

**Durham Planning Board
Meeting Minutes
August 7, 2019**

Call to Order: Board Chairman John Simoneau called the meeting to order at approximately 6:30 p.m.

Members present: John Simoneau, Chair; Anne Torregrossa, Vice Chair; Juliet Caplinger; Brian Lanoie; Bonnie Cobb

Also present: Bob Forrest, Code Enforcement Officer

Establishment of Quorum: Chairman Simoneau announced a Quorum has been met with five (5) present

Pledge of Allegiance: Done

Amendments to the Agenda: None

Review of Minutes: None

New Business:

- a) Road Maintenance Agreement – Wallace Way
(Applicant: Robert Wallace, 145 Stackpole Rd.)

John Simoneau Moves to find that there is a detailed statement of the ownership rights of the Road. Anne Torregrossa Seconds. Motion Carries 5-0.

Bonnie Cobb Moves to find that any subdivision of the lots will be subject to the Road Maintenance Agreement. Anne Torregrossa Seconds. Motion Carries 5-0.

John Simoneau Moves to find that the Town of Durham does not accept responsibility for the construction, maintenance, repair or plowing of Wallace Way. Anne Torregrossa Seconds. Motion Carries 5-0.

John Simoneau Moves to find that a statement that the duties and obligations imposed by the Maintenance Agreement run with the land and shall be transferred to donees, purchasers or other transferees of any portion of the real estate subject to the Maintenance Agreement and that, upon such transfer, the Planning Board shall be notified in writing and provided with a copy of any changes or amendments to the Maintenance Agreement. Bonnie Cobb Seconds. Motion Carries 5-0.

John Simoneau Moves that there is a requirement that the Maintenance Agreement be referenced in all deeds and to any lots served by Wallace Way. Anne Torregrossa Seconds. Motion Carries 5-0.

Anne Torregrossa Moves to find that Wallace Way is not an extension of an existing private way and that the requirement in item “f” in the Final Findings does not apply. John Simoneau Seconds. Motion Carries 5-0.

John Simoneau Moves to find that an agreement which permits the other signatories of the Maintenance Agreement to place a lien on the property of any signatory who has not paid the share of expenses allocated to them in the amount of the unpaid assessment for costs for the private way. Anne Torregrossa Seconds. Motion Carries 5-0.

Anne Torregrossa Moves to find that the applicant shall file the amended Road Maintenance Agreement in the Registry of Deeds, which shall be a requirement for any future building permits or other approval. John Simoneau Seconds. Motion Carries 5-0.

Anne Torregrossa Moves to find that all of the criteria have been met and that the Board grant the approval of the Road Maintenance Agreement for Wallace Way subject to the two following conditions:

- 1) Language shall be added to the RMA that any changes in the RMA shall be forwarded to the Planning Board in writing; and**

2) The approved RMA shall be filed in the Registry of Deeds.

Chairman's Comments:

The Planning Board will meet on August 22, 2018 at 7:00 p.m. at the Town Hall.

The next regular meeting of the Planning Board will be held on September 4, 2018 at 7:00 p.m. at the Town Hall.

Applications with nine (9) separate packets of supporting documents are due at the Town Office no later than the close of business, 4:30 p.m., on Monday, August 27, 2018.

Adjournment

Respectfully submitted,

Kathy Dion
Meetings Secretary