

**Durham Planning Board
Meeting Minutes
April 5th 2017**

Note: The DVD recording and/or streaming video located on the Town's website are the legal records of this meeting. Copies of the DVD recording are available by contacting the Town Office.

Call to Order: Chairwoman Woerter called the meeting to Order at 7:00 p.m.

Pledge of Allegiance: Completed.

Members Present: Chairwoman Mindy Woerter, Vice Chairwoman Anne Torregrossa, John Simoneau, Juliet Caplinger, Alternate Member Brian Lanoie.

Also Present: Jill Toher, Meetings Secretary; Calvin Beaumier, Interim Codes Official.

Establishment of Quorum: Chairwoman Woerter announced a Quorum has been met with four (4) members present and one (1) alternate present.

Chairwoman Woerter thanked former Planning Board member Michael Fitzpatrick for his many years of dedicated service to the Town.

New Member: **John Simoneau Moves** to Appoint Brian Lanoie as a full member. Vice Chairwoman Torregrossa Second. Motion Carried 4-0, with Brian Lanoie abstaining.

Public Present: Barry Baldwin, Pauline McEnery, Jason Vapiades, Lead PE, AP – Atlantic Resource Consultants, Freeport, ME.

Acceptance of March 1st 2017 Minutes: **John Simoneau Moves** to Approve the March 1st 2017 Minutes as presented. Brian Lanoie Second. Motion Carried 5-0.

Amendments to Agenda: None.

Continuing Business: **A) Barry Baldwin** – Map #13, Lot #8 – Subdivision Application – Mineral Spring Estates -continued from March 1st 2017.

Mr. Baldwin stated he decided to change the scope of his application to fall under the Backlot Ordinance, creating a total of eight lots and changing the size of the lots to five acres each. Falling under the Backlot Ordinance would do away with the requirement of paving past the third house. He stated he completed the sale of the 22-acre lot, which is not contiguous, to his Lot One owner as planned. Spring Road will be the right-of-way to these five-acre lots. There has been the addition of the 300 ft. by 200 ft. rectangle on the road as required by the Backlot Ordinance. Mr. Baldwin stated he included proof of his second attempt to contact Stephan and Anna Racioppi and Lorna Bowie by regular mail. Both of which had certified mail unclaimed at the first mailing.

A discussion followed regarding the Planning Board meeting held on August 1st 2012 as well as the content of letters between his attorney and from the former Town Attorney Curtis Webber. He added he provided Interim Codes Official Beaumier a copy of the DVD recording. Mr. Baldwin clarified that by changing his subdivision application to back lots only negates the need for paving. See design standards page #81 in Subdivision Ordinance, Article #7. Mr. Baldwin cited Heald Drive and Oak Ridge as examples. Spring Road will be the right-of-way to all roads in the proposed the subdivision. A lengthy discussion followed. It was the consensus of the Board that this topic will be re-addressed.

Chairwoman Woerter will continue updating the previous checklist and Vice Chairwoman Torregrossa will record the findings.

Incomplete #17; #25; #27 – to be updated; #28, #29, #30 – will be updated on plan; #32, #33, #34 – Note #13 on plan insufficient - to be updated; #36, #39, #45, #47, #48 – incomplete; #49, #50, #51, #52, #53, and #54 also incomplete.

To satisfy #36, Mr. Baldwin's engineer will supply a written opinion regarding fixing and maintaining Granite Hill Farm Road on the plan as well as an opinion for #52, regarding traffic as noted in the Durham Land Use Code, article #7(D)(5)(o).

Mr. Baldwin has requested for a waiver, in writing, for #16, #22, and #28 for each lot. A written waiver request for #3 was previously submitted and accepted.

John Simoneau Moves to accept waivers for #16, #22, and #28. Juliet Caplinger Second. Motion Carried 5-0.

A very lengthy discussion ensued regarding a Motion made pertaining to the status of the Granite Hill Farm Road made by former Planning Board member Arthur Langlais on August 7th 2013 and approved 4-0.

Anne Torregrossa Moves to find that the Application is still incomplete. John Simoneau Second. Motion Carried 5-0.

B) Kenneth and Gwenn Huot d/b/a/ DLC, LLC – Map #2, Lot #13 – re-open two camp sites, continued from October 5th 2016.

Juliet Caplinger recused herself as she is an abutter to the Huot property.

The Huots are in the process of obtaining the small triangle piece of Town owned property from the Town contiguous to what they currently own for the price of paying for the legal fees and all recording fees.

Anne Torregrossa Moves to deem the Application complete. John Simoneau Second. Motion Carried 4-0, with Juliet Caplinger Abstaining.

Chairwoman Woerter read the Approval Criteria for a Conditional Use Permit with Vice Chairwoman Torregrossa recording. A signed copy will be placed in the applicant's file.

Vice Chairwoman Torregrossa Moves to Approve the Approval Criteria for a Conditional Use Permit – Campgrounds with the following conditions:

Obtain DHHS approval for the campground and all sewage facilities; provide a copy of the recorded deed; obtain and record ownership of the small triangle shaped piece of property to be transferred to them by the Town; obtain all State campground licenses; prohibit overnight sleeping in vehicles except in RV's; only allow occupancy for 12 weeks May 15th to September 15th and two weeks for all other times; supply all requested paperwork by September 5th 2017. John Simoneau Second. Motion Carried 4-0 with Juliet Caplinger abstaining.

A signed copy of the Conditional Use Permit – Campgrounds Application Checklist will be placed in the applicant's file.

New Business: Juliet Caplinger recommends a workshop be scheduled regarding subdivision applications. It was the consensus of the Board that each application is unique and needs to be dealt with individually. It was decided to hold off at this time.

Chairwoman's Comments: Chairwoman Woerter announced the following:

The next Meeting will be held on Wednesday, May 10th 2017 at the Town Office at 7:00 p.m., with Applications due no later than Monday, May 1st 2017 by 4:30 p.m., at Town Office.

Adjournment: **Juliet Caplinger Moves** to Adjourn at 9:00 p.m. Vice Chairwoman Torregrossa Second. Motion Carried 5-0.

Respectfully submitted,


Jill S. Toher
Meetings Secretary