

**DRAFT**

**DURHAM PLANNING BOARD**  
**Wednesday, February 25, 2015**  
**Community Room, Durham Public Library**  
**7:00 p.m.**  
**MINUTES**

**MEMBERS PRESENT:** Peter Wolfe, Chair  
David Williams, Secretary  
Richard Kelley (arrived at 8:00 pm)  
Bill McGowan  
Linda Tatarczuch, alternate (arrived at 7:03 pm)  
Councilor Julian Smith, Council Representative to the Planning Board

**MEMBERS ABSENT** Andrew Corrow, Vice Chair  
Lorne Parnell  
Wayne Lewis, alternate  
Kathy Bubar, alternate Council Rep to the Planning Board

**I. Call to Order**

Chair Wolfe called the meeting to order at 7:00 pm.

**II. Roll Call**

The roll call was taken.

Chair Wolfe welcomed UNH students who were there to observe the Planning Board meeting.

**III. Seating of Alternates**

**IV. Approval of Agenda**

*Bill McGowan MOVED to approve the Agenda as submitted. Councilor Smith SECONDED the motion, and it PASSED unanimously 4-0.*

**V. Town Planner's Report**

Mr. Behrendt said the discussion concerning the Energy Checklist had been postponed to a Planning Board meeting in April. He also said Agenda item XI concerning the proposed auto servicing facility on the Cumberland Farms site had been postponed.

Councilor Smith asked if people present to speak on the proposed auto service facility could speak this evening. Chair Wolfe said the applicant wouldn't be present this evening to hear the public comments, and said the Agenda item had been rescheduled to the first meeting in March so members of the public could speak then.

Ms. Tatarczuch arrived at 7:03 pm. Chair Wolfe appointed her as a voting member in place of Mr. Corrow.

**VI. Report from Board Members who serve on Other Committees**

No reports

**VII. Public Comments**

**Robin Mower, Faculty Road** asked what the best process was for making comments on a Master Plan chapter that the Board had already accepted but that might have some flaws. Chair Wolfe said the time to do that was when all of the chapters were considered for final approval. He said this would occur in batches.

Councilor Mower provided some handouts concerning her proposed amendment to the Zoning Ordinance to reflect RSA 674:17, which was enabling legislation concerning the purpose of zoning ordinances. She said the amendment was a specific reference to RSA 674:17, and was also a recommendation to include under the list of purposes "to encourage the installation and use of renewable energy systems and protect access to renewable energy sources." She said this wording aligned with the Town Council's goals as well as actions the Town had taken. She also said the proposed wording was something the Planning Board might want to include in the Site Plan Regulations.

**Beth Olshansky, Packers Falls Road**, said accepting and endorsing Master Plan chapters were different things, and said if chapters were being endorsed, they required greater scrutiny. Chair Wolfe said the Planning Board was not endorsing any chapters and was simply accepting them and moving on to the next stage of the process. He said chapters wouldn't be endorsed until the end of this process.

Ms. Olshansky said she'd been under the impression that Mr. Behrendt had suggested the recommendation in the Existing Land Use chapter about reducing the minimum lot size in residential zones, but had found this wasn't the case. She apologized to him and also asked that this recommendation be removed from the Master Plan since it wasn't clear where it had come from.

**VIII. Proposed revisions to the Energy Checklist.** Proposed by the Durham Energy Committee. Recommended action: Adoption of the form as is or with changes.

Postponed

VIII. **Madbury Commons - 17 & 21 Madbury Road.** Modification of approved site plan to allow outside construction on Sundays. Multi-dwelling development for 525 residents, office/retail, and several public spaces. Golden Goose Properties, c/o Ken Rubin, Eamonn Healey, Barrett Bilotta, applicant. Tax Map 2, Lots 12-3 & 12-4. Central Business District.

Eamonn Healy of Golden Goose LLC asked that construction work be allowed outside at the Madbury Commons site on Sundays, through the end of the construction process in August. He said the primary concern was the next 8 weeks or so, and certainly into April and May. He noted that there had been a lot of snow and a rainy December, and said approximately 20 construction days had been lost. He said working on Sundays would allow them to catch up.

He provided details on the fact that work on building B was behind schedule, and said they would like to be able to start work at 9 am and go to 4 pm. He said they would respect the church services nearby from 11 am to 12 pm. He also noted that Golden Goose had acquired 8 Mathes and 15 Madbury Road, so was a direct abutter to where most of the construction would take place. He said there was written consent from other abutters, which included conditions that Golden Goose would adhere to.

John Powers, Deputy Fire Chief, said the department supported expediting the building process, and he spoke in some detail about concerns about the volume of combustible materials on the site. He explained that as work progressed, there was less chance of a fire spreading rapidly because of the compartmentalization of the construction.

Ms. Tatarczuch asked if the Fire Department had these same concerns about all of the buildings under construction, and there was discussion about this with Mr. Powers. Mr. Williams asked if the work could get done by August 28<sup>th</sup>, and Mr. Powers said he didn't know enough about the details to be able to say this.

Mr. Healy said if the approval wasn't received tonight, Golden Goose would have to seek other measures to deliver the project on time. He said they realized there had been a huge disruption to the Town, and said the sooner the work was done, the better this would be for everyone. He said there had been an unprecedented number of storms over the winter.

He said they could meet the August 28<sup>th</sup> completion date with this permission from the Planning Board. He said the critical work on Sundays was over the next 6-8 weeks, but also said they wanted to be able to work on Sundays to the end because of the landscaping work, etc. to be done. Mr. McGowan asked whether if the Planning Board allowed them to get back on track, there should be room for everything else to get done. Mr. Healy provided details on the work to be done.

Chair Wolfe said he didn't have a problem with approving this, but said he would like there to be a condition that stipulated that if there were noise complaints, this might result in revocation of the permission to work on Sundays. Police Chief Dave Kurz said noise complaints were subjective. He said the delays had been significant, and said he wanted to see the project done by August 25<sup>th</sup>, which was move in day. He said he knew could work with Golden Goose to make sure there weren't disturbances of church services.

***Councilor Smith MOVED to approve the Notice of Decision for the Application submitted by Golden Goose LLC for a Modification of the approved Site Plan for the Multi-dwelling development on Lots 12-3 and 12-4, Tax Map 2 in the Central Business District, to allow outside construction on Sundays through August 30<sup>th</sup>, 2015.***

Mr. McGowan noted that there was other construction projects going on in Durham. He said he could understand allowing work on Sundays for up to 8 weeks, but questioned extending this over the entire summer. Ms. Tatarczuch said asking for multiple months of exemption wasn't appropriate, or fair to residents. She said she'd heard from many people who were enormously concerned about disruptions, and said she was therefore against the motion.

Mr. Healy offered a compromise, to be allowed to do construction work outside on 4 Sundays after May 31<sup>st</sup>. He said they would notify the Town on the Friday before a Sunday when they would like to work. Ms. Tatarczuch said she was willing to consider allowing work on Sundays in March and April, but said after that she would suggest a longer work day, as the weather got warmer.

Councilor Smith said he liked what Mr. Healy had suggested. He also said that in regard to fairness to other projects underway, if they asked to be able to work on Sunday and this was supported by the Fire Department and Police Department, the Board would need to consider these applications. He also said that regarding the larger issue of inconvenience to the public, the Board knew that this would happen when it approved this project. He said he hoped the Planning Board would be very careful with the next very big project that came to it.

Mr. Williams said he was ok with the option Mr. Healy had suggested. He said he appreciated the comments made by Mr. McGowan and Ms. Tatarczuch. But he said his sense was that the builder knew what was required to complete the project, and he also noted the comments from the Police and Fire Departments that it made sense to get the project done as soon as possible before students arrived, in terms of safety and community welfare. Mr. McGowan said he could accept the compromise that was proposed.

***Councilor Smith MOVED to amend the motion to approve the Notice of Decision for the Application submitted by Golden Goose LLC for a Modification of the approved***

***Site Plan for the Multi-dwelling development on Lots 12-3 and 12-4, Tax Map 2 in the Central Business District, to allow outside construction on Sundays through May 31, 2015, plus the possibility of 4 extra Sundays after that. David Williams SECONDED the motion.***

Mr. Behrendt said the conditions of approval in the Notice of Decision would reflect the details in the motion, and would include the fact that Golden Goose would notify the Police Department on the Friday before it planned to work outside on Sundays. He noted that there were 8 other conditions to be included in the Notice of Decision.

***The motion PASSED 4-1, with Linda Tatarczuch voting against it.***

- IX. **257 Newmarket Road – Two New 3-Unit Buildings.** Site plan for construction of two multi-dwelling buildings with three two-bedroom units each. The site contains an existing student housing building. Christopher Meyer and Edward Marquardt, Seacoast OPM of Durham, owner; Matt Silva, coordinator; Dennis Quintal, engineer; Roscoe Blaisdell, surveyor; Nick Isaak, architect. Tax Map 18, Lot 3-2. Rural Zoning District.

Chair Wolfe asked if the applicant was ok with the conditions of approval that had been drafted. Mr. Silva said yes and said the applicant would accommodate them, concerning bike racks, dumpster screening, lighting issues, etc. It was noted that Town Engineer April Talon had signed off on the Stormwater Pollution Prevention Program for the site.

Ms. Tatarczuch asked for details on the pervious pavers as noted in condition #7. Mr. Silva said the contractor that was chosen would provide the specifications on the pervious pavers.

Mr. Williams asked when it was estimated the construction work would be completed and if work would need to be done on Sundays. Mr. Silva said the time frame was mid-June, and said the leases for the apartments would begin in August. He said no work would be done on Sundays.

There was discussion about blasting to be done as part of the site work. Ms. Tatarczuch asked how many abutters there were within 500 ft, and Mr. Behrendt said there were 2-3 houses within that distance. Mr. Silva said the blasting would be subcontracted out and noted that there would be a bidding process. He also said his company was familiar with the importance of doing blasting slowly in order to avoid property damage. He said ledge on the site had been avoided as much as possible, and said the ledge to be addressed was mostly in the location of the proposed parking area.

Mr. Behrendt said the language in the condition concerning the Energy Checklist was voluntary, and was acceptable to the applicant.

*Councilor Smith MOVED to approve as amended the Notice of Decision for the Site Plan Application submitted by Christopher Meyer and Edward Marquardt, Seacoast OPM of Durham for construction of two multi-dwelling buildings with three two-bedroom units. The property is located at 257 Newmarket Road, Tax Map 18, Lot 3-2 in the Rural Zoning District. David Williams SECONDED the motion and it PASSED unanimously 5-0.*

- X. **Public Hearing - Automobile Service Facility – 3 Dover Road.** Redevelopment of former Cumberland Farms property into facility with 3 service bays, an office and 12 parking spaces. James Mitchell, Tropic Star Development, applicant; Cumberland Farms, property owner; Barry Gier and Wayne Morrill, Jones & Beach, Design Engineers. Map 4, Lot 49. Courthouse Zoning District.

Postponed

- XI. **Public Hearing - Edgewood Road and Emerson Road Subdivision.** 4-lot subdivision and a boundary line adjustment. Jack Farrell, applicant. County Line Holdings, LLC and Mark Morong 1991 Trust, owners. David Vincent, surveyor. Map 1, Lot 15-0. Residence A Zoning District.

Postponed

- XII. **Public Hearing – Durham Police Firing Range – Stone Quarry Drive.** Construction of a new range at the Public Works Facility. The range will be used by the Durham Police Department only on a limited number of days per year. The intention is for the range to be used for a limited period of time while waiting for the proposed construction of a countrywide facility. Town of Durham, property owner. Town of Durham Police Department, c/o David Kurz, Police Chief, applicant. Map 11, Lot 12-0. Office & Research District.

Police Chief Dave Kurz provided details on the Police Department's need for the firing range in Durham. He said the one the department had been using in Rochester had changed its protocol regarding how often the department could use it, and said it was hard to find other options. He noted that the proposed location at Stone Quarry drive had a lot of berms so was a very safe area. He spoke about the noise issue, and acknowledged that this was a serious issue in a town that treasured tranquility. He said while there weren't immediate neighbors, there would be homeowners who would hear the noise.

Chief Kurz said this was a temporary solution to a short term problem, and said the ultimate goal was that Strafford County would build a firearm range. He noted that he didn't see anything happening concerning this for the next 3 years. He said the firing range would be used twice a year, and he provided details on the amount of firing that

would be done over what period of time, and the extent of the noise that would be created as a result.

He said he had talked with the neighbors, and said they wanted to support the Police Department but realized the firing range would be a disturbance. He proposed that the Police Department be allowed to use the site for 2015, for two days in August. He said neighbors would be notified when the firing was going to occur. He said next year there could be discussion with the Council about budgeting to pay for another location.

Mr. Kelley arrived at 8:00 pm.

There was detailed discussion between Planning Board members and Chief Kurz about the firing that would occur. Noise issues, safety issues as well as possible environmental impacts to the site from lead from bullets were discussed. It was confirmed that there would essentially be about a half hour of firing, once in August and once in September. It was noted that the firing range would be located 572 ft from Route 4, officers would be firing downhill and the berm was 12 ft higher than where the shots would go.

***Councilor Smith MOVED to open the Public Hearing. Linda Tatarczuch SECONDED the motion and it PASSED unanimously 6-0.***

**John Kraus, Cutts Road**, said it was important that police officers be able to shoot accurately, and said he thought the Planning Board should endorse the proposed firing range. In regard to the noise issue, he said there was an enormous machine that was removing trees in his neighborhood, and also said in hunting season it sounded like WW II. He noted that he was a retired military officer, and said the lead bullet issue was oversold. He said there was a jacket around the lead in a bullet, which minimized the contact of the lead with the soil.

**Bill Hall, Smith Park Lane**, said he supported this proposal, and also said the Police Department should be allowed some flexibility in terms of the amount of firing that could be done. He said he didn't think the Police Department's requirements for qualifying were strict enough and provided details on this. He also said there was plenty of noise from the highway.

**Kate McGregor, Dover Road**, said she was an abutter, and was sympathetic to the Police Department's situation, including budget concerns. But she also said the abutters were being asked to bear the cost with the location of the firing range at Stone Quarry Drive. She said hearing so many rounds of gun shots would be frightening, especially for children and animals. She said she supported Chief Kurz's offer to only do this for 2015, but not in the kind of unconstrained manner that the last speaker had suggested. She said she would like an approval of the firing range to reflect Chief Kurz's letter, which spoke about certain limitations.

Councilor Smith noted that the Planning Board could only provide comments and advice on what was proposed. He said the Board could recommend strongly that the immediate abutters be told in advance by letter, email, etc. when the firing would take place. There was discussion about the time of day when firing would occur.

***Councilor Smith MOVED to close the Public Hearing. Linda Tatarczuch SECONDED the motion and it PASSED unanimously 6-0.***

Mr. Williams asked if it was realistic that silencers could be used. Chief Kurz said no, and said the Police Department had to use the guns it normally used, which made noise. But he said the department was committed to being a good neighbor, and was sensitive to the community. He said Planning Board members were welcome to observe the practice sessions.

Board members discussed the idea of writing a letter that said the firing range would be conducted for a year, abutters would be notified when the range was going to be used, and abutters would be contacted by the end of the year to see what the impacts had been on them. Chair Wolfe said the Board could then make a recommendation based on this analysis. Mr. Kelley agreed this was a good idea, and said the Board should get a memo from Chief Kurz on this.

There was further discussion with Chief Kurz on details concerning using the firing range, and qualifying to use fire arms.

Mr. Kelley suggested tightening up the language under IV A 1 and 2 to be in agreement with what Chief Kurz had described this evening about rules to be followed at the firing range. Chief Kurz said he would do this.

Recess from 8:39 to 9:45 pm

**XIV. Projects by the University of New Hampshire.** Review in accordance with RSA 674:54 -Governmental Land Uses. Presentation by Doug Bencks, UNH Campus Architect.

- A. Public Hearing - UNH - Outdoor Pool. Site plan for new 14,355 square foot pool, bathhouse, and 14,000 square feet of social space on deck and lawn areas. Construction expected to begin in April.

University Planner Doug Bencks said the design for the pool was almost complete, and noted that coming to the Planning Board was the last step in the community review of the project. He said that there had been some questions about how people would be able to access the pool, and spoke in some detail on this. He also provided details on the pool itself, and how it and the area surrounding it would be utilized. As part of this he provided a 360 degrees view of the pool and its surroundings.



Mr. Benck also spoke about the memorandum of understanding with the State Division of Historic Resources about celebrating the history of the outdoor pool, and said there would be two displays concerning this near the entrance.

- B. Public Hearing - UNH - Hamel Recreation Center. Site plan for 2-story 65,000 square foot addition to existing 100,000 square foot facility.

Mr. Bencks explained that 40 parking spaces would be lost because of the configuration of this project, but said UNH was making sure that replacement parking would be provided elsewhere on the campus. He explained that core campus parking had been increased over the last 8 years, so there was a bank of parking spaces to draw from for projects like this.

He said the Hamel Recreation Center was designed within the context of the Whittemore Center and the Snively Arena, and provided details on this. He said the form/mass of the building was consistent with the shadow studies regarding the pool that were done last summer.

Ms. Tatarczuch asked about the 40 parking spaces that were being taken away, noting that members of the community would be using pool. She also asked if there would be adequate bike racks for kids in the community and where these would be located. Mr. Bencks explained that parking for the pool had been and would still be available at the Woodside lot, noting that this lot was for student parking but was empty in the summer. He said handicap accessible parking would be available in the Alumni Center lot. He said the bike racks would be located near the entrance to the pool.

There was detailed discussion about options for access to the pool and the Hamel Center. As part of this, Mr. Kelley said it seemed there would be no access to the Hamel Center from the Whittemore Center. He also said he hoped that with the design for the Hamel Center, the ability to hold birthday parties for kids would not be lost.

Stacey Hall, UNH Director of Campus Recreation, said that program had gotten a lot of support from local families, and said it was envisioned that it could be even better with the new recreation center and outdoor pool. She noted that there would be much more “social space” available at the pool and inside the recreation center, and provided details on this. There was discussion about the various accommodations for different age groups as well as the landscaping in the area surrounding the pool.

Chair Wolfe asked about the option of doing satellite recreational facilities on the UNH campus. Mr. Bencks explained that having one facility where everything was in one place made a lot more sense and was more cost effective than having satellite facilities. He said Hamel Center would be located in the middle of the campus so would be relatively easy for students to get to.

***Councilor Smith MOVED to open the Public Hearing. Linda Tatarczuch SECONDED the motion and it PASSED unanimously 6-0.***

**Bill Hall, Smith Park Lane**, determined that the design for the pool included possible heating of the pool as well as lighting of it in the evening. Mr. Bencks said it was hoped these items would be included in the final budget for the project, but said this wouldn't be certain until the final costs were known. Mr. Hall questioned the idea of heating the pool, and provided some numbers on this concerning evaporation rates and the need to keep adding pool chemicals as a result of the evaporation. He said heating a pool of this size was insane from a sustainability perspective, and said the taxpayers shouldn't have to pay for this.

In regard to the Hamel Center, Mr. Hall said he was recently told that decentralization of recreational facilities was the way to go, especially in regard to people who did cardio exercising, and said the University missed the boat on this.

**Timothy Horrigan, Faculty Drive**, said the design for the Hamel Center was attractive and harmonized with other structures. But he said about half of the space for the old outdoor pool would be covered over by the Hamel Center, and would be exclusively for private use, so would provide little in the way of benefits to the community at large.

He asked what would happen with the existing lobby of the Whittemore Center. He also said if there were concerns about security in the future, access to the pool could be problematic, and provided details on this.

**Beth Olshansky, Packers Falls Road**, asked if metallic siding for the Hamel Center would impact the temperature of the area near the pool, and Mr. Bencks said that wouldn't happen on that side, although it might happen on the parking lot side. Ms. Olshansky noted that she and some others had said it might be nice to have a heated pool in order to extend the swimming season. She said perhaps UNH could think about heating the pool when this was appropriate because more elderly people would use the pool if the water was warmer.

Ms. Olshansky said the seating options proposed along the edge of the pool sounded like a nice idea, and asked that water jets be considered as well. Mr. Bencks said the water jets had been discussed but the decision was to not include them. He said some people liked them and some didn't, and said the focus was more on providing spray geysers for small children. Ms. Olshansky suggested that the water jets could be turned on and off as desired, noting that this was a pool for all ages.

She said it was no surprise that the final location for the Hamel Center was so close to where the new pool would be, and was sitting where the old pool was. But she said after

two years without the pool, she thought everyone would be excited to see the new pool open.

***Richard Kelley MOVED to close the Public Hearing. Bill McGowan SECONDED the motion and it PASSED unanimously 6-0.***

Mr. Kelley commended the University for this project. He noted that he had gone to the outdoor pool as a child, and said he thought there would be a much better pool than what was there before. He asked if the soil settling had occurred, and Mr. Bencks said it was expected that it would occur. Mr. Kelley asked how long construction was expected to take, pending the soils issue and winter weather. Mr. Bencks said the pool would be completed by June of 2016, and the Hamel Center would be completed by the summer of 2016. He said renovations inside would continue into 2017.

There was discussion that construction related trucks would come in from Route 4 down Main Street and then onto Edgewood Road, and would reach the construction site at the edge of the parking lot. Mr. Bencks confirmed that lane closures would be required in order to bring in the trusses, and Mr. Kelley recommended that this be coordinated with Town staff. Mr. Bencks said he fully supported doing that.

Ms. Tatarczuch asked what the pool would be made of, and Mr. Bencks said it would be made of a concrete, cementitious material. There was discussion on the expected life span of the new pool.

- C. Public Hearing – UNH - Holloway Commons. Site plan for 9,000 square foot addition increasing seating capacity in dining facility by 365 seats for a total of 1,225 seats.

Mr. Bencks explained that UNH planned to construct a two story addition to Holloway Commons that would be located where Holloway Commons and the MUB intersected, which was currently an outdoor roof terrace. He said the addition would allow 365 spaces to be added for dining at Holloway Commons, and provided details on the need for this increase. He also said the addition would improve overall circulation in the building.

He said the work would start before students left for the summer, and noted that the dining hall would close at the end of April and would open back up in the fall. He said work on the building would continue while Holloway Commons was in operation. He explained that the project was a delicate piece of construction, noting the limited space available for construction staging and the work itself. Mr. Kelley asked if work would be done at night, and Mr. Bencks said no. He also said there were no penalty clauses in the contract with North Branch Construction, which was doing the project.

Ms. Tatarczuch asked where students would be able to eat after the dining hall closed in April. Mr. Bencks explained that there was typically a drop off in meals served at that

point in the semester, so it was thought that other dining halls could provide meals for the students who still wanted them.

Councilor Smith asked if one of the reasons for the expansion was that it was expected that students living downtown would want to use the meal plan for eating at the dining hall. Mr. Bencks said a significant percentage of students living off campus had meal plans, so it was expected that this would also happen with more students living downtown.

***Richard Kelley MOVED to open the Public Hearing. Councilor Smith SECONDED the motion and it PASSED unanimously 6-0.***

There were no comments from members of the public.

***Richard Kelley MOVED to close the Public Hearing. Councilor Smith SECONDED the motion and it PASSED unanimously 6-0.***

Ms. Tatarczuch said the plans for the addition looked every thoughtful.

Mr. Bencks said the next projects that would come to the Planning Board for review were the football stadium and the Hamilton Smith Hall project. Mr. Kelley asked if the stadium project would include a connector road, and Mr. Bencks said to stay tuned on this.

## **XV. Durham Business Park – Proposed Zoning Amendment**

- A. Change Elderly housing, single family; Elderly housing duplex; and Elderly housing, multiunit from not permitted to allowed by conditional use;**
- B. Change Minimum Lot Area per Dwelling Unit from NA (not applicable) to 35,000 square feet**

Chair Wolfe noted that some people had said they thought his meeting with Eric Chinburg regarding the Business Park was inappropriate. He said when drafting changes to the Zoning Ordinance or other regulations, Planning Board members were in legislative mode, and said they should talk with people to get information on what changes were appropriate, etc. He said this was what had occurred when he and resident Beth Olshansky spoke with Mr. Chinburg.

He said at the end of the Planning Board's last meeting, when there was discussion with Mr. Chinburg, there was consensus that there should be elderly housing and not an eldercare facility at the Business Park. He said he and Ms. Olshansky offered some zoning concepts including conservation subdivision, pocket neighborhoods, and Mr. Chinburg's preference was to do an elder facility.

He said the recommendation that came of the discussions was that the Table of Uses be amended to change Elderly housing, single family, Elderly housing duplex, and Elderly housing, multiunit from not permitted to allowed by conditional use. He said the recommendation was also to make the minimum lot area per dwelling unit 35,000 sf. He said this proposal was consistent with the design guidelines for the Business Park.

He also said Mr. Chinburg had said he would be willing to protect the front of the property up to the pump house on both sides of the access road through a conservation easement. He said this meant there would be no buildings in this area, and it could be used for community gardens, recreational use, etc. in any facility he developed. Chair Wolfe said he recommended that the Planning Board make this Zoning change.

Councilor Smith noted that he had suggested the change to the Table of Uses some time ago, and at the last Planning Board meeting.

***Councilor Smith MOVED that the Planning Board initiate a change to the Zoning Ordinance Table of Uses to: A. Change Elderly housing, single family, Elderly housing duplex, and Elderly housing, multiunit from not permitted to allowed by conditional use; and B. Change the Minimum Lot Area per Dwelling Unit from NA (not applicable) to 35,000 square feet; and to schedule a public hearing for March 11, 2015. Richard Kelley SECONDED the motion.***

There was discussion on the 35,000 sf requirement per dwelling unit, and said it applied to the whole parcel and not just the usable land. It was noted that using this number there could be 105 one bedroom/studio dwelling units, or 70 units with two or more bedrooms. There was also discussion on how the elderly bonus played into this. Chair Wolfe noted that a Continuum of Care Retirement Community (CCRC) was also still possible for the property, and what was being proposed here was to add some other possible uses. There was additional discussion.

Councilor Smith said his one reservation about the proposal had to do with the 35,000 sf per dwelling unit requirement, and said because the area involved had water and sewer, it was appropriate to have the same dimensional controls as there was for the RA zone, which was 20,000 sf per dwelling unit.

Chair Wolfe said he believed that the rationale for 35,000 sf was that the Business Park was a sensitive area, and that the density resulting from 20,000 sf per unit could mean that several hundred people could live there, which would be adverse to what the deed restrictions for the property discussed. There was discussion about the relationship between aesthetics and the number of people living on the site.

***The motion PASSED unanimously 6-0.***

Councilor Smith said he wished the Planning Board had done this earlier.

#### **XVI. Other Business**

Chair Wolfe noted the purpose language Councilor Mower had provided earlier in the meeting, and asked Planning Board members if they would like to adopt this language in the Purpose section of the Zoning Ordinance. There was discussion that the Board was being asked to update the Purpose statement to reflect wording State statute RSA 674:17 concerning renewable energy, and that this didn't affect anything.

***Councilor Smith MOVED that the Planning Board initiate a Zoning change to the Purpose section of the Zoning Ordinance, to update it to reflect State statute RSA 674:17 concerning language on renewable energy, and to schedule a Public Hearing for March 11, 2015.***

Mr. McGowan said he couldn't support the motion because the Planning Board had just received this proposal this evening.

***Chair Wolfe SECONDED the motion and it PASSED 5-1, with Bill. McGowan voting against it.***

Mr. Behrendt noted the recommendation in the Demographics and Housing chapter of the Master Plan that the minimum lot size in residential zones be reduced. He said there had been some questions raised about this recommendation, and said the Board could decide to remove that recommendation from the chapter. Mr. Kelley determined that it wasn't critical that the Planning Board make a decision on this tonight.

#### **XVII. Review of Minutes – October 22, 2015**

Postponed

#### **XVIII. Adjournment**

***Richard Kelley MOVED to adjourn the meeting. Linda Tatarczuch SECONDED the motion and it PASSED unanimously 6-0.***

Adjournment at 10:11 pm

Victoria Parmele, Minutes taker