

DRAFT
DURHAM TOWN COUNCIL
MONDAY, JUNE 16, 2025
DURHAM TOWN HALL - COUNCIL CHAMBERS
7:00 PM

MEMBERS PRESENT: Chair Joseph Friedman, Councilor Wayne Burton, Councilor Sally Needell, Councilor Curtis Register, Councilor Heather Grant, Councilor Darrell Ford, Councilor Robin Vogt

MEMBERS ABSENT: Chair Pro Tem Eric Lund, Councilor Emily Friedrichs (who uses the pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs)

OTHERS PRESENT: Administrator Todd Selig, Tax Assessor Darci Freer, Planning Board Chairman Paul Rasmussen, Town Planner Michael Behrendt, Housing Task Force Chair Sally Tobias, Conservation Commission Chairman Dwight Trueblood

I. Call to Order

Chair Friedman called the meeting to order at 7:00 P.M.

II. Roll Call of Members

Councilor Heather Grant, Councilor Robin Vogt, Chair Joe Friedman, Councilor Sally Needell, Councilor Darrell Ford, Councilor Curtis Register.

Councilor Wayne Burton joined the meeting in person at 7:01 p.m.

III. Town Council grants permission for fewer than a majority of Councilors to participate remotely - No other councilors were on Zoom at 7 p.m.

IV. Approval of Agenda

Councilor Needell MOVED to approve the agenda for the meeting. Councilor Heather Grant SECONDED the motion. The motion PASSED on a unanimous hand vote of 7-0.

V. Special Announcements

Chair Friedman congratulated Councilor Robin Vogt on the birth of his child and wished him and his wife good luck with the new baby. He also wished all fathers a happy, belated Father's Day.

VI. Public Comments

Beth Olshansky, 122 Packers Falls Road, thanked Administrator Selig for his correspondence with the state Legislature on proposed legislation aimed to change zoning for all towns in the state. She asked how the new legislation now passed impacts the town. Specifically, she said HB 457 does not allow the town to limit bedroom occupancy to two residents. She also mentioned the change in square footage required per resident.

1 She asked if the zoning amendment ordinances before the Town Council at this meeting
2 or soon still make sense in the face of the changes at the state level.

3
4 **Josh Meyerowitz, 7 Chesley Drive,** noted Administrator Selig has published many
5 opinion pieces about the state zoning legislation, and feels many legislators don't have
6 the local knowledge Selig has, and some took his comments as criticism. Mr. Meyerowitz
7 said he has never questioned the good intentions of the Council and other town boards,
8 but only advocated for transparency and wide public input on town matters. He said the
9 rush to change the student housing zoning to head off the state legislation proved futile,
10 and urged wider engagement of residents in the future with better information in advance
11 of discussions and action on issues. He also urged the town to keep tabs on proposed
12 large housing developments in neighboring towns, and distributed once more copies of an
13 earlier statement he sent to the Council.

14
15 Councilor Register noted an email had been sent from Councilor Em Friedrichs who said
16 ze has been blocked from the meeting on Zoom. Administrator Selig said he had been
17 disconnected from Zoom twice since the beginning of the meeting so there must be a
18 problem with Zoom. Councilor Friedrichs did not join the meeting on Zoom.

19
20 **Steven Fellows of 14 Stone Quarry Drive, Apt. 115,** who is recommended to be
21 appointed to the Energy Committee at this meeting, introduced himself. A Durham
22 resident since 1995, he lived on Bay Road for 25 years and then moved to Riverwoods in
23 2019. An electrical engineer professionally, he is a longtime volunteer at the Waysmeet
24 Center, working on the food rescue effort to help reduce waste. He believes climate
25 change is an existential crisis and that affluent societies have a moral obligation to lead
26 mitigation efforts. He serves on the Sustainability Committee at Riverwoods, and works
27 with national and local non-profits.

28
29 **Melissa Robles, 50 Mill Road,** said Councilor Register invited her to speak to the
30 Council about her perspective and her decision to leave the state. She thanked the town of
31 Durham. She served on the New Hampshire State Police force from 1998 until 2017. She
32 said Durham has been wonderful to live in, but the state has changed and lost its New
33 Hampshire way of respect for citizens, their property and their right to be free and live
34 undisturbed. She said she is a trans masc lesbian and described new state legislation as
35 "hateful laws" and won't beg for her rights after serving and protecting New Hampshire
36 for years through some of its darkest events. She doesn't recognize current ICE
37 enforcement as any form of policing. She praised the great police officers of the town and
38 state, and doesn't want their names to be sullied by this kind of enforcement. She hopes
39 her story gives Councilors some things to think about, and said Durham is a strong brand,
40 that people want to live in this town, and not everyone gets to.

41
42 **Samantha Register, 6 Rocky Lane,** spoke about her friend, a Durham resident who is a
43 green card holder, who is living in fear of the wave of increased ICE enforcement. She
44 works as a substitute teacher at the elementary school and is a law-abiding mother of
45 schoolchildren who are also anxious. Ms. Register listed several of her family members
46 who are also immigrants and now have their citizenship. She said green card holders have

1 Social Security numbers and pay taxes. She said her friend's home is a place where all
2 neighboring children feel safe and welcome, but her friend doesn't feel safe. She said no
3 child in the town of Durham should have to live with the fear that their mother might not
4 be there when they get home from school. She referred to the book "Schindler's List"
5 where it was actually the local police, town staff and City Councilors who made it
6 possible for local families to be rounded up in Nazi Germany. She quoted philosopher
7 and political thinker Hannah Arendt who calls this "the banality of evil," which is
8 ordinary people enabling cruelty not because they are monsters, but because the system
9 asks them to cooperate and they do.

10
11 **Chris Chance, 25 Meadow Road,** said she has been following the Constitutional
12 overreach of the Trump Administration and the many unjust laws passing at the federal
13 and state level, and feels people's fear is being turned to hatred toward already
14 marginalized groups who are hurting no one. She said she is concerned about the way
15 misinformation and propaganda is being used, and the current wave of ICE enforcement
16 is punishing and traumatizing recent immigrants who are just working to feed and
17 support families. She listed examples of legally sanctioned separating families in the
18 country's history, which are now considered atrocities. She believes local police and
19 towns in New Hampshire just want to serve, and do not want to be militarized against
20 their neighbors. She said residents cannot react with panic or hate or pre-compliance with
21 overly authoritarian practices, but must respond with love, compassion and respect for
22 everyone's need to belong and to be treated with dignity.

23
24 **Maura Slavin, 10 Burnham Avenue,** said she loves Durham, raised her children here
25 and has been renting out rooms in her home to UNH students. She said she recently had a
26 discussion with her tenant, a PhD candidate who is here legally on a student visa from
27 India, about what they should do if ICE came to their door. She also said when she was
28 leaving to go to a protest, the tenant said she could not go, fearful of attracting ICE
29 attention. Ms. Slavin said this country is based on free speech, and her tenant is afraid she
30 will be deported, losing her education and her PhD if she goes to a peaceful protest in this
31 country. She said anything the community can do to help people who are here legally and
32 for good reason feel safe and welcome would be greatly appreciated.

33
34 **Susan Richman, 16 Cowell Drive,** echoed the other speakers' concerns and asked for
35 the town's assistance in guiding residents about what they can do if they witness anything
36 occurring that may be an ICE enforcement action. She suggested maybe the ACLU could
37 present a webinar in town for residents to attend. She said residents are worried about
38 how to behave and what their options are.

39
40 **Carol Birch, 17 Garden Lane,** thanked the speakers and said she has worked with
41 immigrants for years and has a hand-out about what to do if ICE comes to your door. She
42 advised residents to not open the door and to not say a word, and that they have rights.
43 She said she is scared and asked that Durham not work with ICE.

44
45 **Celie Boley, 10 Juniper Lane,** said she grew up in Durham and is grateful to call it
46 home once again. She said the town is special and has a "community and culture of

1 kindness and thoughtfulness that defines it.” She is strongly opposed to the current ICE
2 strategy as well as the broader trend of police militarization in any community. She is
3 concerned about local police involved in any partnership with ICE. She thanked
4 Councilors for everything they do for the town.
5

6 **Sally Tobias, 107 Madbury Road**, said she is part of a sponsor group for immigrants
7 and said the interactions with state departments when she is advocating on their behalf
8 are difficult. She said many staff members of the Department of Health and Human
9 Services and the Department of Motor Vehicles, which she mostly deals with, are
10 ignorant of what refugees can and cannot receive. She is concerned that most immigrants
11 confronting this on their own would just walk away with incorrect information and no
12 benefit. She said getting through the red tape can take weeks and many phone calls. She
13 said there is a general lack of understanding of the rules and regulations. She also cited
14 the example of a Haitian family who came to the U.S. legally a year ago, that has
15 employment, Social Security cards, and work authorization cards. She said the family has
16 three daughters and both the mother and father were working two jobs. The Trump
17 Administration decided their legal status is no longer legal, and their work authorization
18 cards were pulled and now they can no longer work. Their rent is \$3,200 for a three-
19 bedroom apartment. They have not been deported yet. She said she recently visited New
20 York City, saw the Statue of Liberty and cried.
21

22 **Eileen Murphy, 9 Bayview Road**, is the executive director of the Waysmeet Center in
23 Durham. She encouraged the town to pass a resolution that it will not partner with ICE
24 enforcement and it will not militarize its police. In her role, she has met with some of the
25 435 international students at UNH’s Durham campus as well as UNH employees who are
26 new to America, and said they are fearful of being detained or deported. She said they are
27 here working to better themselves and the world, and deserve the community’s support.
28 She asked the Council as a show of solidarity to pass a resolution to protect the town’s
29 most vulnerable residents, scholars and workers.
30

31 **Michael Glover, 10 Hemlock Way**, said he believes the Trump Administration is cruel,
32 incompetent and corrupt, and appears to have directed ICE to operate outside the law. He
33 said anything the Council can do to impede them, concrete or symbolic, would be “God’s
34 work,” noting he means that in a secular way. He encouraged them to support the
35 refugees living in the Durham community in any way it can, particularly not directing the
36 police department to cooperate with ICE or as little as possible, and not to militarize
37 police. He said the town needs municipal police, not a military force.
38

39 Councilor Burton responded to the comments from the public and said he agrees with the
40 speakers, but that Governor Kelly Ayotte two weeks ago signed legislation that prohibits
41 the town from interfering with ICE in any way so the Town Council is faced with a
42 choice. If it orders the police chief to impede ICE, it will be subject to criminal
43 prosecution by the state of New Hampshire. He read an excerpt from the bill. He said the
44 town can devise legal strategies to implement, one of which is making sure all residents
45 have accurate information on the rights of immigrants.
46

Councilor Register said any risk the town would take would be less of a risk than an immigrant being taken.

Administrator Selig said the police department has had a policy in terms of addressing immigrants and those with an immigrant status and is in the process of updating it in the face of present events and recent state law changes. He read a few sections of the policy out loud, hoping to relieve some concerns at least locally if not on a federal and state level. He said Attorney Joseph McKittrick is reviewing it to make sure he doesn't have any legal concerns. He said the police department has been in contact with Durham Community Church and others to explain its procedures and protocol. He said individual immigrants have asked police directly, too. The goal is not to participate in the federal policies, but if there is a warrant for an individual and ICE contacts police, the police would validate the warrant to make sure it is accurate, and then Durham Police would stand by while other law enforcement agencies perform arrests or operations in the town.

He said the town would have tremendous concern about any plainclothes, heavy handed, heavy armed operations like are being seen in other parts of the country. He noted in the state law there is a separation between what the police department does and what the community asks them to do. He said the police department is required to comply with the new state law as Councilor Burton said, but he shares the town's values and will make every effort to do it right. At the same time, he will not order the police chief to break the law. He said he has taken an oath to uphold the law and will find a way to do that to the best of his ability consistent with the town's values. He said the Town Council is free to adopt a resolution and he will do his best to comply with it. To the extent that it conflicts with state law, that would present a real challenge for the town's staff.

VII. Report from the UNH Student Senate External Affairs Chair or Designee

The UNH student representative was not present.

VIII. Unanimous Consent Agenda

- A. Shall the Town Council, upon recommendation of the Town Assessor and Administrator, approve FY2024 Property Tax Abatements at the local level totaling \$15,760.12?
- B. Shall the Town Council adopt Resolution #2025-14 recognizing the 200th Anniversary of General Marquis de Lafayette's visit to Durham?
- C. Shall the Town Council, upon recommendation of the Administrator, award the purchase of both the Single Stream Recycling and Solid Waste Collection Containers to be used in the Automated Solid Waste Collection Program to WasteQuip (Toter[®] Brand) of Charlotte, N.C., for a value not to exceed \$245,000, subject to available funding and authorize the administrator to sign associated documents?

Chair Friedman MOVED to accept the Unanimous Consent Agenda. Councilor Needell SECONDED the motion. The motion passed on a unanimous roll call vote of 7-0.

1 Councilor Register read Resolution #2025-14 out loud.
2

3 **IX. Committee Appointments**

4 Shall the Town Council, upon recommendation of the Energy Committee Chair, appoint
5 Steven Fellows, 14 Stone Quarry Drive, Apt. 115, to an unexpired regular membership
6 on the Energy Committee with a term expiration of April 2027?
7

8 *Councilor Vogt MOVED to appoint Steven Fellows to the Energy Committee. Chair*
9 *Friedman SECONDED the motion. The motion PASSED on a unanimous roll call*
10 *vote of 7-0.*
11

12 **X. Presentation Items**

- 13 A. Receive annual report on the Conservation Commission activities and projects – Dwight
14 Trueblood, Chair
15

16 Conservation Committee Chairman Dwight Trueblood summarized the commission's
17 work of the last year.
18

19 He said they have been rewriting the Wetlands and Shoreland Overlay District ordinance.
20 He said the revised ordinance combines changes in best practices and the up-to-date
21 scientific information about runoff, wetlands and conservation, and has been forwarded
22 to the Planning Board for review and a presentation on the key changes.
23

24 He said the Land Stewardship Committee has been working with the Nature Conservancy
25 and SELT to lower the purchase price of a 21-acre parcel near Crommet Creek so it can
26 pursue funding to buy it. It is a lowland brush habitat, perfect for the Eastern cottontail,
27 which is a threatened species. He said it has approached the town requesting \$50,000
28 from the conservation fund to partially fund the purchase. The Conservation Fund gets
29 money from the 10% penalty that is paid when land is taken out of current use. Its
30 funding is unpredictable and irregular so the commission is discussing whether to spend
31 the \$50,000.
32

33 He said the Land Stewardship Committee has also updated the list of invasive plant
34 species to be considered during site plan reviews.
35

36 He said the former and present Land Stewardship Coordinators - Sara Callaghan and
37 Veronique Ludington respectively - have been working with volunteers and training them
38 to support land stewardship efforts, especially the Stewards volunteers who work on the
39 upkeep of conservation lands, trail maintenance, and invasive species control at Doe
40 Farm.
41

42 He reported the commission also reviews conditional use permits. This year it reviewed
43 one for 4 Riverview Court, which is within the 125-foot setback from the water.
44

1 He said the commission gave its feedback on the Riverwoods Phase II development and
2 the Housing Task Force's proposal for the Aquifer Protection Overlay District.

3
4 He said it has been discussing ways to improve communication and increase awareness
5 of what the commission does, and is considering putting a periodic announcement into
6 the Friday Updates such as a list of the best tips for a homeowner to manage their yard in
7 the most environmentally sustainable way as well as other tips and helpful information
8 for homeowners.

9
10 He said 7 Rivers To The Coast, a collaboration of 20 organizations working to protect
11 local waterways, has proposed creating a Coastal Conservation Roundtable to meet every
12 two months and share information around a specific topic each time, and has asked the
13 Conservation Commission to designate a representative to attend.

14
15 The commission is thinking of extending its reach by holding a series of public seminars
16 and walks, maybe three to four a year.

17
18 **XI. Councilor and Town Administrator Roundtable**

19
20 Councilor Grant - Housing Task Force

21 The task force met and went through additional proposed zoning changes and forwarded
22 them to the Planning Board for review. It discussed different zoning proposals related to
23 creating more affordable housing. The task force reviewed the action items assigned to it
24 and if they were completed or not. It discussed when the task force would disband. A
25 dialogue between the task force and the Town Council about whether its work is done
26 will be on the agenda for the July 7 Council meeting.

27
28 Councilor Grant - Planning Board

29 She reported the Planning Board met on June 11 and reviewed the 121 Technology Drive
30 proposal to build an additional building by R.J. Kelly. They were just looking for initial
31 feedback and probably won't return to the board until November. The board held its
32 Public Hearing on the lodging house designation, but didn't have time to discuss the issue
33 after listening to the public feedback. The board didn't have time to discuss the proposed
34 changes to the conservation subdivision.

35
36 Councilor Vogt - Energy Commission

37 He reported he was not able to attend the commission's last meeting, but from the
38 meeting notes said it welcomed Mr. Fellows to the Energy Committee as its new
39 member. He said there is a lot planned for the commission's next meeting on July 1
40 including deciding how to proceed based on the town's newly revised Climate Action
41 Plan.

42
43 Councilor Vogt - Human Rights Commission

44 He said the Human Rights Commission will meet on Wednesday, June 18. He said the
45 commission will discuss the widespread concerns about the potential of ICE enforcement
46 in town and asked everyone to tune in or be present at the 4:30 meeting for the continuing

1 conversation. He said this discussion has been going on for months, but is at a breaking
2 point where residents are demanding more information. He encouraged everyone to
3 continue to speak out and share their concerns, and said the HRC wants to hear them as
4 well.

5
6 Chair Friedman - Parks and Recreation Committee

7 He said the Parks and Rec Committee will meet next Tuesday and is expected to endorse
8 the draft reports on the proposed improvements at Jackson Landing and Woodridge Park.
9 The reports will be brought forward to the Council at its July 7 meeting. The committee
10 has been getting ready for its summer activities and camps. The Durham Rotary donated
11 \$1,500 for a music program on Thursdays at 66 Main Street and more details will be
12 released soon.

13
14 Chair Friedman - Durham Business Administration

15 He said the Durham Business Administration has regrouped and will work to revitalize
16 and continue the improvement of downtown. Chair Friedman is an ex officio member of
17 the board, and Councilor Register will serve as an alternate. Someone from UNH will
18 also be on the board.

19
20 Councilor Needell - Integrated Waste Management Advisory Council

21 She said the advisory council met on June 4 and worked on a grant proposal for a
22 composting consortium for a grant to fund a pilot program for composting curbside
23 pickup. It next meets June 18.

24
25 Councilor Burton

26 He noted one success in the current legislative cycle. He said the Democrats were joined
27 by some Republicans to beat a cap on municipal expenses, which would have totally
28 overridden local control and was pushed by Free Staters. He said the Legislature also
29 passed more money for special education, but Democrats couldn't stop universal school
30 vouchers, which did pass, are expensive and will come out of taxpayers' pockets.

31
32 Councilor Ford - Conservation Commission

33 The commission last met on May 27. He said Chair Trueblood had covered its work in
34 the annual report earlier in the meeting. The next meeting is next Monday, June 23 in
35 Council Chambers at 7 p.m.

36
37 Councilor Register - School Board

38 He said the school board met on June 4. The last day of school is June 18. It discussed
39 universal testing results for monitoring student growth. New Hampshire students are
40 performing better than their peers and performing better than they did previously in the
41 grades tested. He said enrollment seems to be continuing its downward trend. He said that
42 means less students filling the schools, gaps in positions, and less class size issues in
43 classrooms. He said the school district is working through its annual goals. The board's
44 next meeting is June 18.

1 Councilor Register - Agricultural Commission

2 The commission met June 9. Farm Day is Aug. 16. The Farmers' Market is still going on
3 every Monday until October, except Labor Day. The commission is continuing to work
4 on visibility and communication to increase awareness. One of the new members created
5 buttons to distribute at the Farmers' Market and on Farm Day to get some more interest
6 and awareness going, and also agreed to help with social media. The commission's next
7 meeting is July 14.

8
9 Councilor Register

10 He said the ACLU will present a Know Your Rights training at Durham Public Library
11 on June 25 at 7 p.m. More information can be found on the library website.

12
13 He said it's important to acknowledge the tremendous efforts of town staff and volunteers
14 to keep up with the fast rate at which legislation including bills that affect Durham's
15 zoning was being discussed and passed at the end of the Legislative session. It made it
16 very hard to track and he said the town can't be expected to keep up with it for town
17 residents, something it seemed some are requesting. He said the town is doing everything
18 it can to communicate with the public and it is not doing anything nefarious if it's not
19 keeping up with info at the state level.

20
21 He added that the town needs to offset the rising residential tax rate with commercial
22 development. He said town residents shouldn't berate the town for trying to make
23 changes to make the downtown zoning more attractive to developers.

24
25 He introduced a resolution about the town's policy in the face of potential ICE
26 enforcement in town and asked that it be put on the agenda for discussion and a vote at
27 the next meeting of the Town Council.

28
29 Administrator Selig added he has asked Attorney McKittrick to review the resolution for
30 any legal concerns.

31
32 Chair Friedman said it will likely be on the agenda for the next meeting. Councilor
33 Needell suggested inviting Durham Police Chief Rene Kelley to the next meeting.
34 Councilor Burton said the county is still grappling with its incarceration of detainees at
35 the county jail and he will bring a report to the meeting.

36
37 Administrator Selig

38 He reported that there was a fight club-like incident among a group of high school
39 students recently at the Milne Sanctuary and one student was injured so badly he almost
40 died. He said fight clubs are becoming more frequent in the area and that Little River
41 Park in Lee is another meeting site. He asked Durham parents with children in high
42 school to be aware and confront them about where they're going if they're heading out
43 late at night.

44
45 He said there are a number of abandoned docks that have washed up on the shoreline of
46 Cedar Point Road and that they are damaging the salt marsh. No one has taken

1 responsibility for them, but they think they know who the owner is, but they are out of
2 Durham's jurisdiction, and under the state's jurisdiction. The state is overwhelmed with
3 work and hasn't done anything about them so the town will lift them out of the sensitive
4 area with a crane and dispose of them as bulky waste. It will pursue holding the owner
5 financially responsible for the removal cost.
6

7 In regard to HB 457, which Ms. Olshansky referred to in Public Comment, the New
8 Hampshire Municipal Association town members are crafting a joint letter to Gov.
9 Ayotte, encouraging her to veto the bill.
10

11 The town did receive correspondence from former Councilor James Bubar on his
12 questions about the water system and Administrator Selig said he followed up in writing.
13 He said he is not going to devote a lot of staff time and energy to the topic because he
14 sees it as a rabbit hole with no productive resolution. He said if the Town Council wants
15 to discuss the issue he will. Right now, the town and UNH staff think separating the UNH
16 and Durham water systems is difficult if not impossible, and doesn't make sense. He said
17 he has received an \$8,500 quote to perform the research involved in how the combined
18 system came to be and evolved. If the Town Council wants to evaluate further, he can
19 discuss that expense.
20

21 He said the Farmers' Market saw good weather that afternoon and one of the farmers was
22 almost sold out at 5:30 p.m.
23

24 Councilor Grant added that she likes the fact that Durham has a combined system with
25 UNH because its size allows Durham not to have issues with water in the summers when
26 many small towns in the area have to place water restrictions on use. She said the concern
27 came about when rates went up several dollars in one month, and said maybe an
28 explanation of how the rate is set would be helpful.
29

30 Administrator Selig said the university paid for the entire - 100 percent - of the
31 construction of the plant. In 2016, the town and UNH renegotiated the agreement moving
32 toward a combined system. Consensus was that operating as a single system was in
33 everyone's best interest, that rates would increase and that Durham gained sustainability
34 over time. He said it's an incredibly resilient system. He said the period when students
35 left during COVID saw UNH water use drop and Durham residents were all at home all
36 the time and their use increased, and that impacted the cost sharing. He said now it's
37 equalizing a little bit, but there are fewer students overall and staff is still working at
38 home many days so it's impacting cost sharing again. The town has to rely on
39 homeowners to make investment in improvements to save water, but UNH can make
40 their own. UNH has looked at the accuracy of its meters on campus, found them to be
41 OK and is forwarding documentation about this to the town. At an appropriate time, the
42 town can reevaluate the cost sharing, but it's not appropriate right now because UNH is
43 in the middle of managing the large cuts to its budget.
44

45 Councilor Burton commented on the recent murder of the state legislator and her husband
46 in Minnesota and the shooting of another and his wife. He said the New Hampshire

1 Legislature notified members to stay out of public areas and took their addresses off the
2 state's website. He said it was traumatic to think that would happen in this country and
3 that his heart goes out to the people of Minnesota.
4

5 **XII. Unfinished Business**

6 **A. Continued Discussion and Possible Adoption of Town Council Goals for FY 2025/26.**

7
8 Chair Friedman questioned, with the reduction in the number of goals, if Councilors still
9 wanted to rank the priority of each goal. Consensus was if the priorities are not helpful to
10 Administrator Selig and department managers then they're not needed. It was decided
11 they are not.
12

13 *Chair Friedman MOVED TO adopt the goals as presented without the priorities.*
14 *Councilor Register SECONDED the motion.*
15

16 Councilor Burton said Durham's government form is unique in the state, with an
17 administrator, not a manager. He said Administrator Selig lives in an atmosphere where
18 an unexpected crisis requires all his attention and often takes him away from focusing on
19 the goals so the Council needs to be flexible. Councilor Needell noted the Council didn't
20 designate who is responsible for each goal, and said this is not a list for evaluating
21 Administrator Selig because he's not responsible for everything. Councilor Register said
22 he saw them more as a list for evaluating the Town Council.
23

24 *The motion PASSED on a unanimous roll call vote of 7-0.*
25

26 **XIII. Approval of Minutes for June 2, 2025 Meeting**

27 *Councilor Needell MOVED to accept the minutes. Chair Friedman SECONDED the*
28 *motion. The minutes were APPROVED on a unanimous roll call vote of 5-0 with*
29 *Councilor Vogt and Councilor Ford abstaining because they were not present for the*
30 *meeting.*
31

32 **XIV. New Business**

33 **A. First Reading on Ordinance #2025-07 Amending Chapter 175, "Zoning," Article XII.1,** 34 **"Use and Dimensional Standards," Section 175-53, "Table of Uses," and Section 175-54,** 35 **"Table of Dimensions," to separate CB-1 and CB-2 in the tables and to permit by right** 36 **multi-unit residential in the PO, CH and C Zoning Districts. The Public Hearing can be** 37 **set for Monday, July 7, 2025.** 38

39 Planning Board Chairman Paul Rasmussen said this is the amendment changing the multi-
40 unit residential use by condition to by right in these zones and he said the Planning Board
41 is recommending it.
42

43 Councilor Burton said he'd gotten a question just before the meeting about this change's
44 impact on Bayview Road. Chair Rasmussen said Bayview Road is mostly in the RA
45 district and only the property at the end which faces Route 108 is in the Courthouse zone.

1 The property is already developed as multi-unit student housing, but could be redeveloped
2 under the new zoning, but that is the only Bayview property whose zoning would change.
3 Bayview Road resident, Lynn Howard, came to the mic to address the Councilors and said
4 her comment to Councilor Burton was more expressing concern from several residents on
5 Bayview and in adjacent neighborhoods about the zoning change and asking what the
6 process is and what would come next.

7
8 Administrator Selig gave some of the zoning change's history. He said about two years
9 ago the Town Council established the Housing Task Force to meet regularly to look at
10 increasing affordable housing in town. The task force came up with a number of
11 suggestions for the Town Council. The Council agreed to initiate two zoning changes,
12 which went before the Planning Board, which discussed them and held a Public Hearing
13 on each, and then made a recommendation to the Town Council.

14
15 The Town Council discussed the proposed zoning change and decided to move forward
16 with them and hold their own Public Hearing on them. After the second round of
17 feedback, it discussed them and decided whether to pass it or not, or if making a
18 substantive change they would have to go back to the Planning Board for review.

19
20 Administrator Selig said he has heard residents' concerns that the process was too fast,
21 that there wasn't enough public notice, but this process has been going on for months and
22 months, and included numerous opportunities to give feedback. He said it has actually
23 been moving "at molasses speed." He said he has been trying hard to get all the
24 information and status of the changes into the Friday Updates, but sometimes he is too
25 busy. He said he has heard complaints that the Planning Board have been late to post
26 minutes, but he said that is an issue in training the minutes taker and nothing nefarious is
27 going on with them taking longer to post in some cases.

28
29 Discussion continued about whether the elimination of the no-more-than-three-unrelated
30 rule affects this zoning change, and it was noted it doesn't. Housing Task Force Chair
31 Sally Tobias said this ordinance allows multi-unit residential use for all human beings, not
32 just for students or for those over 55.

33
34 ***Councilor Grant MOVED to approve the First Reading of the proposed ordinance and***
35 ***set a Public Hearing for the Council's July 7 meeting. Councilor Vogt SECONDED the***
36 ***motion. The motion PASSED on a unanimous roll call vote of 7-0.***

- 37
38 B. **First Reading on Ordinance #2025-08** Amending Chapter 175, "Zoning," Article XII,
39 "Base Zoning Districts," Section 175-42, "Central Business District, and Article XII.1,
40 "Use and Dimensional Standards," Section 175-54, "Table of Dimensions," to eliminate
41 the three-story height limit for CB-1 Zoning District and to change the standard for
42 commercial in five story buildings in CB-1 District from requiring two floors to requiring
43 only one floor. The Public Hearing can be set for Monday, July 7, 2025.

44
45 Chair Rasmussen said the Planning Board recommended sending the ordinance back to
46 the Town Council leaving it as it was, but then made the follow-up recommendation to

1 make a fifth story available by conditional use more attractive to developers. The
2 Planning Board recommends creating a subcommittee of members of the Planning Board
3 and the Town Council to pre-identify properties that would be approved for a fifth level
4 so developers don't have to go through the conditional use process.

5
6 Administrator Selig said he's hearing from residents that they don't understand the
7 context that Items A and B are moving forward in.

8
9 Chair Rasmussen said the zoning changes are part of the downtown rejuvenation effort.
10 Downtown businesses struggle without year-round clientele, and the town is trying to
11 increase the number of residents living year-round within walking distance of downtown.
12 The reason behind the changes is to encourage developers by creating an atmosphere
13 where it is clearer if they bring a project to the town that will work and be approved.
14 Developers have a difficult time when snags at the town, at the Planning Board or at the
15 bank hang up the process and delay projects.

16
17 Chair Tobias added there are significantly underdeveloped properties downtown, some in
18 dire need of updating, and the town wants to encourage this. This change would allow the
19 properties to become more valuable on the for sale market and create more quality
20 commercial space and housing that is easier to rent. This will also increase the town's
21 commercial tax base.

22
23 ***Councilor Grant MOVED to approve the First Reading of the ordinance and set the***
24 ***Public Hearing of it for July 7. Chair Friedman SECONDED the motion. The motion***
25 ***PASSED on a unanimous 7-0 roll call vote.***

- 26
27 C. Discussion and possible approval of relocation of a portion of the Easement ROW known
28 as Stone Quarry Drive due to the Riverwoods Project and authorizing the Administrator to
29 sign all associated documents.

30
31 Councilor Needell recused herself from the discussion and voting on this as a future
32 Riverwoods resident.

33
34 ***Chair Friedman MOVED to approve the relocation of the Easement ROW. Councilor***
35 ***Grant SECONDED the motion.***

36
37 Councilor Register asked if the town's DPW is OK with it and Administrator Selig said it
38 creates a lot of positive benefits and will make the situation safer by creating a sidewalk
39 and additional parking so residents and employees won't be walking in or parking on the
40 street. He introduced Attorney Christopher Boldt who is representing Riverwoods.
41 Administrator Selig said both parties had arrived at fair compensation to the town just
42 under \$70,000 for the land swap, and Selig strongly recommended moving forward with
43 the relocation. He said it would also extend the water-sewer line to service the new facility
44 and gives DPW the potential to link to it. The DPW is currently on a septic and must use
45 bottled water because its well is non-potable, which is the same situation at the Durham

1 Police Station. Riverwoods has agreed to provide a connection point at the boundary of
2 their project and the town will have the option to connect there.

3
4 ***The motion PASSED on a unanimous roll call vote of 6-0 with Councilor Needell***
5 ***recusing.***

6
7 Administrator Selig announced his sabbatical begins Monday, June 23. Business Manager
8 Gail Jablonski will be acting administrator for six weeks.

9
10 **XV. Nonpublic Session - Not Required**

11
12 **XVI. Adjourn (NLT 10:30 PM)**

13
14 ***Councilor Vogt MOVED to adjourn the meeting. Councilors Register and Friedman***
15 ***SECONDED the motion. The motion PASSED on a unanimous show of hands vote of***
16 ***7-0.***

17 The meeting was adjourned at 9:42 PM.

18
19 - Jane Murphy, Minutes Taker