



# TOWN OF DURHAM

8 Newmarket Road  
Durham, NH 03824  
Tel: 603-868-5571  
Fax: 603-868-1858  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

**NOTICE:** Although members of the Town Council will be meeting in the Council chambers, the Council meetings are still available for members of the public to participate via Zoom or in-person.

**ORIENTATION SESSION FOR  
TOWN COUNCIL MEMBERS  
MONDAY, MARCH 23, 2026  
DURHAM TOWN HALL - COUNCIL CHAMBERS  
6:00 PM  
(SEE SEPARATE AGENDA)**

**AGENDA  
DURHAM TOWN COUNCIL  
MONDAY, MARCH 23, 2026  
DURHAM TOWN HALL - COUNCIL CHAMBERS  
7:00 PM**

**NOTE:** *The Town of Durham requires 48 hours notice if special communication aids are needed.*

- I. Call to Order
- II. Town Council grants permission for fewer than a majority of Councilors to participate remotely
- III. Roll Call of Members. Those members participating remotely state why it is not reasonably practical for them to attend the meeting in person
- IV. Swearing in of New Council Members - Audrey MacKenzie, Deputy Town Clerk-Tax Collector
- V. Election of Chair and Chair Pro Tem
- VI. Approval of Agenda
- VII. Special Announcements - Reading of Land Acknowledgement Statement
- VIII. Approval of Minutes - March 2, 2026
- IX. Report from the UNH Student Senate External Affairs Chair or Designee
- X. Public Comments (\*) - **Please state your name and address before speaking**

- XI. Unanimous Consent Agenda** *(Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote)*
- A. Shall the Town Council adopt **Resolution #2026-04** establishing the regular Town Council meeting dates for April 2026 through March 2027?
  - B. Shall the Town Council, Upon Recommendation of the Administrator, Approve a Special Event Permit Application Submitted by Molly Flagg, Good Planet Apparel, to close certain sections of Town Roads for a Block Party to be held on Saturday, April 25, 2026 (Rain date April 26, 2026) from 11:00 a.m. to 6:00 p.m.?
- XII. Citizen Committee Appointments**
- XIII. Presentation Items**
- XIV. Unfinished Business**
- A. **Public Hearing and Possible Adoption of Ordinance #2026-02**, Amending Chapter 132, "Tax Exemptions and Credits", Section 132-4 "Service-Connected Total Disability Veteran Tax Credit" of the Durham Town Code to Increase the Veteran Tax Credit Threshold for Veterans Who Are Totally and Permanently Disabled to \$4,500.
  - B. **Public Hearing and Possible Adoption of Ordinance #2026-03** Amending Chapter 175, "Zoning," the Zoning Map of the Durham Town Code to re-zone Map 108, Lot 27, 10 Cowell Drive from Residence A (RA) to Church Hill (CH) Zone.
- XV. Councilor and Town Administrator Roundtable**
- XVI. New Business**
- A. Discussion on whether to reinstate an Economic Development Committee.
  - B. Annual appointments of Council representatives to the various town boards, commissions, and committees.
- XVII. Nonpublic Session (if required)**
- XVIII. Adjourn (NLT 10:30 PM)**

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*(\*) The public comment portion of the Council meeting is to allow members of the public to address matters of public concern regarding town government for up to 5 minutes. Obscene, violent, disruptive, disorderly comments, or those likely to induce violence, disruption or disorder, are not permitted and will not be tolerated. Complaints regarding Town staff should be directed to the Administrator.*

## Durham, New Hampshire Land, Water and Life Acknowledgment

The Town of Durham, New Hampshire wishes to acknowledge the spiritual and physical connection maintained by the Pennacook, Abenaki and Wabanaki peoples to N'dakinna (homeland), aki (land), nibi (water), lolakwikak (flora) and awaasak (fauna). New Hampshire has been home to these Indigenous people for thousands of years. The residents of Durham acknowledge the ongoing hardships endured by our Indigenous neighbors after the loss of their unceded homelands which we now steward and we will work to foster relationships to support the well-being of Indigenous people who carry forward the traditions of their ancestors.



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**AGENDA ITEM: #8**

**DATE: March 23, 2026**

### **COUNCIL COMMUNICATION**

**INITIATED BY:** Durham Town Council

**AGENDA ITEM:** **APPROVE THE TOWN COUNCIL MEETING MINUTES FOR MARCH 2, 2026.**

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Todd Selig, Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's review and approval are the minutes for the meeting held on March 2, 2026. Please call or email Karen Edwards with any grammatical/spelling changes prior to the meeting. Discussion at Monday evening's meeting should be limited only to substantive changes.

**LEGAL AUTHORITY:**

RSA 91-A:2 (II) specifies what must be contained in minutes of public meetings:

*"Minutes of all such meetings, including names of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection not more than 5 business days after the public meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of anybody or agency, or any subordinate body thereof, without exception."*

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby approve the Town Council meeting minutes for March 2, 2026. (as presented/as amended)*



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AGENDA ITEM: **#11A**

DATE: **March 23, 2026**

### COUNCIL COMMUNICATION

**INITIATED BY:** Durham Town Charter

**AGENDA ITEM:** SHALL THE TOWN COUNCIL ADOPT RESOLUTION #2026-04 ESTABLISHING THE REGULAR TOWN COUNCIL MEETING DATES FOR APRIL 2026 THROUGH MARCH 2027?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Todd I. Selig, Administrator

**AGENDA DESCRIPTION:**

Attached for Council's review and consideration is a resolution establishing the regular Town Council meeting dates for April 2026 - March 2027 in accordance with Section 3.7C of the Durham Town Charter. Attention has been paid to not scheduling meetings on holidays in accordance with Resolution #2022-07 approved on August 15, 2022.

It should also be noted for advance scheduling purposes that the Council typically schedules budget work sessions as necessary for the Mondays in November and December when a regular meeting is not scheduled.

**LEGAL AUTHORITY:**

Section 3.7 (C) of the Durham Town Charter states that "Regular meetings shall be held on such day or days of each month at such time as the Council shall by ordinance or resolution direct."

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council hereby adopts Resolution #2026-04 establishing the regular Town Council meeting dates for April 2026 through March 2027.*

# RESOLUTION #2026-04 DURHAM, NEW HAMPSHIRE

## Establishing Regular Town Council Meeting Dates for April 2026 through March 2027

WHEREAS, Section 3.7C of the Durham Town Charter states that regular meetings of the Council shall be, " ... Held on such day or days of each month at such time as the Council shall by ordinance or resolution direct." and

WHEREAS, because of holidays, there is need to amend the regular meeting schedule of the Durham Town Council,

NOW THEREFORE, BE IT RESOLVED that the Durham Town Council does hereby adopt **Resolution #2026-04** establishing the regular meeting schedule of the Durham Town Council for the period April 2026 - March 2027 as follows:

Monday	April 6, 2026	Monday	October 5, 2026
Monday	April 20, 2026	Monday	October 19, 2026
Monday	May 4, 2026	Monday	November 2, 2026
Monday	May 18, 2026	Monday	November 16, 2026
Monday	June 1, 2026	Monday	December 7, 2026
Monday	June 15, 2026	Monday	December 21, 2026
Monday	July 6, 2026	Monday	January 11**, 2027
Monday	August 3, 2026	Monday	February 1, 2027
Monday	September 14**, 2026	Monday	February 15, 2027
Monday	September 21, 2026	Monday	March 1, 2027
		Monday	March 15, 2027

\*\*Second Monday of the month.

PASSED AND ADOPTED on this 23<sup>rd</sup> day of March, 2026 by a majority vote of the Durham Town Council with \_\_\_ voting in favor, \_\_\_ opposing, and \_\_\_ abstaining.

\_\_\_\_\_  
Joe Friedman Chair, Durham Town Council

**ATTEST:**

\_\_\_\_\_  
Rachel Deane, Town Clerk-Tax Collector



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AGENDA ITEM: **#11B** *TS*

DATE: **March 23, 2026**

### COUNCIL COMMUNICATION

**INITIATED BY:** Molly Flagg, Good Planet Apparel

**AGENDA ITEM:** SHALL THE TOWN COUNCIL, UPON RECOMMENDATION OF THE ADMINISTRATOR, APPROVE A SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY MOLLY FLAGG, GOOD PLANET APPAREL, TO CLOSE CERTAIN SECTIONS OF TOWN ROADS FOR A BLOCK PARTY TO BE HELD ON SATURDAY, APRIL 25, 2026 (RAIN DATE APRIL 26, 2026) FROM 11:00 A.M. TO 6:00 P.M.?

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Molly Flagg, Good Planet Apparel

**AGENDA DESCRIPTION:**

Attached is a special event/road closure permit application submitted by Molly Flagg of Good Planet Apparel requesting that certain portions of town roads be closed beginning from 11:00 a.m. to 6:00 p.m. on Saturday, April 25, 2026, for a Block Party, with a rain date of April 26, 2026.

The application has been reviewed by the appropriate town departments and has been approved by them. The Administrator therefore recommends approval of this special event and road closure permit.

**LEGAL AUTHORITY:**

RSA 41:11 "Regulation of Use of Highways, Etc.", and RSA 47:17 VII "Use of Public Ways" authorize the Town Council to regulate the use of public highways.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council, Upon Recommendation of the Administrator, Approve a Special Event Permit Application Submitted by Molly Flagg, Good Planet Apparel, to Close Certain Sections of Town Roads for a Block Party to be Held on Saturday, April 25, 2026 (Rain Date April 26, 2026) from 11:00 a.m. to 6:00 p.m.*



# TOWN OF DURHAM

100 Stone Quarry Drive, Durham, NH 03824

TEL: (603) 868-5578

FAX: (603) 868-8063

Email: [publicworks@ci.durham.nh.us](mailto:publicworks@ci.durham.nh.us)

## PERMIT APPLICATION

Revised: 2/18/19

**TYPE OF PERMIT (Please check one):**

- Special Event
- Road Closure Request
- Use of Town Property

LOCATION WHERE EVENT WILL OCCUR: Jenkins ct

DAY & DATE OF EVENT: Saturday 4/25 rain date 26th 12-5 TIME(S) OF EVENT: \_\_\_\_\_

DURATION OF EVENT (Including set up and breakdown time): 11-6 (one hour extra on each end for set up)

NAME OF APPLICANT/ORGANIZATION: Molly Flagg/ good planet apparel

NAME OF EVENT: Good planet block party

PERSONAL CONTACT FOR THIS EVENT: 6038281946

ADDRESS: 13 Jenkins court

TELEPHONE NO.: DAY: \_\_\_\_\_ EVENING: \_\_\_\_\_

EMAIL: Goodplanetapparel@gmail.com

DETAILED DESCRIPTION OF REQUEST (Pertaining to amplified music, location, route of travel. Please attach maps denoting routes and road closures):

I wanted to host another block party but with more  
vendors this year as now I know more businesses.  
There will be music, food, clothes & jewelry. No one will  
be in front of Thai smile or bamee. The rest of the spots  
will be filled by vendors.

ANTICIPATED NUMBER OF PARTICIPANTS: Hopefully 15 vendors. Maybe more.

ANTICIPATED NUMBER OF VEHICLES: No vehicles on Jenkins court except for load in and out

CERTIFICATE OF INSURANCE INFORMATION

As evidence of its financial ability to indemnify the Town of Durham, during the term of this agreement, the applicant shall obtain and pay premiums for Commercial General Liability insurance protecting the parties hereto, their agents, officers, elected officials, representatives, or employees because of bodily injury, property damage, personal injury or products liability incurred by the parties in the performance of the terms of this lease, such policy to provide limits no less than \$1 million per occurrence. A Certificate of Insurance naming the Town of Durham as an Additional Insured shall be provided.

Insurance Carrier: State farm-will have to email you policy # and info separately. \* State Farm  
Policy Number and Expiration Date: 94-BM-4802-5

The undersigned hereby agrees, at its sole cost and expense, to defend, indemnify and hold harmless the Town of Durham and all associated, affiliated, allied and subsidiary entities of the Town, now existing or hereinafter created, and their respective officers, boards, commissions, employees, agents, and contractors (hereinafter referred to as "indemnities") from and against any and all liability, obligation, damages, penalties, claims, liens, costs, charges, losses and expenses which may be imposed upon, incurred by or asserted against the indemnities by reason of any act or omission of the undersigned, its personnel, employees, agents, contractors or subcontractors which results in damage or injury of any kind to any person or any property and which arises out of or is any way connected with the activities permitted by this permit.

Moby Flory 3/13/26  
Printed Name and Signature of Event Coordinator/applicant Date

Printed Name and Signature of Principal/Owner/Authorizing Authority Date

\*\*\*\*\*  
**FOR OFFICIAL USE ONLY**

- Reviewed by DPW Comments:  ROAD closure Reasoned T.C APPROVE Permitted 3-16-26
- Reviewed by PD Comments:  \*Appropriate signs, cones, and barriers must be in place prior to the start of the event.  
 \*\*Contacting all property owners is advised.
- Reviewed by FD Comments:  See attached Fire Department conditions of permit approval  
 \*Emergency access must be provided to the buildings serviced by Jenkins Ct. per Fire Prevention Code (designated Fire Lane).
- Reviewed by P&R Comments:

Approved:  \_\_\_\_\_ Date  
Todd I. Selig, Administrator

## John Baker

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**From:** Jack Dalton  
**Sent:** Monday, March 16, 2026 8:30 AM  
**To:** John Baker; Brendan O'Sullivan; David Emanuel; Kelley Fowler; Michelle Patrick; Rachel Gasowski; Richard Reine; Shannon Shaw  
**Subject:** RE: Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure 4-25-2026

Hello All,

The highlighted police comment below is accurate for 2025. My only other suggestion would be that they speak with all of the businesses (including landlords) to ensure everyone is in agreement. About a month ago, we conducted a survey of Jenkins Court to gauge whether there was an appetite for Jenkins Court to host events like this. One store owner and one landlord indicated they were opposed.

Jack

Deputy Chief Jack Dalton  
Durham Police Department  
86 Dover Road  
Durham, NH 03824  
603-868-2324



**From:** John Baker <jbaker@ci.durham.nh.us>  
**Sent:** Friday, March 13, 2026 4:04 PM  
**To:** Brendan O'Sullivan <brendan.osullivan.dfd@unh.edu>; David Emanuel <david.emanuel@unh.edu>; Jack Dalton <jdalton@ci.durham.nh.us>; Kelley Fowler <Kelley.Fowler@unh.edu>; Michelle Patrick <Michelle.patrick@unh.edu>; Rachel Gasowski <rgasowski@ci.durham.nh.us>; Richard Reine <rreine@ci.durham.nh.us>; Shannon Shaw <sshaw@ci.durham.nh.us>  
**Subject:** Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure 4-25-2026

Good afternoon,  
Durham Public Works received a Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure 4-25-2026.

A similar event was approved and held by the same applicant in the Fall of 2024.

At the time, Fire had commented:

*"The fire department supports the permit application with the condition that emergency access must be provided to the buildings serviced by Jenkins Court in the event of an emergency.*

*Jenkins Court is designated as a town fire lane in Article 01 of the Town's Fire Prevention Code*

**Article 01: Fire Prevention Code**

**Town Fire Lanes**

c. *Jenkins Court (entire width) at 14 Jenkins Court where the sidewalk extension narrows the road way.*  
*<https://www.ci.durham.nh.us/municipalcode/article-01-fire-prevention-code>*"

Also, Police had commented:

*"The police department supports the permit if appropriate signs, cones and barriers are in place prior to the start of the event. I see no reason to have a police detail for the event."*

Thank you in advance for your review and comments.

John C. Baker

Administrative Assistant at Durham Public Works

Phone: 603-868-5578

Web: [www.ci.durham.nh.us/publicworks](http://www.ci.durham.nh.us/publicworks)

Email: [jbaker@ci.durham.nh.us](mailto:jbaker@ci.durham.nh.us)

100 Stone Quarry Drive Durham, NH 03824



## John Baker

---

**From:** Brendan O'Sullivan <Brendan.OSullivan@unh.edu>  
**Sent:** Friday, March 13, 2026 8:36 PM  
**To:** John Baker  
**Subject:** Re: Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure 4-25-2026

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

John,  
Durham Fire supports the permit. Thank You for providing the previous comments.  
Brendan  
Brendan J. O'Sullivan  
Fire Marshal/ A-EMT  
51 College Road  
Durham NH 03824  
603-833-9836  
brendan.osullivan@unh.edu

On Mar 13, 2026, at 4:05 PM, John Baker <jbaker@ci.durham.nh.us> wrote:

CAUTION: This email originated from outside of the University System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,  
Durham Public Works received a Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure 4-25-2026.

A similar event was approved and held by the same applicant in the Fall of 2024.

At the time, Fire had commented:  
*"The fire department supports the permit application with the condition that emergency access must be provided to the buildings serviced by Jenkins Court in the event of an emergency."*

*Jenkins Court is designated as a town fire lane in Article 01 of the Town's Fire Prevention Code*

**Article 01: Fire Prevention Code**

*Town Fire Lanes*

*c. Jenkins Court (entire width) at 14 Jenkins Court where the sidewalk extension narrows the road way.*

<https://www.ci.durham.nh.us/municipalcode/article-01-fire-prevention-code>"

Also, Police had commented:

*"The police department supports the permit if appropriate signs, cones and barriers are in place prior to the start of the event. I see no reason to have a police detail for the event."*

Thank you in advance for your review and comments.

John C. Baker  
Administrative Assistant at Durham Public Works  
Phone: 603-868-5578  
Web: [www.ci.durham.nh.us/publicworks](http://www.ci.durham.nh.us/publicworks)  
Email: [jbaker@ci.durham.nh.us](mailto:jbaker@ci.durham.nh.us)  
100 Stone Quarry Drive Durham, NH 03824

<image001.png>

<image002.jpg>

<Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure  
4-25-2026.pdf>

## John Baker

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**From:** Rachel Gasowski  
**Sent:** Monday, March 16, 2026 8:58 AM  
**To:** John Baker; Brendan O'Sullivan; David Emanuel; Jack Dalton; Kelley Fowler; Michelle Patrick; Richard Reine; Shannon Shaw  
**Subject:** Re: Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure 4-25-2026

OK with P&R.

Rachel

Rachel Gasowski, CPRP   
Park & Recreation Director  
Town of Durham  
(603) 817-4074  
durhamrec.recdesk.com  
follow us on Facebook "Durham Rec"

---

**From:** John Baker <jbaker@ci.durham.nh.us>  
**Date:** Friday, March 13, 2026 at 4:04 PM  
**To:** Brendan O'Sullivan <brendan.osullivan.dfd@unh.edu>, David Emanuel <david.emanuel@unh.edu>, Jack Dalton <jdalton@ci.durham.nh.us>, Kelley Fowler <Kelley.Fowler@unh.edu>, Michelle Patrick <Michelle.patrick@unh.edu>, Rachel Gasowski <rgasowski@ci.durham.nh.us>, Richard Reine <rreine@ci.durham.nh.us>, Shannon Shaw <sshaw@ci.durham.nh.us>  
**Subject:** Special Event Permit Application - Good Planet Block Party - Jenkins Court Road Closure 4-25-2026

Good afternoon,  
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*Jenkins Court is designated as a town fire lane in Article 01 of the Town's Fire Prevention Code*

### **Article 01: Fire Prevention Code**

#### **Town Fire Lanes**

c. *Jenkins Court (entire width) at 14 Jenkins Court where the sidewalk extension narrows the road way.*  
<https://www.ci.durham.nh.us/municipalcode/article-01-fire-prevention-code>"

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Thank you in advance for your review and comments.

John C. Baker

Administrative Assistant at Durham Public Works

Phone: 603-868-5578

Web: [www.ci.durham.nh.us/publicworks](http://www.ci.durham.nh.us/publicworks)

Email: [jbaker@ci.durham.nh.us](mailto:jbaker@ci.durham.nh.us)

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AGENDA ITEM: **#14A**

DATE: March 23, 2026

### COUNCIL COMMUNICATION

**INITIATED BY:** Darcy Freer, Assessor

**AGENDA ITEM:** PUBLIC HEARING AND POSSIBLE ADOPTION OF ORDINANCE #2026-02 AMENDING CHAPTER 132, "TAX EXEMPTIONS AND CREDITS", SECTION 132-4 "SERVICE-CONNECTED TOTAL DISABILITY VETERAN TAX CREDIT" OF THE DURHAM TOWN CODE TO INCREASE THE VETERAN TAX CREDIT THRESHOLD FOR VETERANS WHO ARE TOTALLY AND PERMANENTLY DISABLED TO \$4,500.

**CC PREPARED BY:** Darcy Freer, Assessor

**CC PRESENTED BY:** Darcy Freer, Assessor

**AGENDA DESCRIPTION:**

The Town of Durham last updated the Veterans Tax Credit for Veterans who are totally and permanently disabled on August 12, 2024. This increase was to be phased in over the 2025 and 2026 tax years increasing the tax credit from \$2,500 to \$3,500 for April 1, 2025, and from \$3,500 to \$4,000 for April 1, 2026.

The urgency of increasing this tax credit again is due to the passage of recent legislation by state legislators. The legislative action that was passed removes the requirement that municipalities were under to combine the \$500 Optional Veterans' Tax Credit with the Service-Connected Total and Permanent Disabled Veterans' Tax Credit. This legislation now bars municipalities from combining them both on a disabled veterans property tax bill. The recommendation to increase the Service-Connected Total and Permanent Disabled Veterans' Tax Credit from \$4,000 to \$4,500 is intended to make up for the loss of the Optional Veterans Tax Credit for eligible and approved disabled veterans.

It should be noted that without this increase these veterans will see a decrease in their total tax credit for the 2026 tax year. The increase to the Service-Connected Total Disability Credit will have an effective date of April 1, 2026.

At their meeting on March 2, 2026, the Town Council scheduled a Public Hearing on this item for their meeting of Monday, March 23, 2026. A Public Hearing notice was published in *Foster's/Seacoast Online* on Thursday, March 5, 2026. The notice was also posted at the Town Hall and on the Town Website, as well as at the Durham Public Library and Department of Public Works.

### **LEGAL AUTHORITY:**

#### **RSA 72:35 Tax Credit for Service-Connected Total Disability. –**

I. Any person who has been honorably discharged or an officer honorably separated from the military service of the United States and who has total and permanent service-connected disability, or who is a double amputee or paraplegic because of service-connected injury, or the surviving spouse of such a person, shall receive a standard yearly tax credit in the amount of \$700 of property taxes on the person's residential property.

I-a. The optional tax credit for service-connected permanent and total disability, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$701 up to \$5,000. The optional tax credit for service-connected permanent and total disability shall replace the tax credits pursuant to RSA 72:28, 72:28-b, 72:28-c, and 72:36-a in its entirety and shall not be in addition thereto.

I-b. Either the standard tax credit for service-connected total disability or the optional tax credit for service-connected total disability shall be subtracted each year from the property tax on the person's residential property.

II. The standard or optional tax credit under this section may be applied only to property which is occupied as the principal place of abode by the disabled person or the surviving spouse. The tax credit may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode.

III. (a) Any person applying for the standard or optional tax credit under this section shall furnish to the assessors or selectmen certification from the United States Department of Veterans' Affairs that the applicant is rated totally and permanently disabled from service connection. The assessors or selectmen shall accept such certification as conclusive on the question of disability unless they have specific contrary evidence and the applicant, or the applicant's representative, has had a reasonable opportunity to review and rebut that evidence. The applicant shall also be afforded a reasonable opportunity to submit additional evidence on the question of disability.

(b) Any decision to deny an application shall identify the evidence upon which the decision relied and shall be made within the time period provided by law.

(c) Any tax credit shall be divided evenly among the number of tax payments

required annually by the town or city so that a portion of the tax credit shall apply to each tax payment to be made.

**RSA 72:27-a Procedure for Adoption, Modification, or Rescission. –**

I. Any town or city may adopt the provisions of RSA 72:28, RSA 72:28-b, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, RSA 72:62, RSA 72:66, RSA 72:70, RSA 72:76, RSA 72:82, RSA 72:85, or RSA 72:87, in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the property tax exemption or credit, the amount of such exemption or credit, and the manner of its determination, as listed in paragraph I. If a majority of those voting on the question vote "yes," the exemption or credit shall take effect within the town or city, on the date set by the governing body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

III. A municipality may modify, if applicable, or rescind the exemption or credits provided in paragraph I in the manner described in this section.

IV. An amendment to a statutory provision listed in paragraph I related to an exemption or credit amount or to the eligibility or application of an exemption or credit, shall apply in a municipality which previously adopted the provision only after the municipality complies with the procedure in this section, unless otherwise expressly required by law.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

No additional monies will need to be appropriated to cover the increase in the Service-Connected Total and Permanent Disabled Veterans' Tax Credit, because as of April 1, 2026 the additional \$500 is being offset by the loss of the Optional Veterans' Tax Credit for these veterans.

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION #1:**

*The Durham Town Council does hereby OPEN the Public Hearing on Ordinance #2026-02, Amending Chapter 132, "Tax Exemptions and Credits", Section 132-4 "Service-Connected Total Disability Veteran Tax Credit" of the Durham Town Code to Increase the Veteran Tax Credit Threshold for Veterans Who Are Totally and Permanently Disabled to \$4,500.*

**MOTION #2:**

*The Durham Town Council does hereby CLOSE the Public Hearing on Ordinance #2026-02, Amending Chapter 132, "Tax Exemptions and Credits", Section 132-4 "Service-Connected Total Disability Veteran Tax Credit" of the Durham Town Code to Increase the Veteran Tax Credit Threshold for Veterans Who Are Totally and Permanently Disabled to \$4,500.*

**MOTION #3:**

*The Durham Town Council does hereby ADOPT Ordinance #2026-02, Amending Chapter 132, "Tax Exemptions and Credits", Section 132-4 "Service-Connected Total Disability Veteran Tax Credit" of the Durham Town Code to Increase the Veteran Tax Credit Threshold for Veterans Who Are Totally and Permanently Disabled to \$4,500.*

## **ORDINANCE #2026-02 OF DURHAM, NEW HAMPSHIRE**

**ORDINANCE #2026- 02, AMENDING CHAPTER 132, “TAX EXEMPTIONS AND CREDITS”, SECTION 132-4 “SERVICE-CONNECTED TOTAL DISABILITY VETERAN TAX CREDIT” OF THE DURHAM TOWN CODE TO INCREASE THE VETERAN TAX CREDIT THRESHOLD FOR VETERANS WHO ARE TOTALLY AND PERMANENTLY DISABLED TO \$4,500.**

**WHEREAS**, on July 8, 2002 the Durham Town Council adopted Ordinance #2002-04, creating a new Chapter 132 within the Durham Town Code entitled “Tax Exemptions and Credits” that codified all of the Town’s existing adopted property tax exemptions. Ordinance #2002-04 also adopted and codified the optional Veterans’ Tax Credit and Surviving Spouse Veterans’ Tax Credit, as well as codified and increased the income amounts and asset limits for the disabled and elderly exemptions; and

**WHEREAS**, on March 3, 2008, the Durham Town Council adopted Ordinance #2008-03 increasing the tax credit amounts for the optional Veterans, Surviving Spouse, and Service-Connected Total Disability tax credits; and

**WHEREAS**, on August 16, 2021, the Durham Town Council adopted Ordinance #2021-03 increasing the tax credit amounts for the Service-Connected Total Disability tax credit; and

**WHEREAS**, on August 12, 2024, the Durham Town Council adopted Ordinance #2024-06 increasing the tax credit amounts for the Service-Connected Total Disability tax credit; and

**WHEREAS**, State legislation has been passed that would bar the Town from combining the Optional Veterans’ Tax Credit of \$500 with the Service-Connected Total Disability Veteran tax credit; and

**WHEREAS**, the Town Assessor believes that raising the amount to \$4,500 for April 1, 2026, would appropriately reflect any loss in credit due to State legislative changes; and

**WHEREAS**, a duly noticed Public Hearing was held on this Ordinance on Monday, March 23, 2026.

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Durham, through the Durham Town Council, the governing body of the Town of Durham, New Hampshire, hereby adopts **Ordinance #2026-02** and does hereby amend Chapter 132, Section 132-4 Service-Connected Total Disability Tax Credit, of the Durham Town Code by increasing the tax credit amount as indicated below. Wording to be deleted is annotated with ~~strikeout~~ type. New wording is annotated with underscoring.

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**132-4. Service-Connected Total Disability Tax Credit**

- A. Any person who has been honorably discharged or an officer honorably separated from the military service of the United States and who has total and permanent service-connected disability, or who is a double amputee or paraplegic because of service-connected injury, or the surviving spouse of such a person, shall receive a standard yearly tax credit in the amount of \$700 of property taxes on the person's residential property.
- B. The optional tax credit for service-connected permanent and total disability is hereby adopted and shall be ~~3,500.00~~ 4,500 in Durham effective April 1, 2026. ~~and shall be \$4,000 in Durham effective April 1, 2026~~. The optional tax credit for service-connected permanent and total disability shall replace the standard tax credit in its entirety and shall not be in addition thereto.
- C. The optional tax credit for service-connected disability shall be subtracted each year from the property tax on the person's residential property.
- D. The optional tax credit in this section may be applied only to property which is occupied as the principal place of abode by the disabled person or the surviving spouse. The tax credit may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the Principal place of abode.
- E. Applications for this credit shall be made in the following manner.
  - (1) Any person applying for the optional tax credit under this section shall furnish to the assessors, certification from the United States Department of Veterans' Affairs that the applicant is rated totally and permanently disabled from service connection. The assessors shall accept such certification as conclusive on the question of disability unless they have specific contrary evidence and the applicant, or the applicant's representative, has had a reasonable opportunity to review and rebut that evidence. The applicant shall also be afforded a reasonable opportunity to submit additional evidence on the question of disability.

- (2) Any decision to deny an application shall identify the evidence upon which the decision relied and shall be made within the time period provided by law.
- (3) Any tax credit shall be divided evenly among the number of tax payments required annually by the town or city so that a portion of the tax credit shall apply to each tax payment to be made.

**PASSED AND ADOPTED** this 23<sup>rd</sup> day of March, 2026 by a majority vote of the Durham Town Council with \_\_\_\_\_ affirmative votes, \_\_\_\_\_ negative votes, and \_\_\_\_\_ abstentions.

\_\_\_\_\_  
Joe Friedman, Chair  
Durham Town Council

***ATTEST:***

\_\_\_\_\_  
Rachel Deane, Town Clerk-Tax Collector



## TOWN OF DURHAM

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AGENDA ITEM: **#14B**

DATE: **March 23, 2026**

### COUNCIL COMMUNICATION

**INITIATED BY:** Planning Board

**AGENDA ITEM:** PUBLIC HEARING AND POSSIBLE ADOPTION OF ORDINANCE #2026-03 AMENDING CHAPTER 175, "ZONING," THE ZONING MAP OF THE DURHAM TOWN CODE TO RE-ZONE MAP 108, LOT 27, 10 COWELL DRIVE FROM RESIDENCE A (RA) TO CHURCH HILL (CH) ZONE.

**CC PREPARED BY:** Michael Behrendt, Town Planner

**PRESENTED BY:** Michael Behrendt, Town Planner

**AGENDA DESCRIPTION:**

Following a public hearing on February 11, 2026 the Planning Board voted 6-1 (with Rob Sullivan voting against) to initiate this amendment to the zoning ordinance (also called a "rezoning" or "map amendment"). See the attached colored map showing the proposed change.

At the request of Jeff Berlin, owner of the subject lot, the Planning Board considered this proposed amendment, ultimately voting to initiate it.

**Process.** The process for a rezoning is the same as for a regular zoning amendment ("text amendment"). The Planning Board votes to initiate the amendment. The proposal then goes to the Town Council for consideration. If the Town Council then wishes to proceed it holds first reading and then a public hearing and then decides whether or not to adopt the change.

**Viability.** The subject lot contains .34 acres. There is a small single-family house with tenants on the lot . Given the size and adjacency/proximity to the Post Office, church,

and downtown it is reasonable to accommodate a more intensive use. The Residence A District allows only single-family use. With the recent change in state law prohibiting the Town's former 3-unrelated rule, there is no limit to the number of unrelated occupants that could live there, within one or more dwelling units, subject to fire standards.

**Multi-Unit Residential.** Church Hill does allow multi-unit residential. The density for Church Hill is 4,200 square feet per dwelling unit so a rezoning would allow three units by right. That seems to be a reasonable number of units for this site. The site plan regulations require one parking space per unit though the owner would likely prefer at least two. The site can handle six parking spaces.

**Pros and cons.** The argument in favor of the proposed rezoning is that Church Hill would allow for a transition between the intensive uses to the west and the single-family neighborhood (with some rental housing) to the east, and as such, a rezoning is fair to the property owner given the adverse effects of those adjacent uses from which the lot is not buffered. The argument against is that the current zoning allows for reasonable use (by increasing the number of bedrooms) and the concern that allowing a multi-unit dwelling here would constitute a damaging encroachment into the Cowell Drive neighborhood.

**Minutes of public hearing.** Several people spoke about the proposed rezoning at the Planning Board's public hearing. Here are draft minutes of the hearing: [https://www.ci.durham.nh.us/sites/default/files/fileattachments/planning\\_board/meeting/73841/021126.pdf](https://www.ci.durham.nh.us/sites/default/files/fileattachments/planning_board/meeting/73841/021126.pdf). Here is the DCAT recording of the meeting. This item starts at 1 hour, 13 minutes, 29 seconds. <https://cloud.castus.tv/vod/durham/video/698d47211090c900028198cf?page=HOME>.

**Not spot zoning.** Should this lot be rezoned, the rezoning would not constitute spot zoning. One may argue in support of, or in opposition to, the proposal but the rezoning would be legal, even though only one lot is involved. The lot is contiguous to the Church Hill zone and there is good reason to rezone only this one lot, due to its particular nature as a buffer, and not any additional lots on Cowell Drive. Spot zoning, which involves treating a limited number of properties in a special or preferential manner, different from other properties that have similar characteristics, without justification, is illegal.

At their meeting on March 2, 2026, the Town Council scheduled a Public Hearing on this item for their meeting of Monday, March 23, 2026. A Public Hearing notice was published in *Foster's/Seacoast Online* on Thursday, March 5, 2026. The notice was also posted at the Town Hall and on the Town Website, as well as at the Durham Public Library and Department of Public Works.

Planner Behrendt will be out of the country for the March 23 Public Hearing and will not be joining the Town Council for the meeting. Paul Rasmussen, Planning Board Chair, will be in attendance. Planner Behrendt believes that the Town Council has what it needs to take action on the proposed rezoning. The process is the same as for a regular zoning amendment (to the text of the ordinance).

The Town Council can vote this proposed amendment up or down. Planner Behrendt believes that either decision is defensible. It is a matter of weighing the value of extending the more intensive Church Hill zone onto this one lot due to the special nature of this one lot vs. the concern about encroachment into the Cowell Drive neighborhood. If the Town Council does decide to adopt the amendment, Planner Behrendt would emphasize that, in his professional opinion, there should be no further rezoning of any property within the Cowell Drive neighborhood in the near future, as any further rezoning would certainly constitute an inappropriate encroachment. There is no way to bind any future Town Council action in this regard, but we should be very mindful of this point now.

**LEGAL AUTHORITY:**

RSA 674:16, RSA 675:2, and Section 175-14 of the Durham Zoning Ordinance

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION #1:**

*The Durham Town Council does hereby OPEN the Public Hearing for Ordinance #2026-03, Amending Chapter 175, "Zoning," the Zoning Map of the Durham Town Code to re-zone Map 108, Lot 27, 10 Cowell Drive from Residence A (RA) to Church Hill (CH) Zone.*

**MOTION #2:**

*The Durham Town Council does hereby CLOSE the Public Hearing for Ordinance #2026-03, Amending Chapter 175, "Zoning," the Zoning Map of the Durham Town Code to re-zone Map 108, Lot 27, 10 Cowell Drive from Residence A (RA) to Church Hill (CH) Zone.*

**MOTION #3:**

*The Durham Town Council does hereby ADOPT Ordinance #2026-03, Amending Chapter 175, "Zoning," the Zoning Map of the Durham Town Code to re-zone Map 108, Lot 27, 10 Cowell Drive from Residence A (RA) to Church Hill (CH) Zone.*

## **ORDINANCE #2026-03 OF DURHAM, NEW HAMPSHIRE**

### **AMENDING CHAPTER 175, "ZONING," THE ZONING MAP OF THE DURHAM TOWN CODE TO RE-ZONE MAP 108, LOT 27, 10 COWELL DRIVE FROM RESIDENCE A (RA) TO CHURCH HILL (CH) ZONE**

**WHEREAS**, the lot at 10 Cowell Drive is surrounded on three sides by the Church Hill District; and

**WHEREAS**, the view from 10 Cowell Drive is open and exposed to significant commercial and institutional uses in close proximity, with the Central Business-1 District on the westerly side of Madbury Road, the Church of St. Thomas More opposite on Cowell Drive, and the Post Office adjacent to the west; and

**WHEREAS**, the Church Hill District allows multi-unit dwellings and is thus an appropriate buffer between these commercial and institutional uses to the west and the single-family neighborhood to the east in the Cowell Drive neighborhood; and

**WHEREAS**, under the current zoning, designation as Church Hill would allow for only three dwelling units, a number of units that would seem appropriate for this lot; and

**WHEREAS**, The Planning Board reviewed this proposal and following a public hearing found it to be a reasonable change to the zoning for this lot; and

**WHEREAS**, The Durham Town Council held a duly noticed Public Hearing on March 23, 2026.

**NOW, THEREFORE BE IT RESOLVED** that the Durham Town Council, the governing body of the Town of Durham, New Hampshire does hereby adopt the amendment presented below.

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- ❖ Amend the Town of Durham Zoning Map by changing the designation of the .34 acre +/- parcel of land at 10 Cowell Drive, identified as Map 108, Lot 27, from the Residence A (RA) District to the Church Hill (CH) District. The current owner of the parcel is 10 Cowell Drive, LLC, c/o Berlin Properties of New England.

**PASSED AND ADOPTED** this 23<sup>rd</sup> day of March, 2026 by a majority vote of the Durham Town Council with \_\_\_\_\_ affirmative votes, \_\_\_\_\_ negative votes, and \_\_\_\_\_ abstentions.

\_\_\_\_\_  
Joe Friedman, Chair  
Durham Town Council

***ATTEST:***

\_\_\_\_\_  
Rachel Deane, Town Clerk-Tax Collector



## TOWN OF DURHAM

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AGENDA ITEM: **#16A** *TS*

DATE: **March 23, 2026**

### COUNCIL COMMUNICATION

**INITIATED BY:** Joe Friedman, Chair

**AGENDA ITEM:** DISCUSSION ON WHETHER TO REINSTATE AN ECONOMIC DEVELOPMENT COMMITTEE

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Todd I. Selig, Administrator

**AGENDA DESCRIPTION:**

On October 1, 2007, the Town Council passed Ordinance #2007-10 institutionalizing the Economic Development Committee (EDC) in the Town Code. (Amendments to membership were made by Ordinance #2008-20 and Ordinance #2009-02.) The Committee consisted of five (5) members as follows: Three (3) members were appointed for 3 years, such terms were staggered. There were two (2) alternate members appointed for 3 years, such terms were staggered. In addition, the Planning Board and the Town Council appointed one representative from each to the EDC.

The charge of the EDC was as follows: "The committee will make recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham."

The EDC met for many years after 2007, at one point creating a Housing Subcommittee. At the Town Council meeting of September 27, 2021, a motion was made and approved to sunset the EDC and make the Housing Subcommittee a temporary task force. This Housing Task Force was in place until October of 2025.

Chair Joe Friedman would like to discuss whether the Council would like to reinstate the Economic Development Committee. The idea is to re-establish a group that can

focus specifically on potential changes the Durham community may wish to pursue in order to attract additional economic development activity within the downtown core and, as appropriate, in other areas of the community. The group would explore strategies to broaden the tax base, bring new patrons to the downtown, and encourage mixed-use projects that include housing above first-floor commercial space in support of a more vibrant local economy.

The only evenings during the month that are available for the EDC to meet are the **2<sup>nd</sup> or 3<sup>rd</sup> Thursdays** of the month. If the EDC were to meet during the workday, they should choose either Tuesday, Wednesday, or Thursday, as those are the days that Craig Stevens of DCAT works and could record the meeting.

**LEGAL AUTHORITY:**

Chapter 4, "Administrative Code," Article IV, "Boards, Commissions and Subcommittees," Section 4-18, "Boards, Commissions and Subcommittees."

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council hereby reinstates the Economic Development Committee as described in Chapter 4, Article IV, Section 4-18 of the Town Code.*

specific management plans. At least once annually, review and determine the need for revisions, rescissions or replacements of existing management plans and develop new plans when required.

3. Plan, organize and supervise community events, fund-raising activities and programs, and develop programs for community members of all ages. Review these activities and programs periodically and make recommendations to implement changes within the parameters of available financial resources.
4. Develop a strong, productive working relationship with the Oyster River Youth Association (ORYA), MainStreet Program, UNH, local community groups and citizens, neighboring towns and regional and state organizations on parks and recreation matters of relevance to Durham in order to promote and foster a sense of community.
5. Work with the Department of Public Works to plan, coordinate and budget for the maintenance and improvement of parks and recreation facilities.
6. Research and pursue funding and grant opportunities.
7. Provide quarterly reports on parks and recreation programs to the Town Administrator, and submit annual operating and capital budgets for parks and recreation.
8. Develop and coordinate a community newsletter.
9. Perform all other related functions as required.

*(Section 4-17 amended by Ord. #2001-09 dated 8/20/01 to create a Recreation Dept.)*

#### **Article IV** **BOARDS, COMMISSIONS AND SUBCOMMITTEES**

##### **4-18. Boards, commissions, and subcommittees.**

- A. There shall be the following non-elected boards and commissions in the Town of Durham, duly appointed by the Town Council:
  1. The Planning Board.
  2. The Conservation Commission.
  3. The Parks and Recreation Committee.
  4. The Historic District Commission.
  5. The Cemetery Committee.
  6. The Zoning Board of Adjustment.
  7. The Joint Town/University Advisory Committee.

8. The Heritage Commission

a. Membership.

The members of the Heritage Commission shall be those persons currently serving on the Historic District Commission.

b. Powers and Duties.

The members of the Heritage Commission shall have the powers and duties set forth in RSA 674:44-b.

9. Economic Development Committee

a. Membership.

The Committee shall consist of five (5) members as follows: Three (3) members shall be appointed for three (3) years, such terms to be staggered. The Planning Board shall appoint one representative and the Town Council shall appoint one representative to the Economic Development Committee annually at their first meeting. In addition, there shall be two (2) alternate members appointed for three (3) years, such terms to be staggered.

b. Powers and Duties.

The committee will make recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham.

B. There shall also be subcommittees in the Town of Durham which shall make recommendations to the Town Council as the need arises.

*(Section 4-18 amended by Ord. #2006-08 dated 1/08/07 to create a Heritage Commission; Ord. #2007-10, dated 10/01/07 to add an Economic Development Committee; Ord. #2008-20 dated 1/12/09 to add two alternate members; Ord. #2009-02 dated 2/16/09 to remove one Council rep., Ord. #2009-04 dated 5/18/09, Ord. 2010-04 dated 4/19/10; Ord. 2013-05 dated 6/3/13).*

**Article V**  
**TOWN CLERK/TAX COLLECTOR**

**4-19. Town Clerk/Tax Collector.**

A. The Town Clerk/Tax Collector division shall consist of the Town Clerk/Tax Collector elected as provided by the Town Charter and such clerical staff as may be recommended by him and approved by the Town Administrator.

B. The Town Clerk/Tax Collector division shall perform the following functions:

1. Maintenance of town records.

a. Maintain all election records and have custody of all property used in connection therewith.

b. Obtain and maintain all statistics on births, marriages and deaths as required by law.



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## **ORDINANCE #2007-10 OF DURHAM, NEW HAMPSHIRE**

### **AN ORDINANCE AMENDING CHAPTER 4, "ADMINISTRATIVE CODE", ARTICLE IV, SECTION 4-18 OF THE DURHAM TOWN CODE BY ADDING THE PROVISIONS FOR AN ECONOMIC DEVELOPMENT COMMITTEE**

**WHEREAS**, in May 2004, the Town Council reconstituted an Economic Development Committee as a town working committee and in June 2004 gave the Committee four (4) specific charges; and

**WHEREAS**, the Economic Development Committee brought forward to the Town Council at their May 1, 2006, the work that had been done on the four (4) original charges for acceptance by the Town Council; and

**WHEREAS**, the Economic Development Committee also brought forward a 2006 Action Plan for endorsement by the Town Council at their May 1, 2006 meeting; and

**WHEREAS**, the Town Council accepted the work done by the Economic Development Committee on the four (4) original charges and endorsed the 2006 Action Plan at their May 1, 2006 meeting; and

**WHEREAS**, Chapter 8 (Tax Stabilization) of the Master Plan 2000, calls for the town to institutionalize the Economic Development Committee with full recognition by the Town Council and regular terms; and

**WHEREAS**, the Economic Development Committee, a working committee in the Town of Durham, NH, discussed draft changes to the Administrative Code at their August 2, 2007 meeting; and

**WHEREAS**, the Economic Development Committee voted to forward these changes to the Town Council for a public hearing,

**NOW, THEREFORE BE IT RESOLVED** that the Durham Town Council, the governing body of the Town of Durham, New Hampshire hereby adopts Ordinance #2007-10 and does hereby amend Chapter 4, "Administrative Code", Article IV, Section 4-18 of the Durham Town Code by including the provisions for an Economic Development Committee. Wording to be omitted is annotated with ~~strikeout~~ type. New wording is annotated with underscoring.

**Article IV**  
**BOARDS, COMMISSIONS AND SUBCOMMITTEES**

**4-18. Boards, commissions, and subcommittees.**

A. There shall be the following non-elected boards and commissions in the Town of Durham, duly appointed by the Town Council:

1. The Planning Board.
2. The Conservation Commission.
3. The Parks and Recreation Committee.
4. The Historic District Commission.
5. The Cemetery Committee.
6. The Zoning Board of Adjustment.
7. The Joint Town/University Advisory Committee.
8. The Heritage Commission

a. Membership.

The members of the Heritage Commission shall be those persons currently serving on the Historic District Commission.

b. Powers and Duties.

The members of the Heritage Commission shall have the powers and duties set forth in RSA 674:44-b.

**9. Economic Development Committee**

**a. Membership.**

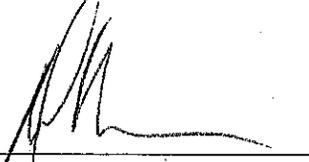
**The Committee shall consist of six (6) members as follows: Three citizens shall be appointed for three (3) years, such terms to be staggered. The Planning Board shall appoint one representative and the Town Council shall appoint two representatives to the Economic Development Committee annually at their first meeting.**

**b. Powers and Duties.**

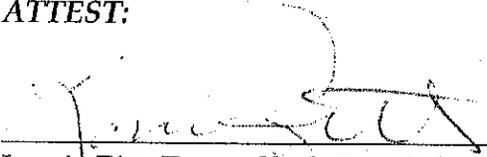
**The committee will make recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham.**

- B. There shall also be subcommittees in the Town of Durham which shall make recommendations to the Town Council as the need arises.

**PASSED AND ADOPTED** by the Town Council of the Town of Durham, New Hampshire this 1<sup>st</sup> day of October, 2007 by Seven (7) affirmative votes, Zero (0) negative votes and Zero (0) abstentions.

  
\_\_\_\_\_  
Neil Niman, Chairman  
Durham Town Council

**ATTEST:**

  
\_\_\_\_\_  
Lorrie Pitt, Town Clerk-Tax Collector



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## ORDINANCE #2008-20 OF DURHAM, NEW HAMPSHIRE

### AN ORDINANCE AMENDING CHAPTER 4, "ADMINISTRATIVE CODE", ARTICLE IV, SECTION 4-18 OF THE DURHAM TOWN CODE BY AMENDING THE PROVISIONS TO ALLOW FOR ALTERNATES ON THE ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, on October 1, 2007, the Town Council established the Economic Development Committee; and

WHEREAS, the Economic Development Committee has been working for several months promoting economic development and tax stabilization; and

WHEREAS, on certain occasions the Economic Development Committee canceled scheduled meetings due to a lack of quorum; and

WHEREAS, the Economic Development Committee has discussed adding alternates to help meet the quorum requirements for meetings; and

WHEREAS, the Economic Development Committee voted to forward the amendment below to the Town Council for a public hearing,

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire hereby adopts Ordinance #2008-20 and does hereby amend Chapter 4, "Administrative Code", Article IV, Section 4-18 of the Durham Town Code by including the provisions for alternates on the Economic Development Committee. Wording to be omitted is annotated with ~~strikeout~~ type. New wording is annotated with underscoring.

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#### Article IV

#### BOARDS, COMMISSIONS AND SUBCOMMITTEES

#### 4-18. Boards, commissions, and subcommittees.

- A. There shall be the following non-elected boards and commissions in the Town of Durham, duly appointed by the Town Council:
1. The Planning Board.
  2. The Conservation Commission.
  3. The Parks and Recreation Committee.
  4. The Historic District Commission.

5. The Cemetery Committee.
6. The Zoning Board of Adjustment.
7. The Joint Town/University Advisory Committee.
8. The Heritage Commission

a. Membership.

The members of the Heritage Commission shall be those persons currently serving on the Historic District Commission.

b. Powers and Duties.

The members of the Heritage Commission shall have the powers and duties set forth in RSA 674:44-b.

9. Economic Development Committee

a. Membership.

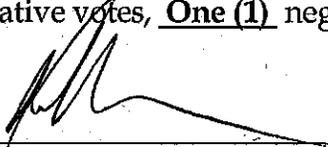
The Committee shall consist of six (6) members as follows: Three citizens shall be appointed for three (3) years, such terms to be staggered. The Planning Board shall appoint one representative and the Town Council shall appoint two representatives to the Economic Development Committee annually at their first meeting. **In addition, there shall be two (2) citizen alternates appointed for three (3) year terms.**

b. Powers and Duties.

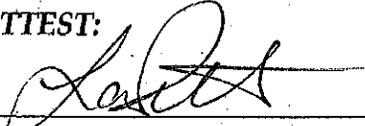
The committee will make recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham.

- B. There shall also be subcommittees in the Town of Durham which shall make recommendations to the Town Council as the need arises.

**PASSED AND ADOPTED** by the Town Council of the Town of Durham this 12<sup>th</sup> day of January, 2009 by Eight (8) affirmative votes, One (1) negative vote, and Zero (0) abstentions.

  
Neil Niman, Chairman  
Durham Town Council

ATTEST:

  
Lorrie Pitt, Town Clerk-Tax Collector



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## ORDINANCE #2009-02 OF DURHAM, NEW HAMPSHIRE

AMENDING CHAPTER 4, "ADMINISTRATIVE CODE", ARTICLE IV, SECTION 4-18 (9)(a) OF THE DURHAM TOWN CODE BY REDUCING THE NUMBER OF COUNCIL REPRESENTATIVES ON THE ECONOMIC DEVELOPMENT COMMITTEE FROM TWO TO ONE

WHEREAS, on October 1, 2007, the Town Council established the Economic Development Committee (EDC); and

WHEREAS, current membership on the EDC includes two (2) Council representatives; and

~~WHEREAS, some members of the Durham Town Council feel overburdened by the number of commitments required by the Durham Town Charter for Councilors to serve on various Town boards, commissions, and committees; and~~

WHEREAS, the Council has determined that it is not necessary to have more than one Council representative on the EDC;

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire hereby adopts Ordinance #2009-02 and does hereby amend Chapter 4, "Administrative Code", Article IV, Section 4-18 (9)(a) of the Durham Town Code by reducing the number of Council representatives on the Economic Development Committee from two to one. Wording to be omitted is annotated with ~~strikeout~~ type. New wording is annotated with underscoring.

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### Article IV

#### BOARDS, COMMISSIONS AND SUBCOMMITTEES

##### 4-18. Boards, commissions, and subcommittees.

- A. There shall be the following non-elected boards and commissions in the Town of Durham, duly appointed by the Town Council:
1. The Planning Board.
  2. The Conservation Commission.
  3. The Parks and Recreation Committee.
  4. The Historic District Commission.
  5. The Cemetery Committee.

6. The Zoning Board of Adjustment.
  7. The Joint Town/University Advisory Committee.
  8. The Heritage Commission
    - a. Membership.

The members of the Heritage Commission shall be those persons currently serving on the Historic District Commission.
    - b. Powers and Duties.

The members of the Heritage Commission shall have the powers and duties set forth in RSA 674:44-b.
  9. Economic Development Committee
    - a. Membership.

The Committee shall consist of six (6) members as follows: Three citizens shall be appointed for three (3) years, such terms to be staggered. The Planning Board shall appoint one representative and the Town Council shall appoint ~~two~~ one representatives to the Economic Development Committee annually at their first meeting. In addition, there shall be two (2) citizen alternates appointed for three (3) year terms.
    - b. Powers and Duties.

The committee will make recommendations to the Town Council to foster the stabilization of the residential tax burden through economic development that encourages diverse business, commercial office and research activities, maintain and create jobs, create a good mix of uses, and maintain the rural character of Durham.
- B. There shall also be subcommittees in the Town of Durham which shall make recommendations to the Town Council as the need arises.

**PASSED AND ADOPTED** by the Town Council of the Town of Durham this 16<sup>th</sup> day of February, 2009 by Nine (9) affirmative votes, Zero (0) negative vote, and Zero (0) abstentions.

  
\_\_\_\_\_  
Neil Niman, Chairman  
Durham Town Council

**ATTEST:**

  
\_\_\_\_\_  
Lorrie Pitt, Town Clerk-Tax Collector

**XI. New Business**

- A. Shall the Town Council formally “sunset” the Economic Development Committee with the option to “reactivate” the Committee in the future if needed and make the “Durham Housing Subcommittee” of the EDC a temporary Task Force Committee for a period of one year to expire on October 1, 2022?

Administer Selig explained the reasoning behind this proposal, which is simply because there is not very much for the committee to work on at this time. Councilor Tobias seconded that idea, noting her experience on the Economic Development Committee.

Councilor Howland noted that he liked the slight pressure a deadline would have on the Task Force.

Administrator Selig noted that this does not mean that the Town was not interested in future economic development projects.

*Councilor Tobias MOVED to APPROVE sunsetting the Economic Development Committee, which was SECONDED by Councilor Needell and PASSED 9-0: Councilor Tobias--Yes; Councilor Howland--Yes; Councilor Waters--Yes; Councilor Hotchkiss--Yes; Councilor Marple--Yes; Councilor Burton--Yes; Councilor Lawson--Yes; Councilor Needell--Yes; Councilor Welsh--Yes*

*Councilor Howland MOVED to APPROVE making the Housing Subcommittee a temporary task force committee, which was SECONDED by Councilor Tobias and PASSED 9-0: Councilor Tobias--Yes; Councilor Howland--Yes; Councilor Waters--Yes; Councilor Hotchkiss--Yes; Councilor Marple--Yes; Councilor Burton--Yes; Councilor Lawson--Yes; Councilor Needell--Yes; Councilor Welsh--Yes*

- B. Discussion regarding the creation and hiring of an Assistant Parks & Recreation Director as of January 1, 2022

Councilor Howland opened the conversation by speaking to the incredible number of programs Parks & Recreation Director Rachel Gasowski had developed, as well as her incredible work during COVID. He noted that Rachel was the sole employee of the department, meaning she not only handles programming but also administrative tasks. He explained that he brought forward this idea early in the budget process to give the Council plenty of time to consider the issue.

Ms. Gasowski spoke about her time in the position and the work she’s done over the past six years.

Councilor Burton commended Ms. Gasowski for her work and voiced his support for the proposal.

Councilor Needell stated that the staffing comparison with other towns was a helpful eye opener to the Town’s need for more staffing in this department.



# TOWN OF DURHAM

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AGENDA ITEM: **#16B**

DATE: March 23, 2026

## COUNCIL COMMUNICATION

**INITIATED BY:** Durham Town Charter

**AGENDA ITEM:** ANNUAL APPOINTMENTS OF COUNCIL REPRESENTATIVES TO TOWN BOARDS, COMMISSIONS, AND COMMITTEES

**CC PREPARED BY:** Karen Edwards, Administrative Assistant

**PRESENTED BY:** Todd I. Selig, Administrator

### **AGENDA DESCRIPTION:**

Section 11.1, subparagraphs A-E of the Durham Town Charter addresses the procedure for appointment of Town Council representatives each year to various town boards, commissions, and committees. In addition to those appointments outlined in the Charter, there are other town working committees that Council representatives serve on for one-year terms.

### **CHARTER/ADMINISTRATIVE CODE-ESTABLISHED BOARDS**

Council representatives shall be made to the following standing Town Boards, Commissions, and Committees for one-year terms:

<u>COMMITTEE</u>	<u>COUNCIL REPRESENTATION</u>	<u>TERM EXPIRES</u>	<u>MEETING NIGHTS &amp; TIMES</u>
Cemetery Committee	3 reps.	03/27	As needed
Conservation Commission	1 rep.	03/27	4 <sup>th</sup> Monday of each mo./7:00 PM
Historic Dist./Heritage Commission	1 rep.	03/27	1 <sup>st</sup> Thursday of each mo./7:00 PM
Parks & Rec. Committee	1 rep.	03/27	4 <sup>th</sup> Tuesday of each mo./7:00 PM
Planning Board	1 reg. rep. 1 alt. rep.	03/27 03/27	2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday of each mo./7:00 PM

**TOWN WORKING COMMITTEES**

Council representatives shall be made to the following Town working committees for one-year terms:

<u>COMMITTEE</u>	<u>COUNCIL REPRESENTATION</u>	<u>TERM EXPIRES</u>	<u>MEETING NIGHTS &amp; TIMES</u>
Agricultural Commission	1 rep.	03/27	2 <sup>nd</sup> Monday of each mo./7:00 PM
Energy Committee	1 rep.	03/27	1 <sup>st</sup> Tuesday of each mo./7:00 PM
Human Rights Commission	1 rep.	03/27	As needed
Integrated Waste Management	1 rep.	03/27	1 <sup>st</sup> & 3 <sup>rd</sup> Wednesday of each mo./8:00 AM
Land Stewardship Subcommittee (subcommittee of the Cons. Commission)	1 rep.	03/27	2 <sup>nd</sup> Wednesday of each mo./8:30 AM

-----  
Based upon appointment choices received from Councilors, attached is a slate of choices submitted by Council members indicating their selection(s) for appointments to various town boards, commissions, and committees. Once the Council has discussed and decided which Council members will fill the vacancies, a motion can be made to adopt the slate as presented or as amended.

**LEGAL AUTHORITY:**

Section 11.1, subparagraphs A-E of the Durham Town Charter.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby ADOPT the attached slate of Council member representatives to the various town board, commission, and committee vacancies as presented/ amended.*

## COUNCILOR SELECTIONS FOR TOWN BOARDS & COMMITTEES - 2026

<u>Committee</u>	<u># of Council Reps.</u>	<u>Councilors Currently Serving</u>	<b>COUNCILOR REQUESTS</b>	<u>Meeting Nights &amp; Times</u>
Agricultural Commission	1 rep.	C. Register	H. Grant OR ** Jim Lawson OR Mike Lehrman OR	2 <sup>nd</sup> Monday of each mo./7:00 PM/Council Chambers
Cemetery Committee	3 reps.	D. Ford H. Grant C. Register	D. Ford E. Friedrichs H. Grant C. Register	As needed
Conservation Commission	1 rep.	D. Ford	D. Ford OR C. Welsh OR	4 <sup>th</sup> Monday of each mo./7:00 PM /Council Chambers
Energy Committee	1 rep.	R. Vogt	Jim Lawson OR C. Welsh OR	1 <sup>st</sup> Tuesday of each mo./7:00 PM/Council Chambers
Historic Dist./Heritage Commission	1 rep.	<b>VACANT</b>	M. Lehrman OR C. Welsh OR	1 <sup>st</sup> Thursday of each mo./7:00 PM/Council Chambers
Human Rights Commission	1 rep.	R. Vogt		As needed
Integrated Waste Management	1 rep.	<b>VACANT</b>	H. Grant OR C. Register C. Welsh OR	1 <sup>st</sup> & 3 <sup>rd</sup> Wednesday of each mo./8:00 AM/Council Chambers
Land Stewardship Subcommittee	1 rep.	E. Friedrichs	Jim Lawson OR	2 <sup>nd</sup> Wednesday of each mo./8:30 AM/Council Chambers
Parks & Recreation	1 rep.	J. Friedman	J. Friedman M. Lehrman OR	4 <sup>th</sup> Tuesday of each mo./7:00 PM/Council Chambers
Planning Board	1 reg rep. 1 alt. rep.	D. Ford H. Grant	D. Ford OR H. Grant	2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday of each mo./7:00 PM

\*\*If there is an "OR" next to a name, that means that the person is flexible. If there is no "OR" next to a name, that means the person would prefer that assignment.