



TOWN OF DURHAM

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Michael Behrendt, Durham Town Planner

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*****Please see sections on Zoom Access and
Other Information at the end of this agenda.**

DURHAM PLANNING BOARD

Wednesday, October 9, 2024

Town Council Chambers, Durham Town Hall

7:00 p.m.

AGENDA

Planning Board members

(7 voting)

Paul Rasmussen, *Chair*

Sally Tobias, *Vice Chair*

Emily Friedrichs, *Council Rep*

Richard Kelley

Peyton McManus

Rob Sullivan

Tom DeCapo, *Alternate*

Heather Grant, *Council*

Alternate

Erika Naumann Gaillat,

Alternate

Michael Behrendt, *Town*

Planner

Patricia Denmark, *Minutes*

Taker

- I. Call to Order
- II. Roll Call and Seating of Alternates
- III. Approval of Agenda
- IV. Town Planner's Report
- V. Reports from Board Members who serve on Other Committees
- VI. Public Comments
- VII. Review of Minutes (old):
- VIII. **Public Hearing - 280 Durham Point Road. 2-lot Subdivision.** Subdivision of 33.5-acre parcel into a 5 - acre lot to contain an existing house and a 28.5 - acre lot intended for acquisition by The Nature Conservancy. Dick and Kathleen Gsottschneider, Gsottschneider Family Trust, property owner. Ben Wallace, The Nature Conservancy, applicant. Valerie Shelton, Real Estate Agent. Adam Fogg, Surveyor. Map 227, Lot 36. Residence Coastal and Rural Districts. Recommended action: Final action.
- IX. **65 Durham Point Road – 2-lot Subdivision/Adjustment of Right-of-Way line.** Former owners of the subject lot made an agreement with the Town of Durham in 1985 for the Town to relocate a portion of Durham Point Road onto the subject lot in order to remove a tight bend in the road. The land underlying the newly located road was never conveyed to the Town nor was the right of way line moved. A new plat has been created to correct that omission. Sarah Ford Trust, property owner. Map 115, Lot 6. Residence Coastal District. Recommended action: Accept as complete and schedule a public hearing for November 13.
- X. **4 Riverview Court – Conditional Use Application.** Conditional use in the Shoreland Protection Overlay District for an existing single-family house for structures to be located within the 125-foot setback line: freestanding garage,

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expansion of existing driveway, retaining wall, shed, and buried electric line that currently runs overhead. Arthur Mcmanus, property owner. Chris Guida, Fieldstone Ladn consultants, wetland and soil scientist. Map 214, Lot 11. Residence Coastal District. Recommended action: Discuss application and schedule a public hearing for November 13.

- XI. **Public Hearing - Miscellaneous Zoning Amendments**. A set of zoning amendments regarding freestanding small group net metering uses in the five core commercial districts, child care as an accessory use to all residential uses, requirements for accessory buildings to single-family houses, zoning enforcement, clarifying text consistent with state law, terminology, and formatting of the ordinance. Recommended action: Initiate amendments if acceptable.
- XII. **Public Hearing - Workforce Housing Zoning Amendment**. Amendment for a proposed new Article XVIII.1 - Workforce Housing Overlay District for the purpose of providing opportunities for the development of workforce and affordable housing and to ensure the availability of a diverse supply of rental housing. A revised draft is being finalized to be placed for a new public hearing after okay from Planning Board. Recommended action: Initiate amendment is acceptable
- XIII. **Other Business**
- XIV. Review of Minutes (new): September 11, 2024
- XV. Adjournment

***ZOOM ACCESS**

The Town of Durham offers access to meetings with Zoom and Durham Cable Access Television (DCAT) as a convenience to the public. Zoom is generally reliable for watching meetings and offering comments when allowed.

*However, due to factors outside our control, occasionally access on Zoom does not work properly. **We cannot guarantee that Zoom will always be available seamlessly and suggest that people who want to ensure being able to watch and participate attend the meeting in person.***

To access any LIVE Zoom Public Meeting, you must be **Registered**. This link will take you to the registration page for all public meetings:

https://www.ci.durham.nh.us/boc_dcatgovernance/zoom-video-meeting-schedule. If you have difficulty logging in, contact DCAT: **603-590-1383**.

***OTHER INFORMATION**

- 1) Role of the Planning Board. The role of the Planning Board is to oversee and plan for the harmonious and functional physical development of the town of Durham by preparation of the Master Plan, adoption of Site Plan and Subdivision Regulations, making recommendations about the Zoning Ordinance and the Zoning Map, reviewing development proposals, providing comments on the Capital Improvements Program and generally advocating for smart growth principles.

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2) Public hearings and public comments. *The public is welcome to speak at all public hearings and during the Public Comments time.* Comments on all matters, except those for which a public hearing is on the agenda, should be made during the Public Comments time (including comments on agenda items this evening). The public may speak and submit written/email comments on any subject germane to the business of the Planning Board except active matters where the public hearing has been closed. When a public hearing will be scheduled soon for a specific item the board may require that comments at the meeting be made at the hearing.

3) Submission of comments in writing. Emails and letters should be sent to Michael Behrendt, Town Planner, at mbehrendt@ci.durham.nh.us or at the address above. Correspondence about current Planning Board matters, except where the public hearing has been closed, will be a) emailed to the Planning Board; b) mailed to the board members if received by the Thursday prior to the meeting or distributed to members at the meeting if received later; and c) posted on the Town's website.

Any email, letter, document, or other information that is pertinent to a decision which the Planning Board is expected to make at the upcoming Wednesday meeting, must be received in the Planning Office by the prior Monday at 5:00 p.m. or the board will consider the submitted material only at its discretion (This limitation does not apply to comments made at the actual public hearing).

4) Other information. Files on the agenda items above are available for review on the Town website <https://www.ci.durham.nh.us/>. Agendas marked as "Preliminary Agenda," are subject to change. The final agenda will be posted on the Town's website on the Friday prior to the meeting. To see background documents related to specific agenda items, see the agenda on the website and click on any green **highlighted** items.

5) Contacting us. Contact the Planning Department with questions or comments about any planning-related matters. Call (603) 868-8064 or email Michael Behrendt, above, or Tracey Cutler, Administrative Assistant, at tcutler@ci.durham.nh.us.

6) Recommended actions. Actions recommended by the Town Planner are shown at the end of most items. The Planning Board may or may not take these actions and may take other actions not stated.

7) New items of business. Unless approved by a 2/3 vote of members present, no new item of business shown on the agenda will be taken up after 10:00 p.m.

8) Communication aids. Please provide the Town 48-hours notice if communication aids are needed.

9) Next meeting. The next regular board meeting will be on **November 13, 2024**. The board is holding a workshop on October 23, 2024.