



TOWN OF DURHAM SELECT BOARD

630 Hallowell Road, Durham, Maine 04222

10/10/23 6:30 PM

MEETING MINUTES

1. Call to Order & Establishment of Quorum, Pledge of Allegiance

In Attendance: Joe Tomm (Chairman), Rich George (Vice- Chair), Josh Klein-Golden, Heather Roy (arrived late) and Jessica Landberg (Town Clerk, representing the Town Manager).

Absent: Joe Roy and Jerry Douglass (excused)

Guest(s): George Thebarge (Town Planner) and John Talbot (Chair, Planning Board)

2. Amendments to Agenda: None

3. Public Comments: Limited to 3 Minutes Per Person - None

4. New Business:

a. Historic District Ordinance Discussion (George Thebarge and John Talbot)

- ◆ **Code Enforcement Officer** – Under Section 5.14 of the Land Use Ordinance, any project touching any of the 10 properties, such as new siding or any modifications, need a review to determine that what's being proposed is consistent with the national guidelines for those historic structures. The 2005 adopted Ordinance extends the Code Officer's jurisdiction 1500 feet from the property line of those 10 sites. The Code Officer has authority and responsibility to do historic preservation reviews.
- ◆ **Planning Board** – any subdivision or site plan application that is submitted requires the Planning Board to do an inventory of any historic features on their sites and to consult with the Maine Historic Preservation in Augusta which keeps a register of all the properties and archaeological sites.
- ◆ **Historic District Commission (Southwest Bend/Historic District)** – any project or modification of property within that District needs a certificate of appropriateness issued by the historic district commission.

The 2018 Comprehensive Plan called for coordination of the above overlapping roles as well as recommending updates to every permit application to make sure that proper historic reviews are being done.

In early 2021 the Town Planner met with the former Chair of the Historic District Commission to help coordinate and address the goals of the Comprehensive Plan. The Town Planner reviewed the roles and functions of the Code Officer, the Planning Board and the Historic District Commission. He provided the commission with draft ordinance amendments with anticipation that the commission was onboard with making some changes to present to the Town Meeting. The commission asked the Town Planner to go back to square one and do a comprehensive report before presenting them with draft amendments. In March of 2022, the Planner asked the commission for consensus on a direction for simplifying and streamlining Durham's historic preservation programs.

The commission had three main recommendations:

- ◆ Eliminate Article 12, which creates historic districts and transfer that responsibility and authority over to the Code Officer.
- ◆ Reduce the scope of the reviews from everything within a quarter mile, down to just the properties themselves and their butters.
- ◆ Change the Historic District Commission, which has the same regulatory authority and responsibility as the Planning Board and the Board of Appeals and the same legal requirements for public process, to an advisory committee and not just limit to the district, but town wide and to assist the Code Officer and the Planning Board and individual property owners in addressing historic guidelines.

The Town Planner has recommended to the Board to consult with either MMA or with the Town Attorney in terms of what to do if the Historic District Commission does not have proper leadership and cannot call meetings.

Planning Board Current Projects (John Talbot)

- ◆ Bowie Hill Subdivision - dropped 2 lots, went from 13 to 11 lots.
- ◆ Ruby Lane Subdivision (4 Lots) off Swamp Road.
 - Planning Board conducted a Site Visit on September 20th, 2023.
 - Sketch Plan
 - Planning Board provided feedback.
- ◆ Board is focusing on Ordinances

5. Manager's Report: Jessica Landberg, representing the Town Manager

- ◆ Absentee voting has begun, you can request online, in person or by phone.
- ◆ Afternoon Chat with Jerry: October 25th from 2 to 3 pm, if interested in joining the Town Manager for an hour of conversation, please reach out to the Town Clerk by email: townclerk@durhammaine.gov or call the town office: 207-353-2561, Ext. 111

6. Consent Agenda:

- ◆ Approve Minutes from September 26th, 2023 SB Meeting
- ◆ Approve and Sign October 6th and 10th, 2023 Payroll and AP Warrant

Josh Klein-Golden moves to accept the consent agenda as presented, **Richard George seconds**. Motion carries **3 – 0 – 1 abstention**.

7. Upcoming Meeting(s) and Town News:

- ◆ **Select Board Meeting 10-24-23 & 11-14-23, Town Hall @ 6:30pm**
- ◆ **Planning Board Meeting 11-01-23, Town Hall @ 6:30pm**

8. Adjourn

Rich George motions to adjourn at 8:44pm, **Heather Roy seconds**. Motion carries **3 – 0**.