

**TOWN OF DURHAM**  
**DURHAM PLANNING BOARD MEETING**

**Wednesday, September 24, 2025**  
**Town Council Chambers, Durham Town Hall**

**7:00 pm**

**DRAFT MINUTES**

**MEMBERS PRESENT:** Paul Rasmussen (Chair), Sally Tobias (Vice Chair), Gary Whittington, Peyton McManus, Robert Sullivan, Heather Grant (Council Rep), Darrell Ford (Alternate Council Rep), Munish Nanda (Alternate), Peter Howd (Alternate), Julian Smith (Alternate)

**MEMBERS ABSENT:** Richard Kelley

**ALSO PRESENT:** Town Planner Michael Behrendt

**I. Call to Order**

Chair Paul Rasmussen called the Planning Board meeting of September 24, 2025 to order at 7:00 pm.

**II. Roll Call and Seating of Alternates**

Chair Rasmussen called the roll and seated Julian Smith for Richard Kelley.

**III. Approval of Agenda**

Agenda was approved. Chair Rasmussen said Item X. Riverwoods Phase II has been postponed to October 22, 2025; still waiting for third-party review.

**IV. Town Planner's Report**

Mr. Behrendt said next meeting is October 8, 2025: Public hearing for ordinances to comply with State Law, a Permitted Use B application, and probable public hearing for Emerson Road; October 22, 2025: Riverwoods Phase II and proposed regulation for EV chargers.

**V. Reports from Board Members who serve on Other Committees**

Reporting from the Town Council: Councilor Grant said Town Council met on September 15, added agenda item placed under Other Business; discussed story limits on Main Street, sending back to Planning Board for review with Mr. Behrendt on public feedback on 3.5 stories vs 4 stories; waiting for Mr. Behrendt's review and what applies to the Planning Board.

**VII. Review of Minutes (old): None**

**VIII. 25 Emerson Road - Lot Line Adjustment and Conditional Use.** Conveyance of 30-foot strip of land from front lot to rear lot to allow for access to rear lot. Conditional use for driveway to be located in 75-foot wetland buffer. Map 103, Lot 10 and 11. Both owned by Christensen Rev. Trust c/o Ann Christensen, trustee. Patrick Sharkey, Surveyor, Doucet

Survey. Brenden Walden, Wetland Scientist, Gove Environmental. Residence A District.  
Recommended action: Accept as complete and set hearing date.

Meredith Raskin presented for the family; Ann Christensen on Zoom as well as Patrick Sharkey, Surveyor. She said her grandparents purchased Lot 11 (25 Emerson Road) in 1971 and Lot 10 in 1973; there has been a home on Lot 11 for 62 years; will be discussed at Conservation Commission September 29.

Ms. Raskin said they are looking to take about 1.7 acres from Lot 11, which abuts Emerson Road, and make a flagpole lot on Lot 10 behind Lot 11, which is currently landlocked; plan to take about 30 ft out for a driveway to Lot 10. Mr. Behrendt said the application is complete; town has no interest in purchasing the lot at this time to obtain access. Ms. Raskin said Planning Board members may visit the site as the house is empty. Depending on Conservation Commission review, Wetland Scientist may attend next meeting; Mr. Sullivan said he would ask at the meeting.

#### VI. Public Comments

**Jeff Berlin** said if the town is really trying to build workforce housing it needs to be incentivized in the zoning by allowing more units and should allow 16 units of studios. He said he has a property at 10 Cowell Drive, and can now build a rooming house within setbacks as long as a in a sprinkler system is installed, and does not want to build anything without parking; should allow density increase of number of units to get the desired goal.

**IX. Public Hearing - Lot Line Adjustment – Bagdad Road.** Lot line adjustment with 4,658 square feet being conveyed from 50 Bagdad Road, Map 104, Lot 67, owned by Wayne Shirley to 48 Bagdad Road, Map 104, Lot 68, owned by Marcus Everngam. Paul Dobberstein, Surveyor. Residence A District. Recommended action: Final action.

Mr. Dobberstein said Mr. Everngam and Mr. Shirley own 2 lots side by side on Bagdad Road; Mr. Everngam is looking to purchase a 20-ft strip along the shared boundary line: 4,658 sq ft from Bagdad Road to Little Hale Creek; waivers were requested and granted to not survey Mr. Shirley's property in entirety; both lots conform with Zoning Ordinance with no encroachments.

Mr. Dobberstein said Mr. Everngam tore down an abandoned house and replaced it with a new home; conforms with front setbacks but was constricted in back by wetlands and located close to sidelines; this will open side yard to make it more intent with zoning. He said they have read the Notice of Decision and there is nothing objectionable.

**Chair Rasmussen moved to open the Public Hearing for Bagdad Road Lot-line Adjustment; SECONDED by Vice Chair Tobias; APPROVED: 7-0, Motion carries.**

**Wayne Shirley's stepson** said solar panels were put on the roof and asked about getting credits for energy not used which goes back to the energy company. Chair Rasmussen said it would

depend on the contract. Mr. Whittington said he would speak with him after the meeting about his own experience, as did Mr. Howd.

***Chair Rasmussen moved to close the Public Hearing for Bagdad Road Lot-line Adjustment; SECONDED by Peyton McManus; APPROVED: 7-0, Motion carries.***

***Chair Rasmussen moved that the Planning Board accept the application for a Lot-line Adjustment with 4,658 sq ft being conveyed from 50 Bagdad Road, Map 104, Lot 67 owned by Wayne Shirley to 48 Bagdad Road Map 104, Lot 68 owned by Marcus Everngam in Residence A District per the Notice of Decision dated September 24, 2025; SECONDED by Gary Whittingham; APPROVED: 7-0, Motion carries.***

- X. ***Public Hearing - Riverwoods – Phase II.*** Stone Quarry Drive. Site plan for development on the northerly side of Stone Quarry Drive including two senior housing buildings with a total of 55 units, a clubhouse, a maintenance building and associated parking areas, utilities, and other site improvements. Conditional use for work within the 75-foot wetland buffer including portions of the clubhouse, driveways, the relocation of a section of Stone Quarry Drive, sidewalks, stormwater facilities, underground utilities, and other site work. Lot line adjustment for relocation of a section of Stone Quarry Drive. Riverwoods Durham, c/o Natalie Belanger, owner. Erik Saari, Altus Engineering, Engineer. Chris Boldt, , Attorney. Office Research District. Map 209, Lot 33. Recommended action: Continued review.

***APPLICATION HAS BEEN POSTPONED UNTIL OCTOBER 22, 2025***

- XI. ***Capital Improvements Program.*** Review of proposed 2026-2035 Capital Improvements Program (CIP) with Todd Selig, Town Administrator, and Gail Jablonski, Business Manager. Recommended action: Offer recommendations.

Administrator Todd Selig presented the FY2026-2035 proposed Capital Improvements Program (CIP) for years 2026-2035 and said these items that have been requested by departments, boards, committees, commissions and other external entities. Items have value of \$10,000 or more with a lifespan of 5+ years; Town Charter requires we a 6-year CIP Plan be put together and Durham goes beyond to a 10-year plan.

Administrator Selig said this is a draft now being reviewed, followed by one-by-one meetings with departments to discuss Operating Budgets and Capital Budget requests. From the Planning Board point of view, they look at things department-related and feedback helps fine-tune the documents for Town Council presentation on last business day in October, along with Town Budget which includes proposed items. First graphic gives page numbers of every item in the plan.

Police Department: Police Chief Rene Kelley covered vehicle replacements: plan is for 2 Police Cruisers; cycle is 2 one year, 2 the next, and one in third year. Cruisers being replaced are passed down to Administration or Assessing/Code Enforcement. He said all our vehicles are now hybrid Ford Explorers; cruiser to replace frontline car as repair costs are exorbitant. Item 2 for FY2026 is to

1 replace current inventory of Sig Sauer P320 sidearm pistols with Glock 45, 9 mm handguns at  
2 \$21,000 (25 items); recommend moving forward with Glock.

3  
4 Chair Rasmussen said he is confused by the note for accessories with sidearms; Chief Kelley said  
5 that it is for the cruisers and said Glock will also buy our entire used inventory. Mr. Howd said there  
6 is something wrong with the numbers on that page; Chief Kelley said there will be 2 new cruisers  
7 but 4 vehicles to be moved down will be painted back to a solid color; Town Administrator Selig  
8 said equipment is moved from the old vehicles to the new; old vehicles are then equipped with  
9 undercover packages and different lighting.

10  
11 Fire Department: Fire Chief Dave Emmanuel said the self-contained breathing apparatuses (SCBAs)  
12 were purchased in 2011 and 40 units are needed overall. He said every riding seat is set up with an  
13 AirPak and they come out of service every 15 years. Request is to purchase 40 SCBA units and a  
14 handful of cylinders for our consigned space rescue unit for \$700,000. He said the department  
15 applied multiple times for a grant from FEMA and were denied; for 4<sup>th</sup> application in December no  
16 awards were distributed.

17  
18 Chief Emmanuel said Fire Station Improvements are an ongoing project; last phase funded sprinkler  
19 system with University and picked up 2,000 sq ft of space with reconfigured offices, training rooms,  
20 and fitness space for employees. This Phase: second floor expansion of kitchen and break facilities  
21 for staff to help recruit and retain quality people; still looking at Master Plan and communicating  
22 with university about next fire station location. He said improvements helps living conditions but  
23 not response times.

24  
25 Administrator Selig said based on the Town and University agreement for fire services in the  
26 community the town supports 50% of department operational budget and 50% of Capital items;  
27 the university is at least 5-10 years out to moving forward with a new Fire Station. New Master Plan  
28 vision: College Road remains vehicular and there are no plans for Waterworks Road site. Councilor  
29 Grant asked about the Edge buildout and the Fire Department being able to support that whole  
30 plan with UNH and asked if there had been any discussion about the impact.

31  
32 Administrator Selig said to the extent the Edge takes hold and moves forward it would give the town  
33 more taxable value and the opportunity to find a new fire department with the buildout, but there  
34 is no concrete plan for the Edge right now. Mr. Nanda said the goals for service of the fire  
35 department are basic requirements and a new fire department will be money well spent.  
36 Administrator Selig said the reality of a new station is now much further out; previous master plans  
37 envisioned a site on Waterworks Road; \$20 Mil cost estimated is now out of date.

38  
39 Mr. Nanda asked if conversations on campus were just about operating costs or about Capital  
40 building outlay; Administrator Selig said their conversations were only about fire, water,  
41 stormwater and roads. Chair Rasmussen said he heard Madbury was potentially reaching out to try  
42 to share services. Chief Emmanuel said the department has been communicating with Madbury for  
43 18 months and a proposal was put together with Barrington, Lee, and Madbury to do a fire

1 protection district. Administrator Selig said if Madbury were to be involved it would be a public  
2 safety building. Chief Emmanuel said there is another proposed purchase of Serial Ladder Truck for  
3 2029 replacement.

4  
5 Department of Public Works: Director Rich Reine said Capital projects include a water main and  
6 drainage program, Madbury Road Complete Streets project, and a large dump truck. For roads a  
7 full GIS analysis was done; plan for FY2026 requests drainage infrastructure funding at \$85,000 and  
8 a water main replacement program at \$75,000; all infrastructure needs to be maintained. He said  
9 the town has 29 miles of water main and materials have a certain lifespan. Also proposed for  
10 FY2026: frontend loader for \$321,900, and 6-Wheel Dump Truck at \$237,900, both pieces of  
11 frontline equipment.

12  
13 The Road and Sidewalk Program is a major part of planning and construction each year; FY2026  
14 Capital Road Program is \$533,500 with Sidewalks at \$55,000. Madbury Road Complete Streets  
15 Project: reconstruction of all underground utilities: stormwater, water, sewer, working with Unital  
16 to replace gas lines. Currently in 4<sup>th</sup> phase and hope to have most work done by fall with plantings  
17 in the spring and topping road with final course of pavement; Final package: \$4,742,000. Also, the  
18 State 10-year draft plan for shared pathway of \$1.8 Mil will affect the Capital request if we receive  
19 it; this is a TAP project in DOT. Route 4 roundabout is scheduled to be done in 2027.

20  
21 Wastewater Facilities Plan: (1) Replace facility exterior lighting with LED, potential solar fixtures; (2)  
22 replace 3 Programmable Logic Controllers; (3) update Facilities Master Plan to reflect work  
23 completed to date of \$425,000. Per water and wastewater agreement, UNH pays 2/3 of Capital  
24 Project costs and town pays 1/3. Odor control system put in place has saved over 200,000 kWh;  
25 budget is shared based on usage; need to maintain compliance for our permit.

26  
27 Chair Rasmussen said in sidewalk discussions the brick bonding on campus crosswalks is going away  
28 due to maintenance costs on Main Street. Director Reine said he would speak about that at the  
29 Operating Budget meeting; there is a contribution from UNH for \$50,000/year for maintenance of  
30 Main Street from Pettee Brook to College Road intersection. Director Reine agreed that they add  
31 character but need to be designed and constructed properly.

32  
33 Mr. Smith said if the Mill Pond Dam is removed, there is nothing in CIP that takes into account the  
34 loss of a major amenity to the community, and they should start budgeting to replace what the  
35 town is losing in terms of recreation and history. Director Reine said they had some schematic  
36 designs of recreational trails and boardwalks using existing funding or future grant funding (CAP).  
37 Administrator Selig said Parks & Recreation requested funds for resurfacing the tennis courts at  
38 Woodridge and allow the ability to cross use.

39  
40 Mr. Whittington asked about potential public wishes for parks and changes to the Churchill Rink.  
41 Administrator Selig said over 20 years ago the town took over the rink with the goal of its being self-  
42 sufficient, and it was set up as an Enterprise Fund which generates more revenue than it requires;  
43 any changes would need to generate enough revenue to cover costs. He said the public is also

1 requesting a community center which could be combined. Mr. Nanda asked if capital expenses are  
2 added to the Operating Budget and asked if it is balanced out from a financial perspective.  
3 Mr. McManus said he uses the website frequently as well as the GIS mapping system and asked  
4 that the system always be updated to be accurate. Administrator Selig welcomed the feedback and  
5 said they hope to use GIS for analytics. Mr. McManus also asked if there could be a GIS overlay for  
6 "current use" and said a lot could be added to GIS. Mr. Behrendt said he would check on that. Mr.  
7 Sullivan asked about possible CIP for downtown development and the Edge for water and  
8 wastewater. Administrator Selig said water and wastewater are pretty good, but stormwater is the  
9 problem.

10  
11 Director Reine said significant improvements were made to stormwater while doing the Madbury  
12 Road Project and it now meets hydraulic capacity and requirements; there are still some hydraulic  
13 constraints on Pettee Brook and the culvert upstream; also, the adjacent sewer pipe has  
14 deterioration and deep manholes and will need replacement. He said if the 74 Main Street project  
15 comes to fruition that will be a requirement. He said they are doing hydraulic analysis on the entire  
16 system for the Riverwoods Project and meeting with 3<sup>rd</sup> party engineers.

17  
18 Chair Rasmussen raised the issue of the TAP project mentioned earlier for \$1.8 Mil in funding that  
19 the town is hoping to get, and said the 10-year plan is over-budget by \$400 Mil this cycle. Mr. Smith  
20 said regarding the last item dealing with the purchase of Sammy's Lot from the University for \$1.5  
21 Mil which would include a bond, should be raised to \$2 Mil and ask the University to give the town  
22 the lot. Administrator Selig said in the past they have said no it has to be fair market value.

23  
24 **XII. Review of Minutes: August 27, 2025**

25  
26 ***Chair Rasmussen moved to approve the minutes of August 27, 2025; SECONDED by Gary***  
27 ***Whittington; APPROVED: 7-0, Motion carries.***

28  
29 **XIII. Other Business:**

- 30 • Review of Section 175-106 K. under Attainable Housing Overlay District that includes  
31 reference to three unrelated occupants (obsolete provision now due to state law).

32  
33 Chair Rasmussen said while doing our zoning, a reference was made to the 3-unrelated rule in  
34 our housing overlay district; will review corrections at next meeting. He said Mr. Berlin was  
35 talking about how our zoning, given changes made by legislation, changes the economics of what  
36 our zoning is doing in terms of incentivizing high bedroom units over lower. Vice Chair Tobias  
37 asked if he was asking about his ability to create a lodging house, multi-family, or multi-unit in  
38 that zone and said the Housing Task Force did not recommend adding multi-unit.

39  
40 Councilor Grant said she thought the Board took Lodging Houses off their list at the last meeting.  
41 Chair Rasmussen said he is calling it a rooming house, saying he can create a single-family house  
42 with as many bedrooms as he wants up to 16 people, preferring studios and 2-bedroom units,  
43 but it does not make sense from a developers point of view because our zoning only allows one.

1 He asked the Board if they should chase down the economic side to see if there is something they  
2 need to fix. He said there is no difference between a rental and a unit being put up for condo  
3 sale; it is basically to allow 2, 3, and 4-unit residences, sold or rented, to be permitted by right.  
4

5 Chair Rasmussen said we may need to break up the RA District into multiple RA Districts. Mr.  
6 Behrendt said Mr. Berlin implied that with new State law there is a good chance we will see  
7 existing houses end up with more occupants. He said he is not sure there will be much new  
8 construction with a 12-occupant boarding house; other implication is whether or not it is a bad  
9 thing. Mr. Whittington said he is interested in what Mr. Berlin was saying about the residential  
10 district, what should be developed there, and what makes it practical for workforce housing.  
11

12 Mr. Nanda said he agrees that the balance between the character of the town and future needs  
13 is important. He said for long-term vibrancy of the town, need to address affordability of houses  
14 for future generations. Mr. McManis said he heard the word "supply" quite a bit and agrees this  
15 is about supply and demand. Mr. Howd said we can do everything we can do for supply but it's  
16 the demand and amenities downtown has to offer that are needed to attract people.  
17

#### 18 **XV. Adjournment**

19  
20 ***Julian Smith moved to adjourn the Planning Board Meeting of September 24, 2025;***  
21 ***SECONDED by Peyton McManus; APPROVED: 7-0, Motion carries.***  
22

23 Chair Rasmussen adjourned the Planning Board meeting at 9:11 pm.

24  
25 Respectfully submitted,

26 Patricia Denmark, Minute Taker  
27 Durham Planning Board