

These minutes were approved at the December 12, 2012 meeting.

DURHAM PLANNING BOARD MINUTES
Wednesday, October 10, 2012
Town Council Chambers, Durham Town Hall
7:00 P.M.

MEMBERS PRESENT: Chair Peter Wolfe; Vice Chair Richard Kelley (arrived at 7:09 pm); Richard Ozenich (arrived at 7:09 pm); Lorne Parnell; Bill McGowan (arrived at 7:02 pm); Andy Corrow; Town Council representative Bill Cote; alternate David Williams; alternate Town Council representative Julian Smith

MEMBERS ABSENT: alternate Wayne Lewis

I. Call to Order

Chair Wolfe called the meeting to order at 7:00 pm. He welcomed David Williams as a new alternate member of the Planning Board.

II. Roll Call

Planning Board Secretary Andy Corrow took the roll for the members present.

III. Seating of Alternates

Chair Wolfe appointed Mr. Williams to sit in for Mr. Ozenich.

IV. Approval of Agenda

Lorne Parnell MOVED to move Agenda Item XI up to after Item VII. Andy Corrow SECONDED the motion, and it PASSED unanimously 5-0.

Mr. McGowan arrived at 7:02 pm

V. Planners Report

Mr. Behrendt said the Town Council had asked Peter Wolfe about the status of a recently proposed site plan amendment to require architectural renderings for all proposed buildings that are presented under site plan review. He proposed that at some point in the near future, after adoption of the Architectural Regulations, we put together a number of simple amendments to the Site Plan Regulations, including this one, and process them together.

He noted that the HDC had completed its review of the new signs for University Edge, and said this included a number of wall signs prominently located on Main Street, others

located off Park Court and Mill Road, and one freestanding sign in front of 10 Main Street. He said University Edge had placed numerous other wall signs on its properties outside of the historic district. He thanked Mike Leary, proprietor of Sundance Signs, for working closely with the HDC to craft very attractive signs specially tailored for the historic district.

Mr. Behrendt noted that the final version of the UNH Master Plan was complete, and that there will be an informational session on it on October 18th from 12:30-2:00 in the Huddleston Hall Ballroom.

Councilor Smith said he would be there as the Planning Board representative.

VI. Public Comments
None

VII. Request for Technical Review (Administrative Process) by Phillip D. Albright to sell Christmas Trees at 172 Packers Falls Road, Map 17, Lot 50-1. Recommended action: Referral to the administrative process.

Councilor Smith said he had a potential conflict of interest, noting that in 1965, he and his wife had bought the house that Mr. Albright now lived in. He said he knew the property, and could speak as a member of the Board as to the appropriateness of the application.

Board members said they did not have a problem with Councilor Smith speaking concerning the application.

Mr. Behrendt explained the technical review process that small projects could potentially go through, instead of having the Planning Board review and vote on the application. He noted that no buildings were proposed right now for the property.

Mr. Ozenich and Mr. Kelley both arrived at 7:09 pm.

Mr. Parnell asked that there be a brief presentation from the applicant on his application, for the benefit of the public.

Mr. Albright said he grew trees in Vermont, and planned to bring about 330 trees to Durham this year to sell on the property in question. He also spoke about decorative material from native dogwood trees that he would like to sell on the site. He said there was a circular drive as well as a sufficient area for off street parking on the property, and said there was a mowed lawn area for setting up and selling the trees. He said he would only be open for business on the weekends.

Lorne Parnell MOVED to send to the Technical Review Committee an application by Phillip D. Albright to sell Christmas Trees at 172 Packers Falls Road, Map 17, Lot 50-1.

There was discussion on the amount of car traffic that was expected on Packers Falls Road as a result of having the business there. Councilor Smith noted that there were good sight lines on the site. He also said he knew the neighborhood, and didn't think there would be any issues.

Bill McGowan SECONDED the motion, and it PASSED unanimously 7-0.

- XI. Acceptance Consideration of an Application for Conditional Use Permit** submitted by Attorney Christopher A. Wyskiel, Dover, New Hampshire on behalf of **Great Bay Kennel**, Durham, New Hampshire to replace the existing canine daycare building with a new building that includes an indoor and outdoor play area, office and a studio apartment on the second floor. The property involved is shown on Tax Map 6, Lot 11-7, is located at 27 & 35 Newmarket Road, and is in the Residential C Zoning District. Recommended action: Acceptance as complete, setting site walk date, and continuation to October 24

Mr. Parnell asked why the Planning Board was looking at a Conditional Use Permit application for this property now.

Mr. Behrendt explained that the applicant had submitted a site plan application in January for a doggy day care center, which was approved, but it was later realized that there should have been a conditional use permit application. He said the applicant was now correcting that oversight by submitting the conditional use permit application.

Attorney Wyskiel represented the applicant. He said when the kennel was first established, the use existed as a right. He said to the extent that it was being altered, the applicant had been told a conditional use was needed.

Mr. Behrendt said the application was complete, and recommended setting the public hearing for the next meeting. He explained that a change from a 6 ft fence to an 8 ft fence was proposed as a sound barrier, and said this would need to be approved by the HDC. He also noted that the fence was now considered a structure because of the additional 2 ft of height.

Bill McGowan MOVED to accept an Application for Conditional Use Permit submitted by Attorney Christopher A. Wyskiel, Dover, New Hampshire on behalf of Great Bay Kennel, Durham, New Hampshire to replace the existing canine daycare building with a new building that includes an indoor and outdoor play area, office and a studio apartment on the second floor, and to schedule the Public Hearing for October 24, 2012. The property involved is shown on Tax Map 6, Lot 11-7, is located at 27 & 35 Newmarket Road, and is in the Residential C Zoning District. Richard Kelley SECONDED the motion, and it PASSED unanimously 7-0.

The Board agreed to do a site walk on October 24th at 5 pm, and to invite members of the HDC to attend.

VIII. Public Hearing (continued) - Eight-Lot Conservation Subdivision plus a Boundary Line Adjustment, 110 and 114 Mill Road, submitted by John H. Farrell, County Line Holdings LLC, Durham, New Hampshire, on behalf of Martha Garland and Joyce Melanson, Durham, New Hampshire. Tax Map 13, Lots 15-1 and 15-2, Residential B Zoning District.

Mr. Behrendt said the applicants had requested that the public hearing be continued to the October 24th meeting, because they were still dealing with some common open space and stewardship issues.

IX. Public Hearing - Application for Site Plan Review and Conditional Use Permit submitted by Joseph Persechino, P.E., Tighe & Bond, Portsmouth, NH, on behalf of Peak Campus Development, LLC, Atlanta, GA (applicant), Chet Tecce Jr., Durham, New Hampshire, John & Patricia McGinty, Durham, New Hampshire and the University of New Hampshire, Durham, New Hampshire (property owners) for a 142-unit/460 bed apartment-style housing development. The properties involved are shown on Tax Map 13, Lots 6-1, 10-0, 3-0UNH and 4-0UNH, are located on Mast Road and are in the Office Research/Light Industry Zoning District.

Jeff Githens represented Peak Campus Development before the Planning Board. He said he first would review how the conditional use criteria were met. He said he then would address comments received from Mr. Behrendt in a memo dated October 3rd, in order to try to get some consensus on the items that were still in flux.

He said the traffic study was complete, and said traffic consultant Mr. Pernaw, who had prepared this study, would present the findings to the Board. He also noted the fiscal impact study that had been completed.

1. Site Suitability – Mr. Githens said the site was zoned ORLI, so the proposed use was allowed in that zone. He said the development would be ideally located next to UNH, and said there would be an entrance to the property on Mast Road (Route 155A). He also said there would be an entrance to the site that was combined with the entrance to the West Edge parking lot, which would allow the consolidation of curb cuts.

He said UNH Wildcat transit buses would stop in front of the development's club house. He also said the property was located adjacent to water and sewer hookups, and said gas lines were available down the road at the intersection of Mast Road and Main Street.

2. External Impacts Mr. Githens said the development would fit in nicely with surrounding land uses. He explained that the site would be developed with the preservation of the Town gateway in mind, and said it would either equal or be better than what was there now. He said the perimeter of the property would be flanked by

small buildings, and also said there would be landscape buffering including maintenance of the mature tree canopy there where possible.

He said the project would be compliant with the Zoning Ordinance, and he noted that the shared entrance with UNH as well as the shuttle service to the site would address possible traffic impacts from the development. He said the property would be professionally managed and maintained, in a way that was similar to the service provided at the Capstone property.

3. Character of Site development. Mr. Githens stated again that the project was compliant with the Zoning Ordinance, and noted that no wetland or wetland buffer encroachment was proposed. He said a strong sense of community would be created by the way that the ample green space on the site had been configured. He noted that this had been improved upon further relative to what was described in the previous design review before the Planning Board. He said the project would be well integrated with UNH, including the shuttle stop.

Mr. Githens said the latest site plan reflected some enhancements of the previous site plan. He noted that it had been agreed that there should be a central courtyard feature, and said the area created for this was greater than had been expected. He said there would be a considerable distance of 40-45 ft between the larger buildings, so a considerable amount of green space would be created. He noted that a new feature they'd been able to add to the project as a result of this was a regulation size whiffle ball field, which he said compliments other amenities on the site. He said they felt good about the design, and said the Planning Board's input on this had been important.

He said he had met with UNH concerning the pedestrian path location, and said the conclusion was that the preferred location for the extension was north of Mast Road, on UNH property and not on the right of way for safety reasons.

4. Character of buildings and structure. Mr. Githens said the buildings in the development would have a New England architectural style, and he noted that the renderings on this had been updated. He said there would be a diversity of building types, and said all of them would be made with durable, low maintenance materials. He said the buildings would be sprinklered.

He said there would be a gradual, appealing transition on the site from the 2 story to the 3 story buildings, and said the 3 story buildings wouldn't stand out because of the elevation change on the site. He said more covered bike storage had been added to the plan, and said there would be enough for about 100 bike spaces, or 25% of residents. He said this space would be well distributed on the site.

5. Preservation of natural, cultural, historic, and scenic resources

Mr. Githens said the stone walls on the property and at the property boundary would be preserved. He also said mature trees on the site would be preserved where possible. He said Peak was open to doing what made sense with the apple trees on the site, and said

they would be replanted if this was feasible. He said the ultimate decision on this would be made at the time that the work was being done.

6. Impact on property values

Mr. Githens said it wasn't expected that there would be a decline in property values in the area as a result of the project, and he spoke briefly on this.

7. Availability of Public Services & Facilities:

He said there was existing sewer and water infrastructure capacity to serve the project, and said natural gas would be extended to the site. He said Unitil was 95% sure that the existing electricity infrastructure was sufficient. He said stormwater management would be achieved on the site with gravel wetlands. He said there would be three recycling stations distributed throughout the property.

8. Fiscal impacts

Mr. Githens said the fiscal impact study that was done indicated that the development would have a net positive fiscal impact on the Town. He noted that it was not expected that school children would be introduced into the school system in any number. He said Capstone was doing a substantial job of managing its property professionally, and said Peak hoped to do the same. He said they didn't want to be, and didn't plan to be a burden on Town services.

Mr. Githens next reviewed some aspects of the project that had been under discussion, and were discussed in Mr. Behrendt's recent memo.

- He provided details on the transit shelter, including the fact that there would be a covered waiting area with seats, and good lines of sight to the shuttle stop. He said in 2013, up to date arrival and departure times would be displayed in the clubhouse.
- He said there was a draft agreement with UNH to provide bus service, and said on school days, there would be two or potentially three buses running from 6:30 am to 12:00 am, and one or two buses after hours. He said there would also be bus service on weekends.
- He said the preference was to put the proposed multi-use path on UNH property, and said he hoped consensus could be reached at the Planning Board meeting that this was acceptable, so Peak could work with UNH to complete the plans. He said Peak was ok with extending the path if this was needed, but said he didn't anticipate the need. He said he didn't think this needed to be part of the plans now, and spoke further on this.
- He said the Traffic study was complete, and essentially said that there would be a fairly negligible impact on traffic from the development. He summarized that having a pedestrian alternative and bus service meant that there would not be a greater Level of Service after the development opened than there was today. He said the traffic model would be updated upon approval of the project.
- He said there was agreement with UNH concerning the shuttle pull-off area, and shuttle specifications such as entrance width, etc. He said this would be reflected in the plan.

- He said Peak hadn't been thinking that a foot path for the perimeter of the property was a good idea. He said it would be a complicated thing to do, there wasn't a lot of room for it, and said he didn't think it would be highly used, noting that all units were accessible from the interior of the site. He said there were also maintenance considerations.
- He said they were open to what made the most sense regarding the apple trees on the property. He said if transplanting made sense, it would be nice to be able to use them.
- He said he was working with Mr. Cedarholm regarding the need to be able to access the gravel wetland.
- He said the two-way radio signal at the site was pretty weak, and said Peak would work with its provider on a solution. He spoke briefly on this.
- He said he had met with Police Chief Kurz regarding property management issues, and said they agreed on the approach that should be taken. He said they would have someone on site 24/7, and he provided details on this. He also said there would be electronic surveillance in the clubhouse area.
- He said he would be meeting with Code Officer Tom Johnson concerning inspections of the project, including supplementation by Peak of Mr. Johnson's efforts in order to keep the project on schedule.
- He said an update to the energy checklist had been submitted, after discussion with the Energy Committee and Mr. Behrendt. He said there wasn't a lot of definition around some of the criteria in the checklist.

Traffic consultant Steve Pernaw spoke next about the results of the traffic study he had done. He noted that both the Town and DOT had suggested that this study should be done, and said there had been a scoping meeting with them and a representative from SRPC where the parameters of the study were set. He said it was determined that data would be collected at the intersection of Main St and Mast Road, the West Edge lot access, and the main access to the site on Mast Road.

He said traffic counts were done at morning and evening peak hours to document existing conditions, and said it was then estimated how much traffic the development would generate. He said these numbers were then added together to determine future volumes the year the development opened and then ten years later. He said an analysis was then done of this data. Mr. Pernaw noted that DOT wanted to know if there was a need for turning lanes, and also asked him to look at sight distances.

He said DOT data indicated that there were approximately 8000 cars going by on Main Street in 2011. He said there were hourly variations in this, with the peak in the morning and also in the late afternoon. He said traffic data was obtained in September for the traffic study, for both peak morning and late afternoon hours. He said the highest traffic volume in the peak morning hours was on Main Street heading east toward the campus, and north on Mast Road toward the campus. He said this reversed during the peak evening hours.

He said there was no generic trip generation data for the land use proposed with this project, so trip generation data from Capstone, the Gables and Bryant Park west was

used. He said the highest rates were used, and were applied to the number of units proposed at the Peak development. He said this resulted in an estimated 64 trips in the morning, most of them leaving the site, and 154 trips in the evening that were evenly balanced between cars leaving and entering the site.

Mr. Pernaw said he believed these numbers were on the high side, stating that he didn't think residents at the Capstone cottages were used to using the shuttle buses yet. He provided additional details on trip projections as a result of the Peak development. Among other things, he noted that with the access to the West Edge lot, there would be some traffic diversion off of Mast Road, which was a good thing.

Mr. Pernaw next summarized the net impacts to intersections from the project. He said that at the Main St and Mast Road intersection, at the morning peak hour there would be a 4% increase in traffic, and an 8% increase at the evening peak hour. But he noted that random traffic flow patterns indicated that there could be fluctuations in traffic of greater than 10% at that intersection. He said this meant that although there would be traffic impacts from the project, it wouldn't be monumental in terms of overall traffic demand.

Concerning the Level of Service, which he noted was a categorization of delay experienced at an intersection, Mr. Pernaw said the bad news was that coming out of Mast Road at peak hours, people in cars wanting to take a left would have to wait. He said the Level of Service there right now was F and it would continue to be F. He said the Level of Service right now for cars turning left from Main St onto Mast Road was A or B, and said no change in this level of service or the other levels of service at intersections involved was expected as a result of the development.

He said an approach lane was recommended on Mast Road for cars turning left onto Main Street, in order to mitigate the F Level of Service there. He said this would increase capacity and reduce delays.

Mr. Pernaw said that at the proposed site driveway, traffic volumes would be well below capacity, and said this confirmed that only one exit lane was needed coming out of the site. He said traffic volumes at the site driveway were well below capacity, and said this meant that only one exit lane was needed coming out of the driveway onto Mast Road. He said right and left exit lanes would not be needed there, as compared to the West Edge lot entrance.

He said the traffic study had indicated that a separate turning lane would not be needed for cars taking a left onto the site from Mast Road. He also said a separate turning lane would not be needed for cars taking a right into the site from Mast Road. He noted that DOT didn't care what the number of cars was there, and would want the right turning lane. He said he wouldn't be surprised if DOT also asked for shoulder widening, etc.

Mr. Pernaw said there was excellent sight distance, looking in both directions from the driveway along Mast Road. But he noted that vegetation growing at the West Edge drive

tended to restrict the sight distance there. He said this vegetation was probably in the right of way, and he recommended that it should be trimmed.

Mr. Pernaw noted that DOT issued driveway permits, and said they had the traffic study to look at as part of reviewing the permit application.

Mr. Kelley asked what the sight distance was in either direction at the site entrance, and Mr. Pernaw said it was more than 400 ft, which was adequate for cars traveling at speeds of 45-50 mph.

Mr. Kelley noted that the road was posted at 40 mph, but said the speeds driven there varied from 35-50 mph. He noted Table 4 in the traffic study, concerning Levels of Service. He said the 15 minute peak period was the worst case in terms of traffic, but noted that Level of Service F would be experienced at the Main Street/Mast Road intersection during other 15 minute intervals as well. He asked if a traffic signal was warranted at this intersection.

Mr. Pernaw said the applicant wasn't asked to do a signal analysis. He noted that DOT used 8 hour criteria. He said during off peak times, the traffic did drop off significantly, and said his guess was that DOT would not find that a signal was warranted at this location. There was discussion that there were also 4 hour criteria as well as shorter criteria that were used for unusual circumstances. He said he didn't think this applied to this particular intersection.

Mr. Kelley determined from Mr. Pernaw that the proposed exclusive right turning lane at the intersection of Mast Road and Main Street would need to go back 200-250 ft.

Mr. Kelley said he was leaning toward some provision at the intersection, so the vehicles turning left at the intersection weren't inhibited.

Mr. Pernaw noted that there were already a heavy number of right turns there without the development.

Mr. Kelley noted that this was a conditional use application.

Councilor Cote asked whether in the field surveying that was done, they found that there was a queuing up of traffic turning right onto Main Street that backed up to the Peak site.

Mr. Pernaw said no. Councilor Cote suggesting holding left turning traffic back a bit at the intersection in order to help the line of sight for traffic turning right onto Main Street. There was discussion.

Mr. Williams said he was at the site walk, and said walking up Route 155A (Mast Road) was like walking along a highway. He said even though the road was posted as 40 mph, cars sometimes went 50 mph. He asked how many cars the development would add to

this road, and Mr. Pernaw said it would add a car a minute in the evening, and a car every two minutes in the morning.

There was discussion between Mr. Williams and Mr. Pernaw that some advance warning signs on Route 155 A would be appropriate. Mr. Pernaw provided details on this. Mr. Williams said it was worth thinking about the fact that with apartment residents walking and driving on this road, as well as traffic to and from the University, the traffic situation would become more intense. He said it was worth reflecting on this.

Mr. Pernaw said the Town could petition DOT to lower the posted speed limit on Route 155A, although he noted that the agency would be reluctant to do this. He said the Planning Board's review of the project could be used as the basis for this change.

Mr. Kelley asked if pedestrian counts were done as part of the traffic study, and Mr. Pernaw said pedestrian counts were done at Capstone in order to monitor pedestrian activity there. Mr. Kelley asked for details on this, and Mr. Pernaw said he would check his field notes. Mr. Kelley said at the site walk, he had seen pedestrians crossing the road from the Bryant property, as well as going down toward Main Street.

Mr. Githens noted that residents living at the Peak property and attending UNH would not be eligible for parking permits because of the proximity of the development to the campus. He said it was expected that they would take the shuttle or walk to campus. He said Peak would improve the current shuttle stop on Mast Road, and also noted that residents at Bryant Park West already had to cross Mast Road to get to the shuttle stop.

He also noted that with the proposed pedestrian path extension north of Mast Road and taking it down to a signalized crosswalk with flashing lights, this justified the location for the pathway.

Mr. Githens stated that the Main Street/Mast Road intersection was already overburdened, and said the project wouldn't be tipping the balance on this.

Mr. Kelley asked for details on the expected number of trips made by trucks doing earth removal from the site.

Project engineer Joe Persechino said if excavated material needed to be removed from the site and new material needed to be brought to the site, there would be 6-8 trucks per hour, with 60-80 trucks per day, for 2-3 weeks.

Richard Kelley MOVED to open the Public Hearing. Richard Ozenich SECONDED the motion, and it PASSED unanimously 7-0.

Chase, a UNH student, asked how many people the development would hold, and was told it could house 460 people.

Kevin Marsh, a UNH student, asked what the rents would be at the development, and Mr. Githens said this would be comparable to rents at Capstone.

Cynthia Copeland, Executive Director at Strafford Regional Planning Commission, noted that she had provided minutes of the SRPC regional impact committee meeting where the potential regional impact of the project was reviewed. She also noted that the complete review package had been provided to the Town Planner. She said the applicant attended the meeting, and said it had been taped so was available for viewing.

She said the committee offered the following non-binding recommendations for the Town Planning Board to consider for the application.

- The project is well planned and no substantial adverse regional impact is anticipated as a result of it.
- Consider installing walking path connecting the existing path north of Mast Road on UNH as part of this Site Plan to maintain connectivity for alternative transportation.
- Consider providing additional parking for mopeds/motorcycles with this site plan
- Consider provision stipulating that transportation improvements will be implemented at the intersection of 155A/Main Street to alleviate current safety concerns expressed by NHDOT District 6. Ms. Copeland noted that traffic counts of that area would be done the following week.
- Consider retaining as much perimeter vegetation as possible to retain associated vegetative noise barrier
- Consider utilizing compost filter sock as primary perimeter erosion control device as an alternative to silt fencing, to limit earth disturbance and provide for ease of removal upon final stabilization
- Consider utilizing low phosphorus/slow release nitrogen fertilizers for landscape stock
- We concur with the NH Natural Heritage Bureau. Consider maximizing and preserving the natural wooded buffer of trees and shrubs along the westerly and northerly edges of the Mast Road apartment's property to minimize visual noise disturbance impacts to resting and feeding migratory birds at the adjacent agricultural site.
- Consider taking steps to preserve portions of the project site within the Oyster River Conservation Focus Area (CFA) on Lot 10-0, as described within the Land Conservation Plan for NH's Coastal Watersheds (2006) to the extent possible.
- Consider contacting the Oyster River Watershed Association, the Oyster River Local Advisory Committee, and the Town of Lee to ensure against potential impacts to stewardship plans for proximate conservation lands.
- Consider revising Note #20 of the Landscaping Plan to require the perpetual maintenance of acceptable landscaping, including acceptable future revisions in the Landscaping plan.

Councilor Robin Mower, Faculty Road, noted that she was the Council representative to the Energy Committee, which had been working with Peak concerning alternative transportation approaches. She read into the public record a letter from Energy

Committee Chair Kevin Gardner. She said the Energy Committee had unanimously supported this letter.

Mr. Garden said at the Committee's meeting on October 9th, the suggestion was made that he write a letter to the Planning Board and that his communication would have the Committee's full support. He said he was pleased to hear that Peak Campus Development had taken seriously the issue of alternative transportation from and to its proposed location on Mast Road.

He said as he understood it, Peak's proposal now included sufficient covered and secure bicycle storage facilities and secure storage to allow approximately 25% of the residents at the proposed development to have a place to lock their bicycle. He said this was a great start, and was in line with the standards of UNH.

Mr. Gardner encouraged Peak to consider, and the Planning Board to consider requiring as a formal condition of approval, more significant energy conservation and generation measures. He said this was a massive scale of development for Durham, and said the Town must be bold if it was going to achieve the goals recently set forth by the Town Council, specifically:

"Pursue long-term economic and environmental sustainability and resiliency, anticipating the community's and the region's future needs through a 'continuous improvement' framework that formally integrates the consideration of multiple elements: society, ecology, economics, food and drinking water, climate, and energy resources."

He said Peak had the opportunity to significantly reduce energy demand from its facility and to install on-site power generation at little or no cost through power purchase agreements with local solar installers. He said it was inexcusable not to take advantage of the great opportunity that lay before them, and act in a way that furthered the goals of the Town of Durham.

Mr. Gardner urged the Planning Board to take seriously the goals of the Town and to require that Peak Campus Development do the same. He said at this point in time, it was more than reasonable to expect that 100% of the expected electric demand of the buildings be satisfied by on-site solar energy generation. He said the Planning Board should require Peak Campus Development to comply with this level of alternative energy generation.

He said Peak Campus Development could—and should—be a model for future development in Durham. He said covered bike racks, weather-proof transit stops, and a significant fraction of their energy developed on-site would help Durham become known for its long-term view toward economic and environmental sustainability.

Beth Olshansky, Packers Falls Road, said she agreed with the letter from the Energy Committee, and said it had raised some excellent points. She said this project was a big deal for Durham, and said there were economic reasons for doing it. She said there were energy concerns regarding the project, and also said there was concern about the fact that

Mast Road was a rural gateway to Town. She said there was talk about preservation in the application, but said she wasn't sure what was being preserved. She noted some nice stands of trees on the property.

Mr. Githens described in detail for Ms. Olshansky the buffer that would be maintained along Mast Road.

Chair Wolfe noted that Peak was going to try to keep the trees along the pedestrian walkway, on the north side of the stone wall, which wasn't shown on the plan.

Mr. Githens provided details on this.

Mr. Kelley noted the cross sections that were provided in the plans, and asked if the buffer that would remain in sections A, B and C was between 45-50 ft from the edge of pavement. Mr. Persechino provided details on this, and there was discussion. Mr. Kelley said 50 ft from the edge of pavement was a more accurate description of the buffer. Mr. Persechino provided additional details on the buffer, and said they would try to maintain it as much as possible. He said the buffer would be greater than 50 ft in some areas along Mast Road.

Ms. Olshansky said a 50 ft buffer sounded good, but said there was a 100 ft buffer from her house to a nearby development, which didn't provide a lot of buffer. She asked if the trees that would be planted would be evergreens, and Mr. Githens said they would entertain that idea.

Ms. Olshansky reminded the Planning Board that since this was a conditional use permit application, the Board could place further conditions on the project to ensure that there would be positive impacts on the Town. She said she hoped the Planning Board would use its authority to make sure that some of the visual impacts were mitigated.

She noted that the Town was fighting to preserve the outdoor pool at UNH, and UNH was saying it needed this area in order to put in a fitness center. She said Capstone had provided fitness equipment for the residents there, and said it would make sense for Peak to provide this as well. She said this would help the Town.

Mr. Githens said Peak would provide fitness equipment.

Ms. Olshansky agreed that it would be a good idea to try to slow down traffic in the area of Mast Road where people would be entering and exiting the site.

Lee Peroznik, 37 Emerson Road, said Strafford Regional Planning Commission had made some really good points, including the idea of providing accommodations for mopeds. She noted that they were really popular right now at UNH. She said there were no buses at some times of year, and said people who didn't have cars would need a way to get to town. She said not everyone would ride a bike downtown.

Councilor Jim Lawson, 24 Deer Meadow Road, said he was delighted to see that consideration had been given to addressing the issue of having adequate radio coverage for the site. He said if this turn out to be an issue, having a single, mobile repeater would benefit everyone out there, and he provided details on this. He also said base stations needed conductivity back to Beech Hill, and said the Planning Board should consider requiring that the applicant put in a microwave system because of the reliability this would provide.

Bill Hall, said he would want to see the business plan that showed that using solar panels for the project made sense from an economic perspective. He spoke in some detail on this.

Perry Bryant noted that he had been a recent applicant before the Planning Board for his student housing project. He said he had built the project to LEED standards, and said the Board had been very receptive to this. He said there were some aspects of the Peak project that could be improved in terms of protecting the environment and sustainability.

He noted that he had included solar hot water in his project, which produced 95% of the radiant heating of floors as well as domestic hot water for the building. He said this would be cost effective over the long term, and made sense for a student housing development, which used a lot of water.

He said the LEED standards were pretty clear, concerning trying to reduce a project's carbon footprint. He said the key way to do this was to reduce the number of cars, but said the footprint wouldn't be reduced with one parking space per resident for the Peak project. He noted that Peak was doing a great with intermodal transportation options.

He said he didn't seen pedestrian counts in the area as part of Mr. Pernaw's traffic study. He noted that when he built his building, this number was pretty significant, and said this had gone up. He also said vehicle numbers in the traffic study didn't make sense, and he provided details on this. He asked that the Planning Board analyze the traffic situation further, with the data that was available now because of the Capstone project.

Mr. Bryant said the applicant should look more at things like green roofs and LEED standards for energy conservation and getting a higher quality building that were more sustainable over the long term. He also said it looked like Peak would be disturbing about 80% of the site in putting the development in. He noted that Strafford Regional Planning Commission had recommended the use of silt socks, and he urged the Planning Board to think about this.

Mr. Bryant also noted that it had cost him about \$270,000 to run the sewer and water up the street to his project. He said there was never any discussion about betterment, for a future project on Mast Road, and said it was something that should be considered.

Dave Sanborn, 264 Mast Road, said he was interested in the possibility of a footpath coming on UNH property. He said if this happened, he would suggest that any lighting of

the path would be located on the road side of the path, and would directed away from residences in the area. He also said it would be terrific if the path could be positioned inside the roadside vegetation and stone wall to minimize disturbance of those features.

Councilor Mower asked that the Planning Board listen carefully to what Mr. Bryant had just said, which reflected some strong arguments that the Energy Committee had been trying to make concerning the project in discussion with Peak. She said there had been some success in these discussions, but said there were still some steps that could be taken. She questioned whether the Board had seen any evidence that supported the idea that one parking space per person was truly what was required, and if it was possible to ask for fewer spaces.

She said it was important to make it very convenient for students to walk and bicycle to campus, with things like an easy pathway from the clubhouse to the bike shelter, something along the sides of the road for a shoulder or bike path, and pushing DOT to slow down traffic. She also said if there was in fact a lag time in terms of financing solar, perhaps there was a way for the Planning Board to assist with this, through a letter to the financing company, etc. She said there were some creative things that could be looked at in the interest of the Town, working a bit harder on some of these elements.

Diana Carroll, Canney Road questioned the idea of having to provide a parking space for every resident of the development, and also providing shuttle buses. She said if people had a car, it became much too seductive to use it and not take the bus. She said students renting at Peak who didn't have a car would wind up subsidizing students who did have cars, and said it seemed that just the opposite should be happening.

She said this was a totally unfair system, and said there was a great opportunity for the Planning Board to look at this. She said UNH was stepping up to the plate more and more in terms of dealing with traffic on campus and making it a more walkable campus. She noted as part of this the multi-use path that Peak would benefit from. She said the transit shelter proposed was for 10 people, and she questioned how it could handle 460 people. She also said the shelter should be as comfortable as possible for those people using public transit.

Mr. Kelley left the meeting at approximately 9:05 pm.

Susie Loder, 38 Oyster River Road, read from the letter she had submitted to the Planning Board, concerning the fiscal impact of the development. She then asked whether, if there was a need to upgrade the Town's water and sewer systems as a result of this project, there was some kind of impact fee that could be charged for a project of this scale. She also noted the police and fire services the development would demand, and she asked the Planning Board to consider these things.

Councilor Smith said he had been asked to present something from the Conservation Commission, and it was agreed that he would do this later.

Mr. Githens said he appreciated the comments that members of the public had provided, and said Peak was trying to create a project that was goof for everyone.

Russ Tebo of Applied Economic Research, who had developed the fiscal impact analysis, said in doing this analysis, he had utilized the same methodology he had used with the Capstone project. He provided details on this, and among other things he noted that to be on the safe side, he had said that perhaps there would be 5 students in the ORSD schools as a result of the project.

He said the bottom line was that the project would generate \$470,000 in taxes per year, whereas right now, it was generating \$13,000 in taxes. He noted that he had tried to be conservative with his estimates. He said the project absolutely would not impose a fiscal burden on the Town, and said he had also concluded that the project would not result in a negative impact on abutting properties.

Mr. Pernaw said the data in Table 1 showed trips per bed, and said the data was normalized to reflect the number of beds in a development. He said the Capstone development was a good model to use, and produced the highest trip rates, so they were used in the projections. He said they were conservative on the high side.

Councilor Smith asked what the difference was between this data and what had been predicted for Capstone.

Mr. Pernaw said he had used trip rate data at the Gables and adjusted it to reflect that Capstone was a more rural site. He said the actual Capstone traffic had turned out to be higher than what had been anticipated in the traffic study for that project. He said an assumption had been made for the Capstone traffic study that there would be a 75/25 split in terms of students using cars vs. taking the shuttle. He said the Town's consultant had reviewed this and was happy with it.

Councilor Smith noted that he was not happy with it.

Mr. Pernaw said what had been observed at Capstone was closer to 100/0, and said for that reason, they used that assumption for the Peak traffic study. He said the Capstone trip rate was applied to the projected number of students at Peak, and he spoke further on this.

Mr. Githens explained that moped parking had been provided for the site to a small degree, in areas where it was believed that auto space could be displaced. He said if the amount of mopeds was higher than expected, it would be easy to accommodate this.

Concerning the parking space question, Mr. Githens said the Zoning ordinance required one parking space per resident. He also said it was typical for a property of this size in a rural setting to build to that ratio. He said the reality was that residents typically came with cars, and said in order for the development to be successful, Peak needed to be able to accommodate this, unless it was an urban situation. He also explained the way the financial community looked at this situation.

Regarding the energy efficiency issue, Mr. Githens said Peak understood that the Town had adopted an energy code for Zone 6. He said he had built LEED projects, and said the energy code far exceeded what LEED required. He said the project would be extremely energy efficient. He said the company had explored solar applications, and said they were great in the right environment.

He said NH was not that environment, and said the rebates from utilities and the State were much higher in MA than they were in NH. He said Peak had spoken to a number of power purchase agreement providers that were reluctant to venture into this market because the payback wasn't there for them to provide the infrastructure without the rebates. He provided details on this. He noted that Peak had oriented the buildings so that the roof lines were south facing, so they could accommodate solar when it became cost effective.

Chair Wolfe said the cost could be recouped in nine years for commercial solar, and noted that he had provided figures on this.

Mr. Githens said they were looking to do things that made sense, and said solar was not a requirement in the Zoning Ordinance. He also said even if it was affordable, they wouldn't be able to get 100% of power coming from a solar source in a multi-family development setting. He spoke further on this.

Chair Wolfe said a site plan was the minimum required, and noted that it also incorporated the Master Plan and Town Council visions.

Dave Williams MOVED to continue the Public Hearing. Andy Corrow SECONDED the motion, and it PASSED unanimously 6-0.

(Mr. Williams had not been appointed yet to replace Mr. Kelley as a voting member)

Break from 9:27 to 9:38 pm

Chair Wolfe said it had been decided that the proposed Zoning amendment on chickens would be the next agenda item.

Councilor Cote MOVED to hear the Zoning Amendment to allow chickens as an accessory residential use in all zoning districts as the next agenda item. Bill McGowan SECONDED the motion, and it PASSED unanimously 5-0.

Chair Wolfe appointed Mr. Williams to replace Mr. Kelley.

- XII. Discussion of Zoning Amendment** to allow chickens as an accessory residential use in all zoning districts. Proposed by the Durham Agricultural Commission. Recommended action: Discussion and setting date for public hearing.

Theresa Walker, Chair of the Agricultural Commission, provided background on the development of the proposed Zoning change. She said the Commission had been inventorying agricultural activities in Town, at the same time that the Code officer had been sending notices to property owners letting them know that their chickens were in violation of the Ordinance. She said work the Commission had also been doing to make the Town's regulations more farm friendly was accelerated as a result of these violations.

She said the Agricultural Commission held a public meeting so residents could share their ideas and concerns regarding keeping chickens, and said there was a great turnout. She said this and further research led to a discussion with Mr. Behrendt about amending the Zoning Ordinance to enable the raising of chickens. She said she was grateful that the Planning Board would have a discussion on what had been proposed.

Mr. Behrendt said if the Planning Board wanted to move this proposed Zoning change forward, it would be a change that was initiated by the Planning Board.

Chair Wolfe asked Board members if they wanted to accept this as a Planning Board initiated Zoning change, and set the public hearing for it. He said the public hearing could be held at the next meeting.

Ms. Walker noted that the Town had extended the timeline concerning the violations, but said this expired in January. She said the Agricultural Commission was looking to provide relief for these people sooner rather than later.

Mr. Behrendt said the Planning Board hadn't had a chance to look at this proposal and hadn't heard from the public yet, so it would be premature to recommend it at this point. He suggested scheduling the hearing for October 24th, and then deliberating, including deciding if the Board wanted to initiate the Zoning change as proposed, or with some modifications. He said that second approach would require another public hearing.

Mr. Parnell agreed that the Zoning proposal might change after public input was received, and that a second public hearing would be needed if this happened.

Lorne Parnell MOVED to schedule the Public Hearing for October 24th, 2012. Councilor Cote SECONDED the motion, and it PASSED unanimously 7-0.

Ms. Walker recommended that Planning Board members watch on DCAT the Agricultural Commission where there was a public forum on the chickens issue.

Councilor Jay Gooze noted from the audience that when the public hearing was held, the Planning Board could deliberate as to whether they wanted to pass the Zoning proposal on to the Council. He said if this passed, the Council would then schedule a public hearing. He said there didn't need to be two Planning Board hearings.

- X. Public Hearing (continued) - Proposed amendment to the Site Plan Review Regulations to create a new section - Architectural Design Standards**, that would apply to all nonresidential and multifamily (other than single and two family dwellings) development within the five Core Commercial Zoning Districts – Central Business, Church Hill, Coe’s Corner, Courthouse, and Professional Office. These would be regulations, not voluntary guidelines, to be applied by the Planning Board. The standards would not apply to any property located in the Durham Historic District, but rather it is expected that a separate companion set of regulations will be prepared for that area. Recommended action: Closing public hearing and continuation to October 24.

Lorne Parnell MOVED to reopen the Public Hearing on the proposed amendment to the Site Plan Review Regulations to create a new section - Architectural Design Standards, that would apply to all nonresidential and multifamily (other than single and two family dwellings) development within the five Core Commercial Zoning Districts – Central Business, Church Hill, Coe’s Corner, Courthouse, and Professional Office. Andy Corrow SECONDED the motion, and it PASSED unanimously 7-0.

Chair Wolfe said there was a new version of the draft on the web page. He noted that the Planning Board had received a lot of comments on building height, and that the provision concerning this was in the Zoning Ordinance. He said the site plan regulations couldn’t trump the Zoning Ordinance, and also said these two documents needed to be looked at together concerning the building height issue.

Nancy Sandberg, 15 Langley Road, said she had planned to speak on building height in regard to the architectural design regulations. She said she had been told that building height would be addressed in the Zoning Ordinance, but said she thought that was a problem. She said the regulations being developed were the newer, more restrictive provisions, and said they should therefore trump the Zoning Ordinance.

She said the document went a long way toward specifying the vision of the community for the development of the commercial core, which was consistent with Durham’s traditional architecture, and the feel of a small town. But she said there were two glaring problems.

Ms. Sandberg said under section E 4, concerning waiver requests, there was mushy language, and said the first paragraph caused confusion for everyone, turning the Planning Board into a co-developer. She said that paragraph should be removed, and said clear standards were needed to allow developers to meet the community’s expectations and to enable the Planning Board to judge whether the standards had been met. She said the remaining language in E4 provided adequate circumstances for where waivers might be requested.

She said the second problem related to Section L 2 on building height. She said allowing 5 stories would create a canyon effect, and said the proposed language in this section allowed for too much guesswork by developers and the Planning Board. She said firm

standards were needs such as maximum height, ratio specification, and a definition of story. She said loose language had the potential to politicize the whole process.

Ms. Sandberg said it was frustrating that the citizen petition signed by 360 citizens requesting a height limit of 3 stories in the commercial core was being ignored. She urged that Section L 2 be changed to read 3 stories.

Firoze Katrak, 565 Bay Road, said he had heard people on the Town Council, EDC and Planning Board say there must be greater building height because land prices were high because of pressures caused by student housing rentals. He said this was a silly argument, and said the logical conclusion of it was that over time, Durham would be full of large student housing structures.

He said what they needed to understand and accept was the reverse, which was that residents did not want these large structures for housing, and would let the market adjust to that over time, by clearly stating they did not want this. He said the Planning Board needed to digest that message.

Mr. Katrak said in addition to the very good, detailed architectural design standards document that had been developed, there needed to be some simple rules in order to get the kind of development they wanted. He said three rules for Town government to follow were the following.

- Require that any new construction shall not have any housing, not even mixed use housing. Housing will be allowed only in existing structures upgraded by keeping key exterior features. New structures shall only be for retail and office uses.
- Any large structure, whether wide, or deep or tall, must look like separate, smaller, historic looking buildings, which may be connected in the back or middle core.
- The height shall be restricted to a maximum of 3 stories or 30 feet.

He said most people in Town would understand these rules, and said it, in addition to the architectural design standards, would result in the kind of development they wanted.

Mr. Katrak said if the town government was unwilling to accept these recommendations, there were many Durham residents to put them forward as three separate ballot initiatives next year. He said any developer interested in development downtown should therefore be aware of this public intent, and should put any developments in abeyance until the public clarified its intent through the ballot, if forced to do so by the Town government not accepted this kind of clarity.

Councilor Smith asked for clarification on the comment that developers should be put on notice. He said if this was announced, it would be an incentive to rush in with applications to put up the maximum number of stories. There was brief discussion with Mr. Katrak on this.

Councilor Jay Gooze, Meadow Road, said he had followed the development of the architectural design regulations, and said the Town Planner had done an excellent job in working with the draft. He said he supported the overall design regulations.

He said the height issue, where the site plan regulations said one thing and the Zoning Ordinance said another, was confusing, and would need to be resolved in some way. He spoke further on this, and said overall the proposed regulations went a long way toward providing something that was compatible with Durham. He also said that concerning applying the regulations, he had faith that the Planning Board would understand what the Town was looking for.

Chair Wolfe said he and Mr. Behrendt had discussed possible confusion concerning the site plan regulations and Zoning Ordinance in regard to building height. He said they had discussed taking the height provision out of the regulations, and said there would need to be more discussion on that.

Bill Hall, said he didn't want to see any more density in the Church Hill neighborhood, and said the Town could barely handle the density there now. He said he didn't want to see development creep from downtown coming up Church Hill, and said this wasn't fair to the people there.

Councilor Robin Mower, Faculty Road, noted the letter she had provided, and said she would address a small section of it. Regarding the waiver criteria, she said she echoed what Nancy Sandberg had said. She said noted wording in RSA 44 III (e) concerning waivers from the site plan review regulations:

- III. The site plan review regulations which the planning board adopts shall:
 - (e) Include provision for waiver of any portion of the regulations. The basis for any waiver granted by the planning board shall be recorded in the minutes of the board. The planning board may only grant a waiver if the board finds, by majority vote, that:
 - (1) Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or
 - (2) Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations

She said this phrase echoed the hardship criteria that the ZBA used. She also noted that the ZBA criteria didn't include financial hardship, and asked if that was also the intent with RSA 44 III (e). She asked if it would be appropriate to clarify this with the Town attorney. She said she wouldn't be surprised to find that financial hardship became the fallback argument concerning having to conform to the architectural design standards, which would be a shame.

Mr. Behrendt said he believed that the intent concerning hardship was similar to what it was for Zoning variances, and said there had to be something inherent in the property itself that created hardship. He noted that RSA 44 III (e) said the Planning Board only had to meet one of the two criteria. He also said if the Planning Board adopted the regulations and granted waivers in the future, the vast majority of the time they would be based on the second criterion.

Councilor Mower said this should be explicit for future members of the Planning Board, so they were not responding to concerns about financial hardship. She again suggested possible clarification from the Town attorney on this.

She said tremendous strides had been taken with the architectural design regulations, and said people were grateful, even if they didn't speak at the hearing.

Councilor Gooze noted that the issue of rendering of site plans went hand and hand with these regulations, and Chair Wolfe said this would be included as part of the site plan review regulations.

Beth Olshansky, Packers Falls Road, thanked the Planning Board for their efforts in this evolving document. She noted that the changes made to the document indicated that public comment had been considered quite a bit. She said she appreciated this, as well as the firming up of some language and the removal of some tricky language, so the document would be easier to use.

She said she was glad there were criteria for waivers, but said the Board should define hardship in the document, so financial considerations weren't a fall back. She also questioned the wording "...may waive, adjust or apply any of these standards as it reasonably deems appropriate". She agreed that there could be waivers, but questioned the rest of this wording.

Chair Wolfe said there had been discussion with Mr. Behrendt on this wording, and said they would take out the whole sentence.

Concerning the building height issue, Ms. Olshansky said there needed to be consistency and alignment of the Zoning Ordinance and the site plan regulations. She also reminded the Planning Board that there were 360 signatures asking for a limit of 3 stories downtown.

She said she had listened to the EDC about why taller buildings were needed for economic reasons. She asked the Planning Board that it think about limiting to three stories at least the face of Main Street, and allowing taller buildings in the back for economic reasons. She said they didn't want to see their small town turn into an urban landscape.

Ms. Olshansky said she was in Concord recently, and their buildings ranged from 2-5 stories, on a main street that was about twice as wide as Durham's. She said even there, some of their 5 story buildings looked too large. She said she hoped they could protect the small town look on the face of Main Street. She suggested re-writing the Ordinance to say that the Planning Board may approve buildings as high as 5 stories in the CBD, except along Main Street, where buildings could be no more than 3 stories high.

Chair Wolfe noted that there would be a public hearing on the Zoning amendment proposal concerning building height.

Nell Neil, Riverview Road, said she was another voice who agreed with the things that had been said in favor of taking out the waiver line and lowering the building height to 3 stories.

Councilor Diana Carroll, Canney Road, said she was in full agreement concerning the wording in the waiver section and the hardship issue that had been mentioned.

Concerning the building height issue, she said she thought it needed to be referred to in this document. She said she agreed that on Main Street, buildings should be no larger than 3 stories, and said she hoped that this would be defined. She suggested perhaps putting up balloons on Main Street so residents could actually see how tall this would be. She said this would be very helpful in the decision making.

Emily Peroznik, Emerson Road, spoke about the importance of protecting Coes Corner, as part of the commercial core. She said she didn't want to see things in the architectural design standards that would allow a really big box development there.

Heidi Eli, Durham Point Road, noted that signage wasn't under review with these proposed regulations. She said it was an important aesthetic consideration.

Chair Wolfe said there was a section in the Zoning Ordinance that addressed signage. It was noted that there wasn't an aesthetic component to this right now.

Ms. Eli said bad signs could ruin a downtown. She asked how this could be considered, and Chair Wolfe said residents could request that the Planning Board address signage.

Mr. Behrendt said signage, as well as lighting, site design, fencing, etc. were important issues, and some had already been addressed elsewhere. He said these draft regulations dealt strictly with the building itself, and said the Planning Board would deal with signage and other issues in the future.

Ms. Eli asked if new developments would be able to mess up their buildings with dreadful signage. There was further discussion, and Ms. Eli said she would submit some of her other comments on the draft in writing.

Councilor Cote noted that the Planning Board had wrestled with the quality of the signage on the 9-11 Madbury Road project. He said he thought the Planning Board needed to look at aesthetics concerning signage, perhaps in the Zoning Ordinance.

Ellen Karelitz, 113 Madbury Road, said the petition residents signed earlier in the year had discussed the importance of public spaces and green spaces for gathering, etc. in the commercial core. She said it wasn't in this document, but said it was still a high priority.

Chair Wolfe said when there were public hearings on the Master Plan, members of the public could add their thoughts on this. He also said if people wanted to draft something concerning signage, etc., the Planning Board would take a look at it. Other Board members agreed.

Mr. Behrendt said emails had been received from Nancy Webb, Peter and Marjorie Smith, Dudley Dudley, Joan and Frank Graf, Jim and Joan Jelmberg, and Katy Ellis.

Ms. Sandberg requested that if the letters were not going to be read, they should be posted on the Town website. Mr. Behrendt said this would be done.

There was discussion on how to proceed. Mr. Behrendt said if the Planning Board closed the public hearing, it could deliberate on the draft regulations at the next meeting.

Councilor Cote said if the document was substantially changed, there should be another hearing. He suggested keeping the hearing open until the Board was comfortable that they were looking at a final document.

Mr. Behrendt said there were still a few key issues to discuss, including the height issue, and the waiver issue. It was agreed that Mr. Behrendt would provide a revised version of the draft for the next meeting.

Lorne Parnell MOVED to continue the Public Hearing to the October 24, 2012 meeting. Councilor Cote SECONDED the motion and it PASSED unanimously 7-0.

Mr. Behrendt said he and Chair Wolfe would try to finalize the document and get it out to the Board. There was discussion. Mr. Behrendt suggested the following possible language for the architectural design regulations: "Buildings taller than 3 stories may be erected in the CBD if, and as permitted in the Zoning Ordinance, the Planning Board determines that a taller building is permitted based on the following criteria...."

He said it had been perceived that the architectural design regulations were inviting tall buildings, but said wording like this imposed an additional hurdle.

Board members agreed to look at wording on this at the next meeting.

XIII. Other Business:

- A. **Request for Extension on Conditions of Approval** for an approved Two-lot Subdivision of **Alexander Bakman** at **118 Piscataqua Road**, Map 11, Lot 24-4.

Lorne Parnell MOVED to approve the Request for Extension on Conditions of Approval for an approved Two-lot Subdivision of Alexander Bakman at 118 Piscataqua Road, Map 11, Lot 24-4 for six months. Bill McGowan SECONDED the motion, and it PASSED unanimously 7-0.

- B. Proposal for Planning Board to visit sites of recently completed projects

XIV. Minutes: August 22, 2012

Page 1, line 32, should read "...supposed to work"

Page 4, 2nd paragraph from bottom, should say "Ms. Sandberg"

Lorne Parnell MOVED to accept the August 22, 2012 Minutes as amended. Councilor Cote SECONDED the motion, and it PASSED 5-0-2, with Dave Williams and Richard Ozenich abstaining because they were not at the meeting.

XV. Adjournment

Richard Ozenich MOVED to adjourn the meeting. Bill McGowan SECONDED the motion, and it PASSED unanimously 7-0.

Adjournment at 10:41 pm

Victoria Parmele, Minutes taker

Andrew Corrow, Secretary