborhood and Farm in Peterborough, a co-housing community that was essentially a condo development, and incorporated a green agriculture and green energy theme.

Mr. Chinburg said the Purchase and Sale agreement with the town for the Business Park would expire in March. He said he had asked Administrator Selig and Mr. Campbell if there was any chance that the Business Park could be rezoned to allow a nice, reasonably dense green development like the one in Peterborough. He said he had spoken with the EDC about this as well.

He said a simple analysis had indicated to him that this kind of development would result in a positive development for the Town. He noted that with this kind of development, typically there would be very few families with school age children.

He said there could be 60,000 sf of residential development, according to NHDOT's numbers, and said this translated to fifty 1200 sf units, which would cost at least a few hundred thousand dollars per unit, resulting in \$10-12 million in valuation for the Town. He said there could be a private road, and said with very few students, there would be little in the way of expenses for the Town from such a development.

Mr. Chinburg said he was interested to know if there was interest on the Planning Board for some kind of zoning change to allow this kind of development. He noted that because of changes to the wetland overlay district since the time that the property had been put under the Purchase and Sale Agreement, the number of possible building sites on the property had been reduced from 5 to 3. He said that had impacted the economics as well.

There was discussion about possible other access to the site through Old Piscataqua Road, with Councilor Smith providing details on this. Councilor Smith noted among other things that UNH owned acreage immediately west of the treatment plant; that the Town had purchased the land for the wastewater treatment plant from the University for a dollar; and that it could probably purchase additional land from the University if needed. He said some of this land had road frontage along where an extension of Old Piscataqua road would go between Route 4 and several private lots.

Councilor Smith said there was quite a bit of land in that area that could be used for a mix of municipal, commercial and residential development to make a fairly nice protected enclave, with the Business Park at the end of this, and with no entrance on Route 4. He said Public Works Director Mike Lynch had indicated that NHDOT would probably be amenable to a traffic signal coming out of Old Piscataqua Road if there were more traffic coming from the Business Park area. He said there were all kinds of possibilities.

Mr. Roberts said there were miles of shorefront in Durham, including places such as Wagon Hill, Jackson's Landing, etc. But he said there was no retail space on the water. He said this was a gorgeous place, and said with the number of people going to Newicks, etc., he would think there would be an opportunity to add restaurants, etc., to the kind of development Mr. Chinburg was speaking about.

Mr. Chinburg said those kinds of ideas were great, and spoke to broadening the kinds of uses allowed on the site. He said if there was something that allowed this kind of flexibility, perhaps like form based zoning, there would need to be enough uses to make it feasible to enlarge Old Piscataqua Road. He said he would support such an idea.

Mr. Roberts said this was a unique area, and was in the Master Plan. He said it was a matter of imagination and business sense to do this.

There was discussion on the spot zoning issue, with Councilor Julian Smith stating that the spot zoning had occurred years ago when only commercial uses were allowed there, so a zoning change now would be spot un-zoning.

Mr. Roberts read State statute concerning this, and said it indicated that no spot zoning would be occurring in rezoning the Business Park. He said this was especially because it was in the Master Plan to allow this kind of intensive use.

Councilor Needell said originally this was going to be a residential development but there were issues because of the wastewater treatment plant located next door. He asked if the treatment plant was an issue out there now.

Mr. Chinburg said there had been improvements to the plant that addressed concerns, and said he had never experienced a problem from the plant.

Mr. Chinburg spoke about the idea of a possible public private partnership to develop the site. He said if this were done, perhaps some of the setback limitations that had affected the buildable area of some of the building sites could be addressed.

Mr. Roberts noted the Connecticut River compromise that had been reached, which had allowed this kind of development in restricted areas along the water.

Councilor Needell noted that Mr. Chinburg had said there would be few school age children in the kind of residential development he had in mind for the Business Park. He said he thought it would actually be a great place for children. He asked if the experience in Peterborough was that there would be few school age kids in this kind of development.

Mr. Chinburg said for this development to be successful, there would need to be a reasonable amount of density, of about 10 units per acre. He said the type of unit would lend itself to empty nesters, UNH junior faculty and other first time homeowners, and said this kind of housing was usually transitional, as a place to live either before or after people had children. But he agreed that it would be a great place for kids to live.

Mr. Kelley asked what was to prevent him from buying a condo there and having his children stay there while attending the University.

Mr. Chinburg said that was a challenge. But he said as with a typical condo, the number of units that could be rented/non-owner occupied would be limited. He said the no more than 3 unrelated rule could also be implemented for this area.

Mr. Campbell noted that Red Tower had this kind of requirement, and he provided details on this.

Mr. Chinburg said the owners of buildings like this in Durham had become watchdogs, and policed them. He also noted that condominium declaration documents, including restrictions would have to be reviewed and approved by the Planning Board.

Mr. Kelley asked if this would be a conditional use. He said if Planned Unit Development (PUD) regulations were in place, the problems with this site would be solved. But he noted that the Planning Board hadn't addressed the PUD issue yet.

Mr. Roberts said the Business Park could be its own PUD, and the concept could then be expanded elsewhere in Town.

Mr. Chinburg asked if the cleanest approach right now would be to modify the existing zone and make residential uses an approved use there.

Mr. Campbell said the Zoning Map, the Table of Uses, as well as Table of Dimensional Requirements would have to be revised.

In response to a question from Mr. Parnell regarding a possible alternative approach of putting some mega mansions on the property, Mr. Chinburg said he was not as interested in building those kinds of residential development. He also said there would need to be a sufficient amount of density in order to make it worthwhile to the developer to make the investment and for the Town to see tax benefits.

Mr. Chinburg said there were a few stand alone units in the Peterborough development he had referred to. He also noted that a development his company had done in Exeter had included some especially affordable units.

Mr. Roberts spoke about the Madbury Road development the Planning Board had approved but was then voted down in the courts. He spoke about finding the means to avoid that kind of situation with this property, including using legal reviews and ordinance vetting.

Mr. Chinburg said that was a great idea, and also said a properly crafted Zoning change with dimension controls, or the form based zoning approach could help to minimize the kinds of problems Mr. Roberts was speaking about.

Mr. Roberts said this would have to be well in advance of a development proposal coming forward.

Councilor Needell noted that the Purchase and Sale agreement was the result of an RFP process. He said if the Council thought the rezoning to residential was appropriate, a question was the fairness issue, and whether the rezoning was for a particular developer rather than doing this from a planning point of view.

There was discussion.

Mr. Kelley asked if a more formal market study would be done prior to the Board contemplating changes the Zoning Ordinance.

Mr. Chinburg said if there was agreement that there was not a near term solution for the property as it was currently zoned, it couldn't hurt the Town to broaden the uses so that sooner or later there would be some development there. He said he would be reluctant to invest in a market

study prior to knowing if there was a chance that his company could use the property. He said however that an empirical study had been done based on the issue of the current commercial market along with his knowledge of the residential market.

Mr. Kelley said his experience was that when a local government had been dealing with someone and that person had already put in time and effort, when that government was contemplating reissuing the RFP, a short response time was given, which gave an advantage to the person who had already been at the table.

Mr. Chinburg said he had certain rights until the Purchase and Sale Agreement expired. He said perhaps the agreement could be extended, but said it might be decided that it would expire. He said he could continue to work to make the Business Park a more marketable property and would therefore already be at the table, or he could participate in the RFP process if that was the approach that was chosen.

Mr. Roberts asked if this could be designed so it fell under the site plan review regulations and not the subdivision regulations. He spoke about the advantages of doing this.

Mr. Campbell said his sense was that the residential development would have to be considered a subdivision because there were condominiums involved.

There was discussion.

Mr. Kelley said he was not convinced that the Zoning change could occur prior to the expiration of the Purchase and Sale agreement.

Mr. Chinburg said an extension could be requested. But he said he realized the Planning Board had to do what was best for the Town.

Mr. Roberts noted that there were three towns that had petitioned DES to get exemptions regarding Connecticut River buffer requirements.

Mr. Parnell asked what had caused the Zoning change from residential to commercial previously.

Mr. Campbell said the Town had thought it would be more marketable because of the proximity to the wastewater treatment plant.

Mr. Parnell asked how many proposals had been received, and Mr. Campbell said only one had been received.

Mr. Kelley asked Mr. Chinburg if he felt the response to the RFP had been limited because of the language in the proposal and the intended uses.

Mr. Chinburg said it might have to do with the prior stigma about development in Durham. He noted that he, unlike other developers knew that things had changed.

Councilor Smith said the RFP had been vague, and he said the language would have scared

prospective developers off. He said Chinburg Builders had been brave to respond to it. He said the RFP also had a very limited circulation, and was not marketed outside the immediate area. He said this had been advantageous to Chinburg Builders, and said the company had put a lot of effort into this process. He said he didn't think another RFP was needed. He said this was an evolving process, and said if this came back to the Council, he would prefer to stay with that process.

Councilor Needell noted that there were Design Guidelines for the Business Park, and he asked if a change to the Zoning Ordinance concerning the Business Park would override these guidelines. There was discussion that the Council could modify the guidelines and could also remove them.

Mr. Campbell noted that the Design Guidelines had been modified in recent years.

Councilor Smith said the Council had taken several years to do this. He also said he didn't the thinking should be limited to the Business Park. He said given NHDOT's thinking regarding the access problem on Route 4, it made sense to start thinking about a TIF to bring Old Piscataqua Road over to the Business Park and call it something else.

Councilor Needell asked whether what was being entertained was tweaking the allowed uses or starting from scratch to consider how the property should be zoned.

Mr. Chinburg noted that elderly housing was currently allowed in the zone. He said the dimensional requirements for this worked fine for the type of density he would need, and said simply the use could be changed. But he said he hoped there could be an agricultural element, a water element, and options for alternative energy such as geothermal systems. He said he didn't think this would require a whole new zone, and said he instead thought the allowed uses would need to be broadened.

Mr. Kelley said he would support the adoption of PUD regulations, and also said the uses allowed in the Zoning Ordinance could be changed.

Councilor Needell said Zoning was a planning process that should be done before the developer showed up. But he said this was a unique site. He said if it was to be the driving development for the use of PUD, perhaps this would be good way to shape the PUD ordinance, which would then be applied to other zones.

Mr. Campbell said PUD allowed more freedom to the developer and the Planning Board., and Mr. Kelley said it was almost like a master plan in a smaller venue. Mr. Campbell noted that PUD was considered an innovative land use under RSA 674:21 "Innovative Land Use Controls".

Mr. Kelley asked if other board members would like to pursue the idea of using the Planned Unit Development process.

Mr. Campbell said some existing draft PUD regulations could be circulated to the EDC, then to the Planning Board and then to other Town boards for their review.

There was discussion on Councilor Smith's suggestion regarding extending Old Piscataqua Road. It was noted that NHDOT currently wouldn't allow anything over 60,000 sf of residential development.

Mr. Chinburg said he didn't know if things could work within a reasonable time frame in order to get the whole Piscataqua Road area widened and zoned.

Councilor Needell asked if the needed regulatory changes were to magically happen, if this was still a development that would happen a few years down the road.

Mr. Chinburg said the company was looking at 2009 as a planning year, and he said they could respond to the market in 2010.

Chair McGowan asked how the Planning Board could work with the Council and the other boards to streamline this process.

Councilor Needell said Chinburg Builders was doing the right thing, in talking with the EDC, the Planning Board and the Council. He also said he hoped that if there was going to be a Zoning change, it would be driven by the Planning Board.

Mr. Kelley said if the Council addressed the Purchase and Sale Agreement in one way or another, then the Planning Board could consider the PUD concept in conjunction with the Zoning changes.

Councilor Needell said the first step was for Chinburg Builders and the Council to come to agreement.

Mr. Campbell said if the PUD approach was used, the allowed uses in the Zoning Ordinance wouldn't need to change. He said it would almost be like an overlay.

There was discussion on NHDOT limitations regarding access. Mr. Campbell said NHDOT was hesitant to allow improvements to the interchange.

Mr. Chinburg said he could get more details on this for further discussion.

Mr. Kelley said until the access issue was resolved with some kind of connector road, the idea of commercial or mixed use development on the site was a stretch. He said he was intrigued by the idea of a connector road, in that it would solve NHDOT's concerns, improve public safety and allow greater uses on the parcel. He said if they all got to work on this now, perhaps it could happen. He said this tied in with economic development in Durham.

Mr. Chinburg said if this could happen fast that would be great, but he said if it couldn't, perhaps there could first be the scenario of changing the Zone to allow 60000 sf of residential development, with the provision that if traffic could be rerouted in the future, there could be additional development on the site.

Mr. Kelley asked if the idea of a health club had ever been entertained for the site.

Mr. Chinburg said that use hadn't been looked at. There was discussion. He said the site could offer some alternative recreational opportunities, and noted that there would be a boat house as part of plans for residential development of the site. He said there could also be a bike path for phase I of the development, to connect with Piscataqua Road, and said there could be an easement to get to the waterfront.

There was further discussion.

Mr. Kelley asked again if there was any interest on the Board in adopting Planned Unit Development regulations. He said if there was, they could get some examples of how it was being used in other communities and could find out if it was working.

Mr. Parnell asked what the advantage would be to do this rather than doing a Zoning change.

Mr. Kelley said the PUD approach offered greater flexibility to address various concerns. He said he had seen it used in Killington VT, and had been very impressed to see the degree of public input in to the process and the kinds of issues that were being addressed with the project. He provided details on this.

There was discussion as to whether Zoning changes would still be needed if PUD regulations were adopted. There was discussion about the existing conservation subdivision provisions and how they would come into play.

Mr. Roberts said he thought it was important to look again at stormwater containment rather than setbacks, and to exempt areas like the Business Park from some of the conservation subdivision requirements.

Mr. Kelley said the PUD he was familiar with was similar to a master plan. He said it outlined the intended use of the area as an economic development area, similar to what the Business Park did.

Mr. Roberts noted that the Durham Master Plan talked about this area, out of miles and miles of coastline in Town, as one that it wanted to see developed.

Mr. Chinburg received clarification that commercial development was exempt from the conservation subdivision requirements.

Councilor Needell asked what the difference was between PUD and contract zoning, and there was discussion.

Mr. Campbell said he would bring back a draft of the PUD regulations. It was noted that in the mean time, Mr. Chinburg would need to speak with the Council.

Mr. Chinburg said his hope was to go to the Council saying that there was a sense that the Planning Board was supportive of broadening the allowed uses at the Durham Business Park.

Councilor Needell said he felt it was important for the Planning Board to decide if this was a good planning decision for the town. He said if it did, it should take the initiative to make this happen.

Chair McGowan recommended that Mr. Campbell should draft a letter to the Town Council from the Planning Board.

Richard Kelley MOVED that Mr. Campbell draft a letter to the Town Council stating that the Planning Board supports looking at expanded uses in the Durham Business Park, and that in addition, the extension of Piscataqua Road should be investigated. Councilor Smith SECONDED the motion.

Mr. Parnell said he supported the motion, but said the only information provided regarding why the commercial development envisioned wasn't going forward had been provided by Mr. Chinburg. He said he didn't know if there was independent information that agreed that the site could not be successful commercially.

Mr. Roberts said if the public was asked if they preferred the use Mr. Chinburg was proposing for the Business Park, his guess was that they might in fact prefer this.

Mr. Chinburg provided details on how unmarketable the property had become commercially, stating that the credit market and the commercial space available in Dover were key factors in this situation.

The motion PASSED unanimously 6-0.

Councilor Smith said he would help Mr. Campbell draft the letter to the Council.

VIII. Other Business

A. Old Business

Mr. Kelley told Board members that the State's Lamprey River Proposed Protected In-stream Flow Report had come out, and he noted that it contained about 200 pages. He said it as well as an Executive Summary was available at the NHDES website:

<http://des.nh.gov/organization/divisions/water/wmb/rivers/instream/lamprey/pisf.htm>

He said he would prepare a review of the report.

Mr. Kelley said the deadline for responding to the report was March 2nd. He noted that he was on the Lamprey River Advisory Committee, which was currently meeting every Friday to discuss the report. He said it was important that the Town decide the appropriate strategy for responding to the report, and he provided details on this. He noted there were some consultants involved in determining how best to respond.

B. New Business

There was brief discussion on the Palmer case and how this would be handled at the Planning Board and the Town Council levels.

The Board next discussed some plans to update the Master Plan. Mr. Campbell said a number of chapters could be done in house by some of the Town committees, but he some chapters such as the Future Land Use chapter would need to be done by an outside professional.

Mr. Roberts said hiring someone like planning consultant Mark Eyerman, who could provide a broad range of opinions on planning issues, would be a good idea. Mr. Roberts noted that Cambridge Planning Associates had been very helpful to the Town when the previous Master Plan update was done.

There was discussion on where the funding for this would come from.

Mr. Roberts said there needed to be more flexibility concerning density than there was now.

Mr. Kelley brought up the issue of the Town's list of projects that could possibly be funded through the recently passed federal stimulus package. He also noted the letter written by resident John Carroll, and said he was surprised that the northern connector wasn't included in the list of projects. He said this was a big project, one that would require significant investment and would offer an inter-modal facility to access the rail system right from the highway. He recommended that this project be put on the list.

There was discussion that the northern connector and the southern connector were not listed in the 2009-2010 time periods in the CIP, and that they would require a lot of study.

Mr. Kelley said it was Bill Hall's belief that the right of way for the northern connector was secure. He said if that was the case, it was then a matter of designing the access. He also said that given the size of the stimulus package, he questioned whether all the money would be spent in the first year anyway.

Mr. Campbell said there hadn't been support for the northern connector over the past few years, and he said if the Planning Board was going to put it forward again, it would need to be able to back this up. He said the northern connector was taken out of the State's long range plan, and said he had it put back in. He noted that it was listed as a "vision element". He said to move this project up, people would need to come up with some solid figures on what the cost of engineering and construction would be.

Mr. Kelley said he would put this on his to do list.

Mr. Roberts noted there had been funding in the CIP for that kind of planning, but it was taken out.

Mr. Kelley said he had read John Carroll's letter, and said the addition of the second railroad track would be a good thing. He said he hoped there would be a second track up the northeast

corridor to make rail and freight run easier and on a better schedule.

Mr. Campbell said he had put the northern connector back in the CIP, and said this time it hadn't been taken out.

IX. Approval of Minutes
None

X. Adjournment

Councilor Smith MOVED to adjourn the meeting, Richard Kelley SECONDED the motion, and it PASSED 6-0.

Adjournment at 8:55 pm

Victoria Parmele, Minutes taker