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Water Resource Protection Subcommittee of the Durham Planning Board
Meeting Minutes of April 9, 2010
Town Council Chambers, Durham Town Hall
7:30 am

Members Present: David Cedarholm, Jamie Houle, Stephen Roberts, Dwight Baldwin, Robin Mower

Members not Present: Richard Kelley, Brian Gallagher, Jim Campbell

David Cedarholm distributed to the members written comments from Jeff Belanger (Mitchell Municipal Group), Malcolm McNeil, Jack Farrell and Eric Weinrieb

David Cedarholm said he requested the Town's attorney to review the Site Plan Review Regulation and take in to consideration Malcolm McNeil's comments. Mr. Cedarholm said these comments are included on the most recent copy.

Mr. Cedarholm noted that Malcolm McNeil is looking at the Site Plan Review from the perspective that there are no current regulations, so the regulations are completely new. He explained this is not the case because the Town has had a practice of requiring adequate storm water control for all projects.

Jamie Houle said there is not much change, only clarification in the form of codification.

Dave Cedarholm said he also sent a draft to Perry Bryant for review. Mr. Bryant said he did not feel he had the expertise to give extensive comments; however, he mentioned what Mike Seivert and Jack Farrell commented on; the wish to be able to do some degree of storm water management within the buffer. The members had an extensive discussion regarding the pros and cons of allowing some degree of storm water management within the buffer, the benefits of buffers and the practice of enhancing buffers. It was noted that the ability of the Planning Board to have a technical review and make sensible decisions based on the technical review provides for the case when allowing storm management within the buffer is the correct decision. Jamie Houle said he feels there is a process in place that already accommodates these situations.

The members discussed the practice of proposed projects requesting variances from the zoning board of adjustment as a means to get aspects of a project included without going

1 through the Planning Board. The members discussed possible ways to discourage this
2 practice.

3 Jamie Houle noted that the subcommittee has solicited comments from the town attorney,
4 the town engineer, and local developers and has responded to all criticism and comments.

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6 Dave Cedarholm said he feels he has respectfully addressed all comments.

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8 Stephen Roberts said the only weakness in the regulation is that the Planning Board has
9 not previously faced the difficult task of dealing with developers regarding their ability to
10 waive one or more of these regulations.

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12 Jamie Houle suggested that the editorial changes suggested by the attorney be reviewed.
13 The members went through each suggestion/comment and agreed to accept all editorial
14 change.

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16 The members discussed the best way to present the draft, comments and changes to the
17 Planning Board. It was decided that the draft Site Plan Review Regulations Update –
18 Storm Water Management Section would be presented as one document with what was
19 changed and a separate document with the comments from the attorney.

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21 *Jamie Houle MOVED to accept the Site Plan Review Regulation as amended by the*
22 *Town's attorney and the Town's engineer. This was SECONDED by Robin Mower and*
23 *APPROVED unanimously.*

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25 The April 9, 2010 meeting of the Water Resource Protection Subcommittee of the
26 Durham Planning Board adjourned at 9:15 am.

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30 Respectfully submitted by,

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33 Susan Lucius,
34 Secretary to the Water Resource Protection Subcommittee of the Durham Planning Board