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TOWN OF DURHAM
DURHAM PLANNING BOARD

Wednesday, March 13, 2024
Town Council Chambers, Durham Town Hall
7:00 pm

DRAFT MINUTES

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MEMBERS PRESENT: Paul Rasmussen (Chair), Sally Tobias, Peyton McManus, Tom DeCapo (Alternate), Richard Kelley, Emily Friedrichs (Council Rep); Erika Naumann Gaillat (Alternate - arrived late)

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MEMBERS ABSENT: William McGowan, Chuck Hotchkiss (Alternate Council Rep), Chris McClain (Alternate)

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ALSO PRESENT: Town Planner Michael Behrendt

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I. Call to Order

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Chair Paul Rasmussen called the meeting to order at 7:00 pm.

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Mr. Behrendt said Heather Grant is now on the Town Council and her Board term ends; also, Chuck Hotchkiss; Bill McGowan is not here tonight and is not continuing after end of April.

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II. Roll Call and Seating of Alternates

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Chair Rasmussen called the roll and seated Tom DeCapo for Bill McGowan; he said the Board has an immediate vacancy for a Regular Member and asked interested Alternates to submit applications.

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III. Approval of Agenda

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Mr. Kelley *MOVED to approve the Agenda for March 13, 2024; SECONDED by Mr. DeCapo; APPROVED 6-0, Motion carries.*

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IV. Town Planner's Report

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Mr. Behrendt suggested Item XI. Definitions on Agenda tonight be postponed until March 27 meeting; also on March 27: CU application for principal use of a parking lot at 9 Dover Road; possible public hearing for Item VIII. Oyster River CU; Oyster River Community Read (ORCR) sharing of ideas, stories (Lee, Madbury, Durham).

38

V. Reports from Board Members who serve on Other Committees

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Reporting from the Town Council: Councilor Friedrichs said the Council met 2 weeks ago and most of meeting was taken up by consideration of a resolution on the situation in Gaza and resulting text condemning the humanitarian crisis in Gaza, calling for immediate humanitarian aide, immediate

1 and durable cease fire, and immediate release of all prisoners; vote: 6 for, 2 abstentions, 1 against.
2 Council is considering whether more parking spaces could be opened to business owners and
3 employees and considering opening more 15-min slots and free parking on weekends; Police are
4 part of the discussion and helping with parking data.

5
6 **VI. Public Comments**

7 **Robert Sullivan** of Packers Fails Road said he has been in Durham for 20 years, put in an application
8 for Planning Board membership, and wanted to introduce himself. He said he worked with Sally and
9 with Michael on the Conservation Commission and has done a lot of construction management
10 work. He thanked the Board for its consideration.

11
12 Reporting from the Energy Committee: Councilor Friedrichs said the Committee met last week; UNH
13 Sustainability fellow is working on a survey on sustainability, out to residents next month;
14 Community Power Coalition (CPCU) is rolling out and will be on electric bills this month with options
15 to source energy with a higher percentage of green energy; legislation still working on situation for
16 residents with solar. Review of EV Ordinance started; looking to get more information from Planning
17 Department re permits and ensure infrastructure for EV will be there; working on Earth Day
18 activities.

19
20 Councilor Friedrichs said for CPCU opt in/out, residents can go to Town website, Energy Committee
21 section on Community Power; or google Community Power Durham, Community Power Coalition
22 of New Hampshire with a dedicated page just for Durham.

23
24 **VII. Review of Minutes (old):**

25
26 **VIII. 12 Oyster River Road – Conditional Use.** Conditional use application to install deck, patio,
27 steps, retaining wall, and landscaping within the Shoreland Protection Overlay District.
28 Katherine Cook/New Heritage Designs, property owner. Ben Groves, Rye Beach
29 Landscaping, contractor. Map 109, Lot 80. Residence A District. Recommended action: Set
30 public hearing.

31
32 Katherine Cook presented a plan for a 12x12 ft deck off rear of house in the corner; also adding
33 serious runoff and erosion control with patio at driveway level, non-permeable with a rain garden
34 off to side to direct water; stone steps and retaining wall on large slope going downside of house
35 and at base of steps another permeable patio. She said there is a surveyed plan of neighbor's
36 property showing corner of house with small indent where deck would go; steps run in between
37 garage and shed which are noted on the survey.

38
39 Chair Rasmussen said photos show the deck, set up at one corner of the house where there are
40 steps going down, which looks to be about 1 ft above ground level. Ms. Cook said it would be 2
41 steps from the driveway level, but there is slope and erosion. Chair Rasmussen said the opposite

1 corner looks to be 5 ft; Ms. Cook said there is probably quite a steep slope there and they could
2 not do another patio but a deck instead.

3
4 Chair Rasmussen said plans show the gutter water being taken under the patio and asked where
5 it is out-letting. Ms. Cook said right now on the driveway; some of the asphalt will be pulled up
6 to put a stone patio with a drainage system underneath to pull water away from the house into
7 the rain garden. Mr. McManus asked about the asphalt being removed and the position of the
8 deck. Ms. Cook said about 4 ft of asphalt will be removed, and the deck will extend straight back
9 from the garage then turn around to the rear wall of house.

10
11 Councilor Friedrichs asked about the 2 outside doors and asked if any of the doors were
12 emergency exits; Ms. Cook said the front door is the only exterior door on the main floor of the
13 house, with exterior door in the basement and 3 rooms with windows. Councilor Friedrichs
14 suggested Ms. Cook look at State requirements regarding a wetlands survey; Mr. Behrendt said
15 State requires a 50-ft wetland setback.

16
17 Mr. Kelley said excavation is limited to the materials that need to be used as a setting bed for the
18 permeable pavers; Ms. Cook added there will also be 2 footers for the deck. Mr. Kelley asked the
19 approximate amount of disturbance from the house to the limits of the work that would all be
20 within the SPOD. Mr. Behrendt said everything you see there is within the buffer and
21 Conservation Commission will see the application March 25.

22
23 Chair Rasmussen asked the Board about a full survey; Mr. Kelley said it depends on whether there
24 is a subsequent permit required for CMPS and whether the Board would have the authority to
25 waive it. Chair Rasmussen said the Board will definitely hold a site walk. Councilor Friedrichs said
26 ze was nervous about how close the 50 ft line might be and asked that the Conservation
27 Commission provide input before a decision on a waiver.

28
29 Chair Rasmussen felt the decision should be made tonight to get this done before further erosion
30 and asked the applicant to provide a full survey showing where the boundaries are for wetland
31 setbacks and a reference line for the river, with some general topographic lines to see where
32 steepness is. Mr. Kelley said in scaling it off, there is about 1,400 sq ft of impact which is not
33 significant, and photos clearly show a level plateau in the back yard; he said the cost to hire a
34 surveyor here would be significant. Councilor Friedrichs asked that the Board include in the
35 language that they would wait on a survey pending State requirements.

36
37 Chair Rasmussen asked the applicant to double check with Rye Landscaping and with the State
38 to make sure no permit is required and wait on the survey pending State requirements. He
39 scheduled the site walk for March 27 at 5:00 pm before the next meeting.

40
41 Erika Naumann Gaillat arrived at the Planning Board meeting at approximately 7:30 pm.
42

IX. **Public Hearing - Freestanding Solar Array for St. George's Church.** Site plan application for a freestanding solar array as an accessory use to provide electricity for St. George's Church. The 16.8-kilowatt array would be located in the side lawn of the rectory. 1 Park Court. Nathan Bourne, Rector, and Scott Righini, Facility Manager, St. George's Church. Map 108, Lot 31. Church Hill District. **Recommended action:** Final action.

Scott Righini, Facilities Manager, said the plan is to install a 16.8 kW DC array on the back corner of the property in an unused location at St. George's Church on the corner of Main Street and Park Court, behind the building and the parking lot on the back lawn positioned south facing. He said the array size is 35 panels, 5 tall and 7 wide, to cover full use of Church and Rectory.

Chair Rasmussen suggested that they consider raising the array higher than 10 inches. Installer Greg Dubela of Harvey Woods, said there are a lot of factors to consider when designing the array, especially the historic nature of the surrounding buildings and the trees, and suggested installing protective mesh behind the array and using strategic landscaping of indigenous plants to provide a barrier. He said it can be raised but it is a balance between functionality and safety.

Chair Rasmussen seated Erika Naumann Gaillat for Heather Grant.

Chair Rasmussen *MOVED to open the Public Hearing for Free-Standing Solar Array; SECONDED by Ms. Tobias; APPROVED 7-0, Motion carries.*

Robin Mower of 6 Britton Lane praised the proposal as innovative given the history and unusual design of the Church and looked forward to this working well for the applicants.

Ms. Tobias *MOVED to close the Public Hearing for Free-Standing Solar Array; SECONDED by Councilor Friedrichs; APPROVED 7-0, Motion carries.*

Chair Rasmussen closed the Public Hearing for Freestanding Solar Array at 7:48 pm.

Mr. Kelley *MOVED that the Planning Board approve the Site Plan Application for the Freestanding Solar Array as an accessory use for St. George's Church, 1 Park Court, Map 108, Lot 31 in Church Hill District; SECONDED by Ms. Tobias; APPROVED 7-0, Motion carries.*

X. **Public Hearing - Workforce Housing – Proposed Zoning Amendment and Rezoning of Parcel.** Consideration of a set of proposed amendments to the Zoning Ordinance pertaining to workforce housing including adding a definition, adding a line to the Table of Uses, adding a section providing the standards for workforce housing, making several other text changes, and rezoning a 117-acre lot of land owned by the Leda M. Keefe Rev. Trust, c/o Daniel Keefe, at 59 Piscataqua Road, Tax Map 209, Lot 39, from Residential Coastal (RC) to

Office Research (OR). The amendments have been endorsed by the Durham Housing Task Force. Recommended action: Determine next steps.

Councilor Friedrichs asked that the memo from Town Administrator Todd Allen be read before opening the Public Hearing. Chair Rasmussen read the 5 recommendations listed in the memo: (1) close public hearing after feedback and opt not to move forward with proposed zoning; (2) request Town staff review WF housing overlay districts; (3) request such findings be brought back to the Planning Board; (4) consider using outside expertise; (5) have RKG Associates address issues raised by residents.

Presentation by Michael Saputo of HTF

Mr. Saputo gave a presentation on data collected over the last few months related to housing and housing availability with HTF reaching out to the community and to businesses. Community issues were with affordability, availability, distance to place of work and having to move further from place of employment due to rising costs and losing established community; re purchasing houses: difficulty finding homes in the area in price range with current market, size of houses available too large.

Mr. Saputo said the survey of businesses found similar issues with affordability, difficulty finding support staff due to the area rental/housing market and being short-staffed as a result, traffic, and salaries of starting professionals. He said 68% of individuals talked about higher rents, another 25% cited lack of availability, 18% cited travel distance and associated costs. Business survey results: 64% cited housing costs, 45% availability, 41% hiring challenges, and 23% travel distance to Durham.

Mr. Behrendt said this was not a scientific survey but a selective outreach to a lot of organizations and individuals. Mr. McManus asked if there was any idea how far people are commuting and the associated costs. Mr. Saputo estimated travel over 1-1½ hours, with a person in Emergency Response commuting from Alton Bay. Chair Rasmussen said graduate students are renting with roommates in Nottingham with commuting costs of \$200/month. Mr. McManus said through the process it seems difficult to identify people who have to live outside the community and are unable to advocate for themselves.

Mr. McManus said another proxy for this is supply and demand and the raw costs. Councilor Friedrichs said it is not just a question of supply and demand as most rentals are owned by people with very high incomes who own multiple buildings; need to be careful in terms of equity and who has the resources and ability to pay versus others. Ms. Tobias said inflation has not caught up with what people earn.

Chair Rasmussen reopened the Public Hearing at 8:10 pm.

1 **David Richman** of 16 Cowell Drive said he has lived here for 36 years and spoke in favor of any
2 plans that provide WF housing. He said he is a member of the Oyster River Group and attended
3 a housing panel discussion a few days ago. He said Mr. Saputo pointed out there is a desperate
4 need for affordable housing and said he personally felt it was a moral imperative; also, that we
5 in Durham depend on and require the work the HTF is going to perform and have an obligation
6 to people whose work we require to allow them to become a member of our community.

7
8 **Emily Edgerly** of 65A Wiswall Road said she is an 8th generation New Hampshire resident and a
9 licensed alcohol and drug counselor specializing in opioid use disorder. She recently returned in
10 May with the birth of her daughter and to take advantage of everything New Hampshire has to
11 offer. She was shocked that it took several months to find housing; Durham Community Church
12 found a studio apartment for her under market rate. She said there is no path forward for her in
13 this community and said she is in favor of this rezoning and wants to continue to live here as a
14 resident of Durham.

15
16 **Janet Perkins Howland** of 32 Frost Drive said at the first 2 Planning Board meetings she heard a
17 consensus that WF housing was a good thing for Durham which she found heartening. She voiced
18 concern that Student Housing is being used to block diversifying housing stock in Durham and
19 recommended better definitions of student housing and family in the ordinance to avoid town-
20 sponsored discrimination. She said she favored orderly growth, preserving history and the
21 environment, and said we need to care about zoning and language is important.

22
23 **Eileen Murphy** of Bayview Road, member of HTF, said she supports the Zoning Ordinance
24 Amendment. She said she currently rents an affordable ADU from her sister and brother-in-law,
25 grew up in Lee, and lived in Durham for the past 7 years. She is a fulltime professional, currently
26 project coordinator for Pre-School Development Grant at UNH, and has never been able to afford
27 market rate rental in Durham. She said this amendment and potential development at 59
28 Piscataqua Road will only make a small dent in our housing situation, the Randolph's are
29 presenting the Town with a unique opportunity that should not be taken for granted, and she
30 encouraged the Planning Board to think about really affordable housing in Durham.

31
32 **Nick Taylor**, executive director of Workforce Housing Coalition of the Greater Seacoast, said he
33 is working with communities to diversify housing options in Strafford and Rockingham Counties,
34 and is a non-voting member of the HTF. He said the coalition supports this type of change and
35 said 100% WF housing is not poverty but folks making up to \$73,000/yr, higher than most starting
36 salaries. As to whether a project should require 100%: it is very difficult to build WF housing and
37 makes sense to add flexibility into an ordinance and should not be seen as a negative. NH School
38 enrollment is currently being updated; an analysis done in 2012 looked at number of students
39 generated from different types of housing: a single-family home generated 0.6 students, multi-
40 family generated 1.7 students and did not think students should be seen as a negative.

1 Mr. Taylor cautioned that the constant search for “perfect” can leave you with nothing, and said
2 the town has an opportunity in the next few months to make a real difference: has parcel of land
3 on town utilities bordering a district allowing more density, with trusted local partners working
4 on this project and hoping to be part of a solution which is pretty close to perfect in this world.

5
6 Mr. Kelley asked what items Mr. Taylor could point to that might benefit the Zoning Board in
7 terms of creating an ordinance. Mr. Taylor said the overlay conversation makes a lot of sense and
8 recommended keeping things simple and not so specific as it makes things impossible. Mr.
9 McManus said he is really in favor of WF housing but felt he was not clear that it is best to adopt
10 an overlay district. Mr. Taylor said best in class for WHC is to get this done.

11
12 Councilor Friedrichs asked if there is a sense of other projects and what percentages are being
13 seen. Mr. Taylor said they are all over the place and a lot depends on developer financing and
14 the economics of a specific project. Councilor Friedrichs asked about unit design and number of
15 bedrooms. Mr. Taylor said it is a broad need of supply across the board; CAP of NH is desperately
16 looking for places families could live.

17
18 Mr. DeCapo said a rationale put forth for strongly regulating student housing is that it often drives
19 up the cost of affordable housing and is at odds with WF housing. Mr. Taylor said he is not an
20 expert on student housing. Mr. McManus said there might be a generational divide at work here
21 and people who have had houses do not see the need. Mr. Taylor said he has seen that and the
22 biggest factor to change perspectives is when they try to re-enter the housing market.

23
24 **Kitty Goodwin**, resident of Newmarket, and she and her husband moved here from Tennessee,
25 she is a Physician’s Assistant in family medicine working in Manchester as she could not find work
26 in this area. As far as this zoning, she asked why it was not already passed and said there are so
27 many professional people in legitimate professions which are really needed in the community,
28 and we want people to invest in the community we live in and asked that the zoning amendment
29 be passed.

30
31 Ms. Tobias asked if they had to search for a place to live. Ms. Goodwin said it was terrifying, but
32 they finally found an apartment in Newmarket. Mr. McManus asked about housing costs in TN
33 versus NH; Ms. Goodwin said they were told to expect it to be about double and moved from a
34 \$660/mo town house to a \$1,800/mo 2-BR apartment. She said they will give this 5 years and
35 may move back though they would love to stay in NH.

36
37 **Susan Richman** of 16 Cowell Drive said when she and her husband, an Assistant Professor at UNH,
38 moved here they could not afford their house without help from parents and rented out one of
39 the bedrooms to students, and said 36 years ago housing in Durham was not affordable for
40 members of the Durham workforce. She said children coming into the community do not hugely
41 change the cost of the school district as costs are mostly fixed costs; Main Street has at least 4
42 businesses vacant and new life in the community may help revive those businesses. She said

1 Durham prides itself on being a welcoming town and asked that they not wait for perfect to make
2 this happen.

3
4 **Dawn Meredith** of 69 Mill Road said she has lived in the area for 36 years with 10 years in
5 Durham. She said she is in favor of WF housing, and the town has a wonderful start with
6 developers and landowners interested in this with a nearly perfect lot. She said there are
7 concerns but there is an incredible need. She said she knew of people in an abusive relationship
8 but could not afford to get out; there are hundreds of children in this area where mental and
9 physical health is compromised daily because they are without housing. She said there has to be
10 due diligence but was amazing that Durham could be part of the solution.

11
12 **Joshua Meyrowitz** of 7 Chesley Drive said the subtext of Todd's memo was if the zoning change
13 is made it is not clear what would happen to the land as the value would go way up and could
14 not be tied to a particular plan for WF housing; with rising land value a more lucrative offer could
15 be presented to the landowner and has to be taken into consideration. He also brought up
16 connections to downtown, the rich agricultural value of the property, and said people did not
17 understand that this was a draft proposal. He said there is an obvious need for this, but they also
18 need to hear from the School District and find a way to protect that it actually ends up being WF
19 housing.

20
21 Mr. McManus said he felt the RKG Report was excellent with a lot of data and asked Mr.
22 Meyrowitz if he could share some of the issues raised around the report. Mr. Meyrowitz said the
23 best contact would be Jim Lawson who laid out a lot of variables in the report that were missing:
24 there was no executive summary at the top and there was data available in the Planning
25 Department not shared with RKG. Mr. Behrendt said everything they asked us for was shared.
26 Mr. Meyrowitz said it is exciting that the town has cooperative contractors and property owners,
27 but something in zoning should be built in that guides the town toward what we want.

28
29 **Kate McGregor** of 92 Dover Road said she and her husband own a 31-acre parcel that runs from
30 Route 108 back to Route 4 and abuts the Keefe property on the west side; when she learned
31 about the project she reached out to Mr. Keefe. Several years ago, Riverwoods reached out to us
32 to see if there was interest in selling part of our property (the house is on Route 108 with open
33 land in the back). She and Mr. Keefe met with Riverwoods, and they were very supportive of WF
34 housing and are having difficulty expanding due to lack of workers for their healthcare facility.

35
36 Ms. McGregor said they are preliminarily supportive of the project and could potentially consider
37 having a back portion of their property be part of it with a link to Riverwoods. This would resolve
38 walkability issues as sidewalks go all the way from Riverwoods. Their property is 31 acres, and
39 the house uses 5 acres.

40
41 **Jim Kewowe** of 35 Mill Road said he and his wife moved here 25 years ago and have loved living
42 in Durham as it values diversity and a welcoming attitude. He said he supports this idea which is

1 super-important and has intriguing specifics. He said he loves the idea and the mentality of doing
2 the right thing which should make us better.

3
4 **Beth Olshansky** of Packers Falls Road said from tonight's conversation it is clear there is a lot of
5 support for WF housing and she supports the idea, but supports using an Overlay District to keep
6 the price of the land less expensive and keep it residential, also allowing for more control over
7 the vision they want to see there. She said adding more kids to the school is not just fixed costs
8 but having room for the students. She said this project needs transparency, knowledge of
9 impacts, and finding a workable balance, and said she agrees with Todd's suggestion to find more
10 information and look at other communities.

11
12 **Wes Dillon**, resident of Lee since 2006, said he is a senior minister of 4 Rivers Church and director
13 of 4 Rivers Project (non-profit) incorporated in Durham in 2013 with a mandate to solve real
14 problems in the community. He said he has worked with Foster Care, homelessness, and refugee
15 resettlement and has seen the Durham community be incredibly generous. He said they began
16 sponsoring refugee families and bringing them in with the help of the Town Newsletter which is
17 a 4-way win for our community. The Church supports the amendment to change the zoning and
18 Durham has very willing partners in John and Maggie Randolph.

19
20 **Robin Mower** said tonight's discussion has focused on a human face of extreme housing need
21 and few Durham taxpayers disagree with the benefit from providing new housing alternatives.
22 But she said we are here tonight to judge the proposed zoning amendments and decide if there
23 is a better approach to providing those housing alternatives. She said the Town should pull back
24 and find a better approach. Jim Lawson has voiced credible questions about the RKG Report, their
25 function, methodology and conclusions; he is an engineer, knows zoning, and recommends an
26 Overlay District. She said this proposal is far from perfect.

27
28 **Steve Goodwin** of Newmarket said he worked in Durham until 2003 and came here to provide
29 spiritual support to students, has stayed on with the UNH campus as a volunteer chaplain and is
30 currently a Parish Administrator in Dover. He said he and his wife love New Hampshire, and he
31 made an impassioned plea for 100% WF housing as it is about helping New Hampshire to thrive
32 given the current demographic. He said we cannot support the community if we cannot bring in
33 people to make it great and said he hoped he and his wife could continue to contribute to Durham
34 and the wider region.

35
36 **Mr. Simprevil** of Haiti said he is very happy to be here tonight and said he has a wife and child in
37 Dover and is working for Harmony Homes. He said he loves his work and would like to stay if
38 Durham can build a tiny house. He said he is living in a tiny house in Dover which is very good and
39 very nice, and asked the community of Durham if they can build tiny houses.

40
41 **Maggie Randolph**, representing Harmony Homes at 55 Briggs Way, said she is excited to hear all
42 the positivity here to support WF housing. She said Durham is a leader in education in our state

1 and something to aspire to, with an opportunity here to be a leader again in WF housing. She
2 said the community can give people the opportunity to stay and put down roots and there are
3 many options here. She said however the town decides to move forward it is the job of the
4 Planning Board and she appreciates the immensity of that.

5
6 Councilor Friedrichs asked if they have done an analysis yet of the cost to connect water and
7 sewer to this lot and if the price could become formidable for WF housing. Mr. Behrendt said he
8 has spoken with DPW Director Rich Reine who said it is definitely available, close, and they have
9 the capacity; it would require jacking water/sewer under Route 4 to the site and require DOT
10 approval, with the cost borne 100% by the developer.

11
12 **John Randolph** of Harmony Homes said no other employees could afford to live in Durham, and
13 they now have 7 employees living in Harmony Place because we built affordable housing there.
14 He said he is a long-time proponent that you should be able to live in the community you serve,
15 and we need to support our broader community. He said none of the “buts” heard tonight are
16 things that could not be overcome, and we should sit down and find out how we do this, not if.

17
18 Mr. Randolph said we do not make any money building affordable housing and the cost of water
19 and sewer is assumed as part of the project. He said when building Harmony Homes, the pump
20 house and water system were updated, and they have the capacity right across the street now
21 to support the project.

22
23 Mr. McManus asked about the distance from downtown; Mr. Randolph said there are factors to
24 keep in mind: using staggered shifts to avoid thick traffic, ride sharing. He did not feel it was far
25 enough away to limit transportation, and workers will partner with companies and facilities. Chair
26 Rasmussen asked if lack of affordable housing throttled their ability to scale in any way and how
27 it impacts. Mr. Randolph said right now the State of New Hampshire is not licensing any new
28 facilities (skilled nursing) because of lack of staffing and can shut down their need based on 2
29 things: lack of need for beds or lack of staffing. He said Mr. Behrendt is aware that I have the
30 ability to build 2 more facilities in DBP but cannot because of licensing and staffing.

31
32 ***Chair Rasmussen MOVED to close the Public Hearing; SECONDED by Ms. Tobias;***
33 ***APPROVED 7-0, Motion carries.***
34

35 Mr. Behrendt said for the next meeting he would bring a bullet list of issues and points to help
36 start the conversation, and asked Board members to email him with their thoughts. Chair
37 Rasmussen explained to Mr. McManus that the Keefe property has a bus stop from Durham to
38 Dover and Riverwoods 3 properties east of Harmony Homes, but the schedule is changeable
39 depending on student population.

40
41 Mr. DeCapo asked Mr. Behrendt to supply examples of overlay districts for the next meeting. Mr.
42 McManus said in his research overlay districts are useful for some towns but incredibly restrictive

1 in others. Ms. Tobias said HTF already has an idea of what it wants in WF housing and has almost
2 written it already. Mr. Behrendt said the Board has known what the issues are all along. Councilor
3 Friedrichs said more support is needed from the HTF on what an overlay district might look like
4 and ze expected them to do the research and get answers.

5
6 Richard Kelley left the Planning Board meeting at 10:01 pm.
7

8 Mr. DeCapo said he felt the Planning Board has gotten a lot of information from HTF and the
9 community and is better situated to be drafting the zoning wording and directing questions to
10 HTF but worries about expediency as the land and the developer will not be there forever. Chair
11 Rasmussen said the Board is a lot closer than most people think to a final draft, and after a few
12 more meetings can go back to a Public Hearing. The Board discussed overlay district possibilities.
13

14 **XI. Review of Definitions in Zoning Ordinance.** (Time permitting) Review of the Zoning
15 Ordinance as part of the zoning rewrite. The board completed a first pass through the
16 Definitions. The board is conducting its second review. Once the board is satisfied with
17 the changes an amendment will be presented for a public hearing. Recommended
18 action: Make final *corrections* and set public hearing date.

19 *Postponed to March 27, 2024.*
20

21 **Election of Vice-Chair of Planning Board**

22 Mr. McManus nominated Sally Tobias as Vice-Chair of the Planning Board and Ms. Tobias
23 accepted.
24

25 ***Mr. McManus MOVED to approve the nomination of Sally Tobias as Vice-Chair of the***
26 ***Planning Board; SECONDED by Mr. Behrendt;***
27 ***APPROVED 7-0, Motion carries.***
28

29 Sally Tobias was elected Vice-Chairman of the Planning Board.
30

31 **XII. Other Business**
32

33 **XIII. Review of Minutes** (new): February 14, 2024
34

35 **XIV. Adjournment**
36

37 ***Vice-Chair Tobias MOVED to adjourn the Planning Board Meeting; SECONDED by Mr.***
38 ***McManus; APPROVED 6-0, Motion carries.***
39

40 Chair Rasmussen adjourned the meeting at 10:08 pm.
41

- 1 Respectfully submitted,
- 2 Patricia Denmark, Minute Taker
- 3 Durham Planning Board

DRAFT