

These minutes were approved at the March 28, 2008 meeting.

Economic Development Committee

Meeting Minutes 3/14/08

Present: Chris Mueller, Susan Fuller, Jason Lenk, Karl Van Asselt, and Peter Ventura.

Staff: Jim Campbell, Director of Planning and Community Development
Todd Selig, Town Administrator

I Meeting called to order at 7:35 am

II. **Durham Evangelical Church**

Karl Van Asselt gave an update on what is happening with the Church. Mr. Van Asselt discussed when the Town Council should get involved. There was some discussion but no concrete time was given. Mr. Van Asselt discussed several things that need to be done on this issue. If the Church is to move, they will need to do many things to make it happen and the town needs to know what they need to do. Also, the Town Administrator will need to direct staff to look over the Church building and acreage to determine what shape the property is in. He also noted that an appraisal will need to be done on the property to determine its value and there should be an independent appraisal done. Finally, he discusses the need to hire an architect to do some sketches and figure out renovation costs.

Mr. Van Asselt went on to say that if the Church moves to the Beech Hill area there will be some transportation issues to deal with. He also stated that a zoning change would probably be needed and we need to think of how to make it a good situation for all involved, including the neighbors. In addition, he mentioned the need for some utility work such as water, sewer, and roadway work.

Peter Ventura mentioned that the Church will move faster than the town on anything that will be done. He stated that the Church should move first and the town should deal with the zoning issue. Then the town should look at buying the church if feasible.

Chairman Mueller said that we should meet with the Church again to see what their plans are and when they would like to move. Mr. Van Asselt said that he believes there is a plan for Beech Hill now so that looking at making a zoning change would make sense.

There was some general discussion about bringing the Church to the next EDC meeting to discuss their master plan followed by more discussion on the zoning and utilities issues.

Todd Selig, the Town Administrator, mentioned that the Church wants to do more than build a church, but would like to include mixed uses such as housing and possible commercial space to serve the development.

Mr. Campbell said he would invite a representative from the Church to the Committee's next meeting.

III. **Planned Unit Developments (PUD)**

Jim Campbell gave an introduction to the PUD and the information that was given to the EDC members in their packets. Mr. Campbell stated that he had given the EDC several examples of existing PUD Ordinances, a draft designed for Durham, and a memorandum explaining the ordinances and their similarities and differences.

Mr. Campbell explained that each of the ordinances has some sort of purpose statement. Most state that the PUD is established to give the Planning Board flexibility and discretion for innovative land use, the ability to approve appropriate uses, and to provide for the adequate, flexible, and economical development of streets, utilities, public spaces, and the preservation of natural and scenic areas as open space. PUDs are usually developed independently from current land use regulations and are not bound by the conventional lot-by-lot development.

Each ordinance also describes the acreage needed for the PUD as well as the uses that are permitted within the PUD. The acreages range from 10 acres to 75 acres as the minimum acreage needed to have a PUD. Gilford actually has a maximum acreage of 200 acres. In the Durham draft there is a requirement of 20 acres for the R, RC, RA, and RB zoning districts. At this point there is not a minimum for all other zones. We should discuss this in more detail if we decide to move forward with developing a PUD ordinance. Almost all the ordinances allow for a mix of both residential and commercial activities, with the commercial uses in most cases being limited. Epping's PUD ordinance is for commercial only. The idea behind limiting the commercial uses in a residential PUD is to allow the commercial uses for the residents of the PUD only and not the general public. In addition to the residential and commercial activities that are allowed, most will also allow for recreational activities.

Most of the PUD ordinances have a minimum amount of open space that is required for the development. A majority of them have a minimum open space requirement of 25% of the total site area. Rochester has a minimum 20% of buildable land or 40% of the gross land. A couple set a maximum "impervious area" therefore creating an amount of open space outside that area. In the Durham draft, we would use the 30%-50% of useable area from the conservation subdivision requirement. The unusable area is taken out before calculating the

open space. Each of the ordinances also speaks to the density and lot coverage allowed under the PUD ordinance. Some are more complicated than others.

For most PUD ordinances the process involves using subdivision review and some also require site plan review. All require adherence to the PUD ordinance. In Concord, you need to adhere to the provisions of the PUD ordinance and architectural standards. Both the Rochester ordinance and the Durham draft ordinance require submitting a development master plan for approval and then going through subdivision and/or site plan review. For Durham, the review would be under the conservation subdivision ordinance. In addition, they require some form of fiscal impact analysis.

Susan Fuller then gave a recap of the Planning Boards discussion and the fact that the Planning Board thinks that PUDs are an idea that deserves further discussion and that a joint meeting of the Planning Board and EDC may be needed. The EDC then discussed that perhaps a subcommittee comprised of two members of the EDC and two members of the Planning Board might work best. Chris Mueller and Karl Van Asselt agreed to work on the PUD for the EDC and Susan would work on it as a Planning Board member. Richard Kelley was discussed as the other Planning Board representative.

IV. Hickory Pond Inn

Jane Sparks, owner of the Hickory Pond Inn, handed out a memorandum to the EDC discussing her desire to operate as a restaurant that could be open to the public instead of just guests and functions. She went through the history of the business and the variances she has received in the past. Ms. Sparks also discussed her desire to eventually use the barn as a function facility and the sale of antiques. She informed the EDC that the current zoning does not allow her to do this. Ms. Sparks informed the EDC members that she has a variance application that has been submitted to the Zoning Board of Adjustment (ZBA). The variance request is for her to run a restaurant that is open to the public.

Mr. Campbell gave the EDC a quick background on the zoning for the Rural District.

Jason Lenk stated that he thought this probably a place that families would want to go to and this type of restaurant is good for the town.

Susan Fuller agreed with Mr. Lenk further stating that this business is on a state highway and this is an appropriate use here.

Karl Van Asselt asked Ms. Sparks how the neighbors feel about this business. Ms. Sparks stated that they support her business and wonder why she is not open to the public so they can go to her restaurant. Mr. Van Asselt then said that the EDC should support this use and go to the ZBA meeting.

Chairman Mueller stated that he would go to the ZBA meeting on the EDC's behalf and speak in favor of the application. It was also agreed that he would write something up supporting the application by Ms. Sparks to send to the ZBA members.

V. Approval of Minutes

Minutes for the February 8, 2008 meeting were not available for approval.

VI. Other Business

The Chair wanted to remind those on the EDC that if their terms are expiring and they wish to stay on the EDC, they will need to speak with Jennie. The members whose terms are expiring are Susan Fuller as the Planning Board representative, Karl Van Asselt as one of the Council representatives, and Jason Lenk.

Mr. Campbell provided the EDC members with an updated draft map of the potential developable areas in the Town of Durham. The Committee reviewed the map and Mr. Campbell noted one change to the area where the Rose Lawn Farm easement was just purchased. This area will be removed from the map.

Mr. Campbell also asked the Committee if they were still interested in moving along the changes to the ordinance that was prepared by the Housing Task Force. This will be brought back to a future agenda.

Dave Howland, Chair of the Mill Plaza Study Committee (MPSC), was in attendance to give the EDC an update of where the MPSC is in their process. He noted that the MPSC will be meeting on April 2, 2008 to finalize their report and plans and then send it to the Town Council for discussion in mid-April. He hopes that a recommendation will be to continue to work with the property owner and AIA 150 professionals to bring plans for the redevelopment of the Mill Plaza forward.

Mr. Campbell gave the EDC members an update on the Stone Quarry Drive TIF District and development. He stated that the ZBA granted the applicant setback variances for the lots within the development so the plan may continue forward. The question of the surety guarantee that will be provided by the developer was discussed. The EDC agrees with the Town Council that the developer should provide the surety so that the taxpayers in the Town of Durham have no liability.

Finally, the idea of having a public comment period on the agenda came up and the Committee agreed to place the item on future agendas.

VII. Next Agenda and Assignments

Meeting with the Durham Evangelical Church will be placed on the net agenda and Mr. Campbell will get in touch with the Church to invite them. The Housing amendments were also discussed as a future agenda item

VIII. Adjournment - Meeting adjourned at 9:30 am

Karl Van Asselt, Secretary