



TOWN OF DURHAM
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Town Planner's Review
Wednesday, December 11, 2024

IX. **Public Hearing - Historic District Ordinance Zoning Amendment – Purview of HDC.** Changes to the Historic District Overlay District proposed by the Historic District Commission pertaining to purview for tree removal and minor structures.

- I recommend that the board vote to formally initiate the amendment if it is acceptable.

The Historic District Commission prepared the proposed changes and voted unanimously to request that the Planning Board consider and initiate the amendment. If the board does so the amendment will then go to the Town Council for consideration. The proposal will facilitate the review process for when applicants seek to remove a tree in the Historic District, giving an official role here to the Town's Tree Warden.

The proposal also removes review of benches and similar structures from HDC purview which the commission decided should not be subject to review. The ordinance involves review of structures and a bench or table attached to the ground is considered a structure.

The HDC currently reviews requests to remove healthy trees with a diameter of 12" or greater but there is sometimes confusion in the review process. The Durham Tree Warden usually visits a site and evaluates a tree. But if he determines that the tree is not healthy the process has been unclear whether that is sufficient for removal or if the request should still come to the HDC. The proposed language will provide a precise procedure.

The amendment seems fairly straightforward so I have suggested that the HDC chair/vice chair need not attend the meeting.

X. **Public Hearing - 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, expansion of existing driveway, retaining wall, shed, and buried electric line that currently runs overhead. Arthur Mcmanus, property owner. Chris Guida, Fieldstone Land consultants, wetland and soil scientist. Map 214, Lot 11. Residence Coastal District.

*****POSTPONED TO JANUARY 8**

The public hearing and review is postponed to January 8 at the applicant's request. At the discussion with the Conservation Commission on October 28 it was acknowledged that the applicant needed to hire a professional to show more information on the plans (for erosion control, planting, and mitigation of stormwater from the driveway). More time is needed for his consultant to prepare the plan.

XIII. 2025 Calendar for Planning Board meetings.

The proposed calendar for 2025 is enclosed. We included several days for additional potential meetings in those months that have a fifth Wednesday that would be dedicated to discussion of the Zoning Rewrite. The board will need to decide in advance whether to meet on each of the designated days.

The second meeting in May is designated as a workshop to discuss general planning matters. Applications are not reviewed at the workshop. The second meeting is also the annual meeting when officers are elected, the prior 12 months is review and the upcoming 12 months are discussed. We have held a second workshop at the second meeting in October. I took this off the calendar, subject to the board's consideration, since we have only one meeting in November and December and frequently this reduction in regular meetings has been a challenge for applicants.

Another approach would be to retain the first or second meeting in May for election of officers and then hold the annual meeting at the second October meeting, specifically for review of the current/prior year and plan for the upcoming calendar year.