

This set of minutes was approved at the May 27, 2009 Planning Board meeting

**Durham Planning Board
Wednesday April 15, 2009
Durham Town Hall - Council Chambers
MINUTES
6:30 pm**

MEMBERS PRESENT: Chair Bill McGowan; Vice Chair Lorne Parnell; Secretary Susan; Stephen Roberts; Richard Ozenich; Councilor Julian Smith; Richard Kelley

ALTERNATES PRESENT: Wayne Lewis

MEMBERS ABSENT: None

I. Call to Order

The meeting was called to order at 6:30 pm

II. Approval of Agenda

Public Hearing on an Application for Conditional Use Permit submitted by Henderson Family Properties, LLC, Durham, New Hampshire to enclose four exterior porches to create interior living space. The property involved is shown on Tax Map 4, Lot 37-0, is located at 18 Woodman Road, and is in the Residence A Zoning District.

Chair McGowan noted that there would be a brief regular meeting of the Board, and they would then have the quarterly planning meeting. He said Mr. Lewis would vote in place of Mr. Kelley.

Councilor Smith MOVED to approve the Agenda. Steve Roberts SECONDED the motion, and it PASSED unanimously 7-0.

Mr. Henderson provided a brief update on the application, and summarized what was proposed (See March 25, 2009 Minutes).

Chair McGowan noted that there had been a site walk of the property.

Councilor Smith MOVED to open the public hearing. Steve Roberts SECONDED the motion, and it PASSED unanimously 7-0.

Mr. Parnell asked Mr. Henderson if he expected to increase the number of people in the units, and Mr. Henderson said no.

Councilor Smith MOVED to close the public hearing. Susan Fuller SECONDED the motion, and it PASSED unanimously 7-0.

The Board next went through the Conditional Use Checklist, and there were no issues of concern.

Mr. Campbell asked if the Public Works Department had said anything about additional permits needed. Mark said no.

Findings of Fact

1. The applicant submitted an Application for Conditional Use Permit with supporting documents on March 6, 2009.
2. The applicant submitted plans of the building on March 6, 2009.
3. The applicant submitted the deed for the property on March 6, 2009.
4. The applicant submitted a letter of intent on March 6, 2009.
5. The applicant submitted answers to the approval criteria of 175-23 on March 24, 2009.
6. A Site Walk of the property was performed on April 15, 2009.
7. A Public Hearing was held on April 15, 2009 and no members of the public were present to speak to the application.

Waiver

The applicant has requested a waiver from Section 7.02(D) of the Site Plan Regulations regarding the requirement to have a surveyed site plan. After consideration of the request, the Planning Board hereby approves the waiver.

Conditions of Approval, to be met prior to the issuance of a Certificate of Occupancy by the Code Enforcement Officer:

1. These Findings of Fact and Conditions of Approval shall be recorded with the Strafford County Registry of Deeds, at the applicant's expense.
2. A building permit shall be submitted to and approved by the Code Enforcement Officer for any new construction. All appropriate building codes shall be met.
3. The applicant shall meet with the Durham Fire Department to ensure that all fire and life safety codes are met.

Councilor Smith MOVED to grant approval of the Application for Conditional Use Permit submitted by Henderson Family Properties, LLC, Durham, New Hampshire to enclose four exterior porches to create interior living space, for the property shown on Tax Map 4, Lot 37-0, and located at 18 Woodman Road in the Residence A Zoning District. Susan Fuller SECONDED the motion, and it

PASSED unanimously 7-0.

Mr. Henderson thanked the Board for having the special meeting for his application that evening.

IV. Other Business

A. Old Business:

B. New Business: **Request for Technical Review by Wildcat Fitness to change the use of a commercial space at Mill Road Plaza, Map 5, Lot 1-1.**

Mr. Campbell explained that a letter from Wildcat Fitness indicated that the tanning salon next door had moved out, and that Wildcat would therefore like to extend the fitness center to occupy that space, for yoga, Pilates and other classes.

Chair McGowan determined that there would be no exterior changes to the building.

Mr. Campbell described the interior work that was planned. He also noted that a multi-tenant sign was planned for the Plaza.

Mr. Roberts asked if noise from inside the building might possibly impact abutting businesses. There was discussion about this.

It was noted that a Zoning change had been required to allow the initial Wildcat Fitness business at Mill Plaza.

Ms. Fuller said it was great that Wildcat Fitness wanted to expand its business, and said she thought the additional classes would be very popular.

Mr. Roberts said he was fine with this application going to the Technical Review Committee.

Councilor Smith MOVED to send to the Technical Review Committee an application by Wildcat Fitness to change the use of a commercial space at Mill Road Plaza, Map 5, Lot 1-1. Richard Ozenich SECONDED the motion, and it PASSED 7-0.

C. Next meeting of the Board: **April 29, 2009**

V. Adjournment

Richard Kelley MOVED to adjourn the meeting. Steve Roberts SECONDED the

motion, and it PASSED unanimously 7-0.

Adjournment at 6:51 pm

Victoria Parmele, Minutes taker