

1 **DRAFT**
2 **DURHAM TOWN COUNCIL**
3 **MONDAY, NOVEMBER 18, 2024**
4 **DURHAM TOWN HALL - COUNCIL CHAMBERS**
5 **7:00 PM**

6 **MEMBERS PRESENT:** Chair Sally Needell, Councilor Heather Grant, Councilor James
7 Bubar, Councilor Wayne Burton, Councilor Darrell Ford, Chair Pro Tem Joseph Friedman,
8 Councilor Eric Lund, Councilor Curtis Register, Councilor Emily Friedrichs (who uses the
9 pronouns ze/zir/zirs/zirself and the title Mx. Friedrichs)

10
11 **MEMBERS ABSENT:** None

12
13 **OTHERS PRESENT:** Administrator Todd Selig, Town Clerk/Tax Collector Rachel Deane, Tax
14 Assessor Darcy Freer, Department of Public Works Director Rich Reine, Town Planner Michael
15 Behrendt, Parks and Recreation Director Rachel Gasowski, Library Director Sheryl Bass,
16 Business Manager Gail Jablonski, Police Chief Rene Kelley, Fire Chief Dave Emanuel and
17 various department staff members.

18
19 **I. Call to Order**

20 Chair Needell called the meeting to order at 7:01 PM.

21
22 **II. Town Council grants permission for fewer than a majority of Councilors to**
23 **participate remotely - N/A**

24
25 **III. Roll Call of Members**

26 Councilor Heather Grant, Councilor James Bubar, Administrator Todd Selig, Chair Sally
27 Needell, Chair Pro Tem Joe Friedman, Councilor Wayne Burton, Councilor Eric Lund,
28 Councilor Darrell Ford, Councilor Curtis Register. Councilor Emily Friedrichs is not
29 present at roll call, but arrives at 7:02 PM.

30
31 **IV. Approval of Agenda**

32 Chair Needell suggested under Unfinished Business, moving A. the Public Hearing on
33 the budget to after B. and C., the Public Hearings on the two zoning ordinance changes.
34 **Councilor Lund MOVES to adopt the agenda as amended; Councilor Ford SECONDS**
35 **the motion. Motion PASSES on a unanimous hand vote.**

36
37 **V. Special Announcements - None**
38
39
40

1 **VI. Public Comments (*) – Please state your name and address before speaking**

2 Chair Needell instructs those in attendance for public hearings that they can speak during
3 Public Comments or later during the hearing, but during the general Public Comments,
4 they are limited to speaking for five minutes. During the public hearings, there are no
5 time limits on their comments.
6

7 **Katie Wheeler, 27 Mill Road,** commented on how the Wagon Hill farmhouse is a
8 statewide landmark and the town has an obligation to preserve it. She said the proposals
9 for its future use, including climate change education, which is an urgent need, are an
10 additional reason the town should act to preserve the house.
11

12 **William Hall, Smith Park Lane,** commented on some of the original intent the town had
13 for purchasing Wagon Hill Farm and how none of those reasons were carried out
14 ultimately. He criticized the demolition of the original barn. He then commented on work
15 that was done along Madbury Road decades ago, on shoddy work on a fire alarm panel at
16 the fire department and on a property dispute he has with the Community Church.
17

18 Councilor Burton clarified that the town demolished the stable at Wagon Hill, not the
19 barn, and that the matter was decided publicly before the Town Council.
20

21 **Kay Morgan, 16 Valentine Hill Road,** said she was first skeptical about the town
22 buying Wagon Hill Farm, but voted in favor of it and has never regretted it. She is a
23 founding member of the Community Garden located there, said the town has stewarded
24 the land well and said it's time to preserve the house and enhance its public use. She
25 urged the Town Council to move forward with fully realizing the town's intention for this
26 property when they bought the farm in 1989.
27

28 **Doug Karo, 95 Wiswall Road,** president of the Durham Historic Association, said the
29 association is bipartisan and has submitted written comments to the Town Council, but
30 wanted to state the group's support for preserving the Wagon Hill farmhouse. Speaking
31 as a private citizen, he said he moved to Durham for the quality of life and an important
32 part of that is recognizing historical resources and preserving and enhancing them. He
33 said that it is important to the look and feel of this community. He said if the town
34 doesn't protect these things, by neglect, they will slowly slip away and the town will be
35 changed.
36

37 Councilor Friedrichs clarified the status of the funding to preserve the farmhouse as
38 mentioned in Ms. Morgan's comments and agreed with Administrator Selig that Ms.
39 Morgan's description was accurate.
40

1 **Charlotte Hitchcock, 14 Stone Quarry Drive**, vice chair of the Heritage Commission,
2 said the farmhouse project needs the financial boost proposed in the town budget to get
3 over the many hurdles caused by the pandemic that slowed down the project and
4 increased the cost of it. She pointed out the advantages of its meeting space, restrooms
5 and warming room as well as the extra income and security that the caretaker apartment
6 will provide. She advocated for the town approving the full funding of the project and
7 suggested everyone read the letter submitted by Janet Perkins Howard in support of
8 funding the project.

9
10 **Robert Chase, a resident of Franconia, N.H.**, who lived in Durham from kindergarten
11 through attending UNH and who has worked in historic preservation for more than 50
12 years, said the Wagon Hill farmhouse is significant historically, a fine example of homes
13 in its time period and in a quite unique setting. He said the farmhouse improvements
14 would make the property more accessible to senior citizens. He submitted a letter from
15 himself and one from his cousin and spouse, David and Marianne Chase, who live on
16 Durham Point Road, in support of the project.

17
18 **Marjorie Smith, Piscataqua Road**, thanked Durham voters for electing her for her 14th
19 term in the N.H. Legislature, said she is proud of the development of the LCHIP
20 Program and that it is very difficult for a town to have a grant application accepted. She
21 pointed out the funds are required to be used for the project in the way the town
22 committed to in its application. She said the town renegeing on the grant funding would
23 hurt the town's reputation and it would be penalized for it. She sympathized with the
24 Town Council on the difficult position the budget puts them in, but it doesn't free the
25 town or the council from its obligation to do the right thing.

26
27 **Kathy Brunet, 7 Hampshire Ave.**, thanked the town's employees, elected officials and
28 volunteers for their work on the Nov. 5 election. She said it was smooth and well-
29 managed, and their work to maintain the integrity of the election was successful. She also
30 spoke about the importance of absentee ballots and urged those who questioned them in
31 town this election to make a public statement about their reasons for doing so.

32
33 **David Moore, 4 Stevens Way**, thanked the Town Council for its work and said he thinks
34 the town should respect the work of previous Town Councils and move forward with the
35 project they approved for improving the Wagon Hill farmhouse. He pointed out the
36 importance of continuity from one council to another, which is important to the
37 reputation of the town, and to reassure those who have worked so hard on the farmhouse
38 funding and planning that their work will also be respected. He said the approval of the
39 farmhouse funding in the budget isn't just about the farmhouse improvements but also
40 about the Town Council's view of governance and continuity from council to council.

1
2 **Karl Van Asselt, 17 Fairchild Drive**, Town Treasurer, spoke about the downtown TIF
3 district and how the revenue from it is distributed. He said the school district and the
4 county currently receive some of that revenue and he doesn't believe the downtown
5 properties affect the schools. He said there are needs downtown that the money should be
6 spent on. He distributed written notes about this to councilors. He asked the Town
7 Council to make it a work project in the next budget process. He also spoke in favor of
8 fully funding the Town Clerk's office with three positions. This would allow extended
9 hours to accommodate residents' work schedules. He also requested the town improve
10 the intersection of Garrison and Main. It is difficult to see pedestrians crossing the street
11 when it's and the lighting needs to be improved.

12
13 **John Parsons, 16 Stevens Ways**, spoke in favor of funding the Wagon Hill farmhouse
14 preservation. He talked about in the past as a teacher and coach raising funds to build the
15 running track at the high school and grant committees all needed evidence of the town's
16 and the school district's support for the project before awarding the grant money. He said
17 going back on the earlier decision about the farmhouse preservation and letting the
18 money go back to LCHIP would affect the town's ability to get grants in the future.

19
20 **Diane McCann, 27 Oyster River Road**, commented the town should support the hard
21 work of the many volunteers who have worked on the Wagon Hill farmhouse
22 preservation planning who have not and will not benefit personally from the project. She
23 said the Town Council should respect the decisions and work of the previous council
24 which approved the project.

25
26 **John Parsons** returned to the mic to add to his comments. He said when the town bought
27 Wagon Hill Farm a committee was formed to brainstorm uses. He served on the
28 committee and remembers several of the uses required using the farmhouse. He said the
29 condition of the farmhouse has never allowed any of those uses and he believes it's time
30 to support its rehabilitation.

31
32 **VII. Report from the UNH Student Senate External Affairs Chair or Designee**

33
34 **Abigail Bagley**, the External Affairs Chair for the student body president at UNH, on
35 behalf of the UNH student body, congratulated Administrator Selig for his recent
36 Municipal Manager of the Year award from the N.H. Municipal Management
37 Association. She reported the semester is winding down. She attended the Alcohol and
38 Other Drugs Coalition Meeting with members of UNH Health and Wellness, police, fire
39 and paramedics, and athletics, and talked about Homecoming weekend and how Parents
40 Weekend is becoming more and more popular and seeing an increase in incidents. She

1 said the online Free Speech Working Group form is now working, but encouraged people
2 to let her know if they are having a problem with it. Councilor Friedrichs confirmed it is
3 now working for zir.

4
5 Councilor Friedrichs brought the Daybreaker program to Ms. Bagley's attention as
6 something student government might be interested in presenting on campus.

7
8 **VIII. Unanimous Consent Agenda** (Requires unanimous approval. Individual items may be
9 removed by any councilor for separate discussion and vote) - None

10
11 **IX. Committee Appointments** - None

12
13 **X. Presentation Items**

14 A. Report on Strafford County operations, budget, and tax rate from Commissioner Chair
15 George Maglaras and County Administrator Raymond Bower

16
17 George Maglaras thanked Durham voters for electing him again to the Board of County
18 Commissioners for his 21st term. He said all governments in the state will face an
19 interesting time in budgeting in the next year. He said the county budget is due to the
20 towns on Jan. 15. He pointed out the pandemic rescue funds were used to upgrade the
21 county's communications system, which benefits all the towns. He said the elimination of
22 the interest and dividends tax causes a \$3 million shortfall and noted Gov. Sununu is not
23 filling any vacancies and asking for cuts across the board. He said activities in D.C. also
24 will affect the county's budget.

25
26 He said the commission has been able to keep the budget under the tax caps of its three
27 municipalities for 14 years. He noted the rising costs of health insurance and other costs
28 are making this much more difficult. He said there has been an increase in value across
29 the county. He talked about the county's work on the Warming Center. He said the
30 construction of a new nursing home is still on the table, but he is not sure it will become a
31 reality. He said there is a growing increase in elderly being displaced because of the cost
32 of housing. He said the county has 15,000 people over 65. In 20 years, that number will
33 grow to 60,000. He said with 7 to 8 percent of those over 65 needing a nursing home on
34 average, the county is facing a crisis of aging.

35
36 Raymond Bower added that despite the physical problems at the Riverside Nursing
37 Home, it is one of just seven nursing homes in the state to receive a 5-star rating.

38
39 Councilor Friedrichs asked if the county has any plans for creating cooling centers given
40 climate change and if it has considered the Community Power program. He said the

1 county is investigating funding and plans for cooling centers and for a large solar array
2 project.

3
4 In discussion with councilors, Mr. Bower clarified the deportees the county houses are
5 convicted criminals who are waiting to be deported as part of a criminal sentence.
6

7 **B. Report from the Agricultural Committee - Theresa Walker, Chair**
8

9 Theresa Walker reported the committee held a successful Farm Day, partnering with
10 UNH and the Granite State Dairy Promotion. They have created a backyard food
11 production group and are developing a survey of residents as a capstone project with
12 UNH students. The group is knowledgeable and is mentoring residents. They are working
13 on policies that enable more local food production because it's an important part of
14 resiliency. Councilors discussed how zoning can constrain food production and animal
15 husbandry, and ways to make residents more comfortable with both. She thanked the
16 committee's members for their dedication.
17

18 **C. Report from Parks & Recreation Committee – Cathy Leach, Chair**
19

20 Cathy Leach explained the committee works with Director Rachel Gasowski to support
21 the department's goals. The committee has conducted a community needs assessment
22 survey on Jackson's Landing and Woodbridge Park and received a strong return from
23 residents. She thanked the community for its participation. The committee is drafting a
24 report and then will do outreach to the community in late spring. It will develop a plan for
25 funding by next fall. The committee took a look at priority registration for residents and
26 fees and said the town is in line with nine similar towns around the state. She reported the
27 series of trail walks was well attended this fall. She said potential designs for rink
28 renovations and fundraising are underway. She said two alternate member positions are
29 open on the committee. She thanked the committee members for dedication and
30 engagement.
31

32 **XI. Unfinished Business**
33

- 34 **A. Public Hearing on Ordinance #2024-10** Amending Chapter 175 "Zoning," Article III,
35 "Administration and Enforcement," Article VI, "Zoning Board of Adjustment," Article
36 XII.1, "Use and Dimensional Standards," Article XX, "Standards for Principal Uses,"
37 and Article XX.1, "Standards for Agricultural Uses."
38

39 ***Chair Needell MOVED to open the Public Hearing on Ordinance #2024-10.***
40 **Councilor Lund SECONDED the motion.**
41

42 No one from the public present or on Zoom was present to speak on the ordinance.

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Councilor Lund MOVED to close the Public Hearing. Councilor Register SECONDED the motion. Chair Needell linked the motion to open and close the public hearing. The motion passed on a unanimous roll call vote.

Chair Needell asked if the Council was ready to take an action or do they want to put it off to a future meeting. Councilor Friedrichs had a question on the formatting of the section on childcare home and Mike Behrendt approved her change.

Chair Needell MOVED that the Town Council adopt the ordinance as amended. Councilor Ford SECONDED the motion.

Chair Needell invited further discussion and Chair Pro Tem Friedman raised the question on the Uses section why in the downtown area the town would permit taking up valuable downtown land with surface-mounted, net metering solar arrays.

Councilor Friedrichs discussed the thinking of the Planning Board and the Energy Committee. Both were in agreement with Chair Pro Tem Friedman’s thought, ze said, but the actual use case scenarios were properties wanting to do this and it made sense, but were being prevented from doing so by the ordinance. Discussion of net metering solar arrays followed.

Councilor Ford pointed out a typo in the number of the ordinance on the last page.

The ordinance was adopted on a unanimous roll call vote.

- B. **Public Hearing on Ordinance #2024-09** Amending Chapter 175 “Zoning,” Article II, “Definitions,” Article XII.1, “Use and Dimensional Standards,” Article XVIII, “Personal Wireless Service Facilities Overlay District,” Article XIX, “Conservation Subdivisions,” and the Zoning Map; and adding a new Article XVIII.1, “Workforce Housing Overlay District.

Chair Needell MOVED to open the Public Hearing on Ordinance #2024-09. Councilor Lund SECONDED the motion. The motion passed on a unanimous show of hands vote.

James Tobias said he would like to live in Durham in his own residence, but still lives with his parents because there is no affordable housing in town. He would like to live and raise a family in Durham. He doesn’t want to live or grow a family in student housing. He said there is no future he can build for himself in Durham.

Ashley Vogler, employee of John and Maggie Randolph, said the Randolph’s’ housing projects remove barriers to housing and have had a positive effect on the workforce and

1 on the economy. She gave examples of young people and recent graduates she knows
2 who could not afford to live here near where they work who have been able to find a
3 home in one of their housing projects. They provide job opportunities because they
4 provide housing near more jobs.
5

6 **Casey Dillon**, of Lee, but she would have liked to have lived in Durham if she could
7 have afforded it. She works as a physician's assistant and a professor. She said it was
8 probably about 15 or 16 years into her career, with now a master's degree and doctorate,
9 that she could afford to live in Durham. She and her family love living in the area and
10 love the community here, and spoke about the value workforce housing would bring to
11 the area. She works at Wentworth-Douglass Hospital and knows so many nurses and
12 LNAs that cannot afford to live here and so drive long distances to work. She feels that it
13 is a shame because they have so much to offer this community and it's missing a whole
14 generation of people who can contribute and it needs their contributions.
15

16 Councilor Register thanked her for speaking and for her work resettling refugees in the
17 area.
18

19 **Katherine Goodwin**, of Newmarket, who is buying a house in Lee, is a physician
20 assistant working in Manchester. She and her husband moved here because her husband
21 got a job in Durham, but they couldn't afford to live here. She said Newmarket has a lot
22 of workforce housing. She told the story of a co-worker she carpooled with who is a
23 single mom and a nurse practitioner who owns a home in Stratham, and said she is only
24 in that position because she bought the house 15 years ago, but she would not want
25 workforce housing built in her town. Goodwin said if you're scared of the people
26 workforce housing will bring, don't be. They are good people. She said she has never felt
27 afraid living in workforce housing and it is safe. She has worked with the Randolphs as
28 part of Four Rivers Church to help move people into their homes and they are good
29 people.
30

31 **Maggie Randolph**, on behalf of Harmony Homes, spoke in support of the Workforce
32 Housing Overlay District. As an architect and someone who has built workforce housing
33 projects, she said people often get caught up in the semantics of terms and fear, but she is
34 proud of the tiny home project she and her husband have created in Dover. She said of
35 the 44 homes there, they have seven teachers, two firefighters and more than 10
36 caregivers living there, the backbone of the community, and she would be very proud to
37 live next to any one of those people.
38

39 Chair Needell said she went to see the Randolphs' Dover project and was thrilled.
40

41 Administrator Selig noted the Randolphs have built workforce housing in Durham at the
42 Harmony Homes By The Bay site and it was a great project.
43

44 **Wes Dillon**, husband of Casey Dillon, speaking in his role of lead minister of Four
45 Rivers Church and director of Four Rivers Projects, both of which are incorporated in
46 Durham, said a church is one place which draws from a broad cross-section of the

1 population, and they work resettling refugees in the area. He said he is in full favor of
2 creating workforce housing in Durham. He said he's seen how this community loves
3 solving problems in his work bringing refugees here and the overwhelming welcome they
4 receive from this community.

5
6 **Mike Mulhern**, 91 Bagdad Road, thanked the Town Council for its work volunteering to
7 serve the town. He is on the Housing Task Force and involved in affordable housing in
8 many different ways. He said workforce housing is defined for those making 60 percent
9 of the average median income in an area. In his area, he said, that's \$80,000 income for a
10 family of four and that's not low income. He said there may be a negative connotation
11 around it, but it's not a negative, it's average people. He said he believes the town has a
12 moral obligation to provide workforce housing and he encouraged councilors to support
13 it.

14
15 **Beth Olshansky**, Packers Falls Road, said she supports workforce housing and supports
16 parts of the ordinance, but she doesn't support throwing three-quarters of Office,
17 Research and Light Industry zone into the workforce housing overlay as an add-on to the
18 original concept. She said she was told it was because the state is asking towns to put 50
19 percent of their residential land into workforce housing. She doesn't agree with putting
20 that large amount of land into the district and urged the town to start small. She said it
21 should focus on the Route 4 area and the downtown area, which is not in this ordinance,
22 but which is going to come next, and create a more controlled, thoughtful process. She
23 said including ORLI goes against the town's master plan which aimed to keep the density
24 closer to town.

25
26 **Joshua Meyrowitz**, 7 Chesley Drive, said he has attended all the public hearings and
27 read all the letters submitted on this ordinance, and he has seen tremendous progress in
28 how the ordinance has evolved. The need is true, and he said he doesn't think there's fear
29 of the people who would live in workforce housing. He said the town needs younger
30 residents and he said it's refreshing to work with developers who have a good reputation
31 and reflect the town's values. He thinks of it as creating a new neighborhood and
32 encouraged connecting this neighborhood to downtown and existing neighborhoods in as
33 many multi-transportational ways as possible. He said limiting the number of three-
34 bedroom units helps in keeping it for young, single people. He is concerned about
35 including ORLI in the overlay district and is contrary to the town's master plan.

36
37 **John Randolph**, owner of Harmony Homes, said Durham has been a very welcoming
38 community over the last 13 years, but so much has changed over those 13 years. He said
39 you now need to make \$30 an hour to rent on the Seacoast or \$160,000 a year to be able
40 to buy on the Seacoast. Harmony Homes in 13 years has grown from two employees to
41 90, and they want to grow to 250. He said with the wave of seniors getting older in the
42 area, he would like to build two more facilities in the business park but current staff
43 availability doesn't make that possible. Businesses across the spectrum as well as public
44 services like fire, police and schools are having a hard time hiring. He cited the growing
45 elderly population and said he's seeing more and more elderly who want to live on their

1 own, but their rents keep rising to a point they can't afford. He said he supports the
2 ordinance's adoption.

3
4 Councilor Burton asked if the ordinance as written gives Mr. Randolph the flexibility to
5 close a deal on land to build on. Mr. Randolph said not a lot of developers would
6 consider the project for the profit it will make. He is deferring profits into the future. He
7 is motivated to build so he can hire staff who have a place to live. Discussion followed on
8 HUD fair market and 60 percent AMI being used interchangeability. He said quality
9 housing can be built under that parameter. Councilor Bubar asked about Mr. Randolph's
10 estimate of someone having to make \$30 an hour to rent and seniors being squeezed out
11 of their apartments.

12
13 **Sally Tobias**, 107 Madbury Road, Housing Task Force Chair and member of the
14 Planning Board, spoke in favor of adopting the ordinance. She said in the course of her
15 work in Durham as early as 2016 housing kept coming up. She said she realized the town
16 was missing a type of housing, the kind that allows people who love this community to
17 stay once they're done with a large house or children who have grown up here to stay.
18 She cited County Commissioner Maglaras' comments that towns are building and
19 Durham isn't. She described the rigorous evaluation the ordinance has gone through. She
20 asked the Town Council to adopt the ordinance.

21
22 Councilor Bubar asked if she could estimate the value of the ordinance to the town and
23 discussion followed.

24
25 **Robin Mower**, 6 Britton Lane, wondered if the 60 percent AMI stipulation would work
26 for other developers since the Randolphs have an unusual ability to limit costs, and
27 expressed concern if the town is customizing an ordinance for this specific situation. She
28 said that has advantages and disadvantages, which have broader implications for the
29 overlay district.

30
31 Town Planner Michael Behrendt clarified the ordinance uses HUD fair market rent as its
32 metric, not 60 percent AMI. The state defines workforce housing that is available for rent
33 as being affordable to a family at 60 percent of area medium income. HUD fair market
34 rent is set annually for units according to how many bedrooms they have. The fair market
35 rent is the maximum rent that can be paid. The Planning Board built in flexibility in the
36 ordinance for landlords to set a higher rent for a unit, but the average of all the units must
37 be the HUD fair market value.

38
39 There was discussion about whether the name in the ordinance should be "workforce" or
40 "affordable housing." Mr. Behrendt said the ordinance creates housing available to
41 anyone, working or not working. He said the owner would be required to file an annual
42 report to the town about the rents that would allow the town to enforce it.

43
44 **Peyton McManus**, 54 Ross Road, spoke in favor of adopting the ordinance as written.
45 He said he believes the town has a moral right to provide affordable housing, but
46 pragmatism is driving the ordinance. The town needs workers. He said it is simple and

1 elegant, builds in diversity and the reporting required in it is simple and clear, and limits
2 administrative costs.

3
4 **Planning Board Chairman Paul Rasmussen** speaking as a resident talked about the
5 town's goal of reducing emissions and transportation. People who work downtown have
6 long commutes and need somewhere closer to live. It will help with revitalizing the
7 downtown.

8
9 **Alicia Magnifico**, on Zoom, a professor at UNH, speaking as a citizen, spoke in support
10 of adopting the ordinance. She teaches student teachers, and cited how they all would
11 love to work and live in Durham after graduation, but none can afford to. She said it's not
12 just teachers, but many faculty members at UNH cannot afford to live in the Durham
13 community. Her students spend \$800 to \$1,200 a month to live in big, shared student
14 apartments. Every student has one to three jobs to support themselves. Many drive as
15 much as an hour to campus. She said the town is failing the community by not having
16 affordable housing so people can work here.

17
18 **John Randolph** returned to the mike to clarify that people making the 60 percent of area
19 median income can afford the HUD fair market rent. He said that if you increase it and go
20 to 70 or 75 percent AMI you are starting to exclude the kind of people he wants to help
21 with his housing projects.

22
23 Councilor Burton brought up how the landowners selling property are motivated by the
24 ordinance and discussion followed. Mr. Randolph replied if you're a developer, you don't
25 go into affordable housing to make money. He is motivated to create housing where his
26 staff can live and attract more staff. Mr. Randolph noted the whole discussion has been
27 what is the impact of this zoning on the value of the land. He said if affordable housing
28 can be built on it, the land has significant value.

29
30 Councilor Bubar asked a question about the congestion in the area of Route 4 where Mr.
31 Randolph's project is proposed and asked what the traffic implications would be. Mr.
32 Randolph said he has met preliminarily with the N.H. Department of Transportation and
33 officials supported the project with some adjustments to Route 4. He said his employees
34 and he avoid leaving Harmony Homes during rush hours.

35
36 Councilor Register asked Mr. Randolph if this would be a viable Overlay District
37 ordinance for other developers. Mr. Randolph said to get to 60 percent AMI, most
38 developers would look for subsidies like a low-income tax credit or other credits, or
39 funding sources like a HUD grant. Councilor Register described it as more challenging
40 but doable, and Mr. Randolph agreed.

41
42 Chair Needell asked Mr. Randolph if he would come back when the Council continues
43 this discussion at a future meeting and he said he would.

44
45 ***Councilor Lund MOVED to continue this public hearing at the next Council meeting.***
46

1 Chair Needell said it was difficult to know when because of the amount of discussion
2 needed on the budget in the next six weeks. Chair Pro Tem Friedman proposed closing
3 the public hearing and scheduling a future Council discussion. Councilor Lund said the
4 public hearing has to remain open if the Council wants to continue to hear from Mr.
5 Randolph. Administrator Selig said the Council differs from the Planning Board because
6 that's a judicial proceeding and this is a purely legislative proceeding so if the Council
7 wants to take feedback from a developer or member of the public it can accept that
8 feedback. Chair Needell said the Council would also welcome public comment, just not
9 hold another hearing. Discussion followed about how to proceed with remaining
10 questions.

11
12 ***Councilor Ford MOVED to close the Public Hearing. Chair Pro Tem Friedman***
13 ***SECONDED the motion. The motion passed on a 6-3 roll call vote.***

14
15 ***Councilor Register - nay; Councilor Ford - aye; Councilor Lund - nay; Chair Pro Tem***
16 ***Friedman - aye; Chair Needell - aye; Councilor Friedrichs - aye; Councilor Bubar -***
17 ***nay; Councilor Grant - aye.***

18
19 Chair Needell reminded that closing the Public Hearing does not prevent people from
20 coming to future meetings and making comments about the Overlay District ordinance
21 during Public Comments.

- 22
23 C. Continued deliberation of the Administrator's proposed FY 2025 Operating, Capital, and
24 Special Fund Budgets and the 2025-2034 Capital Improvement Plan.

25
26 ***Chair Needell MOVED to open the Public Hearing on the town budget. Councilor***
27 ***Register SECONDED the motion. The motion passed on an 8-1 show of hands vote.***
28 ***Councilor Bubar cast the nay vote.***

29
30 Discussion followed about town staff continuing to hear residents addressing the Council
31 during the Public Hearing first and whether the Council would be able to get to
32 discussions with each department at this meeting because of the late hour.

33
34 **Robin Mower**, 6 Britton Lane, said she will submit a portion of her comments in writing.
35 She talked about the importance of land like Wagon Hill throughout the town's history.
36 She spoke in favor of opening the farmhouse and bringing history to life for future
37 generations. She supports Option 2, if not Option 3, for funding the farmhouse
38 preservation. She cited her personal connections to Wagon Hill Farm including that her
39 ancestor, Col. James Davis, who died in 1749, is buried there. She added that older
40 residents subsidize educational and recreational opportunities for the town's families. She
41 said they happily support education, but she and others have become increasingly
42 concerned about how much they are asked to support recreation. She said it is time for
43 families to support more of these recreational costs. She said it is time to bring history
44 alive so that the town doesn't risk losing it.

1
2 **Beth Olshansky**, Packers Falls Road, mentioned and praised Mower’s eloquence and the
3 earlier public comments about the value and importance of Wagon Hill’s land and history
4 to the town and its families, and the importance of exposing children to nature at the
5 farm. She said residents need to savor this history.
6

7 **Carolyn Singer**, 5 Woodridge Road, a member of the Heritage Commission, said it is
8 obvious through public comments at this meeting and the written submissions the
9 Council has received that the Durham community wants to fund the restoration of the
10 Wagon Hill farmhouse through Option 2. She said it’s more than infrastructure, it’s about
11 protecting a sense of place and respecting generations of residents who have built the
12 Durham community. It’s about building community pride and cohesiveness. She invited
13 Town Council to tour the site before voting.
14

15 Councilor Friedman asked if Option 1 is chosen, is the LCHIP funding at risk and Ms.
16 Singer said it is because the town made certain obligations in the grant application that
17 will not be met. Councilor Register asked what the obligations were. Ms. Singer said the
18 town said it would create a caretaker apartment, renovate the ells and create
19 programming.
20

21 Chair Pro Tem Friedman said he believes the caretaker’s apartment was denied by
22 LCHIP. Ms. Singer said LCHIP money pays for historic rehabilitation. It doesn’t pay for
23 modern renovation. Ms. Singer said the town did not ask them to fund the caretaker’s
24 apartment because it wouldn’t be for public use. She said LCHIP wants to restore historic
25 buildings for public use. Upon more questions, Ms. Singer said LCHIP is doing a fit-out
26 between the first and second floors.
27

28 Councilor Friedrichs reviewed the vision and process the town went through when
29 applying to LCHIP for the grant. Ze cited the town developed a vision for the site, and
30 the vision included restoring the farmhouse, having a caretaker, doing work on the ells to
31 create public bathrooms and make them accessible, and open the farmhouse for
32 programming. Ze said that the vision was put into the grant as a whole though LCHIP
33 would only fund parts of that vision. Ms. Singer agreed with zir summation. Discussion
34 about the opportunities for programming at the farmhouse and setting up a tour followed.
35 Ms. Singer said she will forward her plan for programming and the LCHIP obligations
36 and requirements to councilors.
37

38 Councilor Burton told the councilors to be prepared to be shocked at the condition of the
39 meeting.
40

1 Administrator Selig noted Councilor Friedrichs described the process around the grant
2 application accurately and Singer agreed.

3
4 ***Councilor Lund MOVED to continue the meeting until 10:45 PM.***

5
6 Councilor Friedrichs proposed a straw poll of how many questions are left about the
7 budget if it would be helpful to Administrator Selig and town staff members. Discussion
8 followed.

9
10 ***Councilor Lund WITHDREW the motion to continue the meeting until 10:45 PM.***

11
12 ***Councilor Register MOVED to continue the meeting until 11 PM. Councilor Lund***
13 ***SECONDED the motion. The motion passed on a 6-3 show of hands vote with***
14 ***Councilors Ford, Bubar and Friedman voting nay.***

15
16 **Joshua Meyerowitz**, 7 Chesley Drive, spoke in favor of preserving and enhancing the
17 farmhouse at Wagon Hill. He said he's often wondered why the home wasn't open when
18 his family was sledding there. He strongly supports Option 3, which would create a year-
19 round event site that would produce revenue.

20
21 **Robin Mower** returned to the microphone to thank the town staff who had patiently
22 waited through the entire meeting, an experience she felt must have been very frustrating
23 for them.

24
25 ***Councilor Friedrichs MOVED to close the public hearing on the budget. Councilor***
26 ***Register SECONDED the motion. The motion passed on a unanimous show of hands***
27 ***vote.***

28
29 Chair Needell acted on Councilor Friedrichs' suggestion asking councilors to briefly state
30 what departments and parts of the budget they still had questions about.

31
32 ***Chair Needell asked councilors to put their questions in writing and forward to***
33 ***Administrator Selig.***

34
35 Councilor Friedrichs said ze understands the effect of inflation on the budget and that it's
36 going to be the town's norm in the future. Ze said ze is mindful how property taxes factor
37 into how affordable it is to live. Ze does have some cuts ze'd like to suggest. Ze feels the
38 town could get to its goal of last year's budget plus inflation.

39

1 Chair Pro Tem Friedman asked if ze was aware that the estimate of the amount of cuts to
2 do that is \$468,000. Ze nodded yes.

3
4 Councilor Register said he appreciates all the work on the budget and how diligently the
5 departments worked to provide helpful answers to questions. He is overall pleased with
6 the budget, glad to support salary increases, and his only concern is with the Wagon Hill
7 farmhouse money. He will investigate the LCHIP requirements. He's worried about the
8 austerity the town is facing; it can't do an Option 3 or an Option 2.

9
10 Chair Pro Tem Friedman said the Town Council goal for the budget, keeping it in line
11 with inflation, is a worthwhile goal and he would work on getting the \$468,000 off the
12 current year's budget to reach that goal. He has some ways he thinks the town can do
13 that, which he will forward to Administrator Selig for distribution to the Council.

14
15 Councilor Grant said she understands the need for salary increases in the budget and she
16 is focusing on the large percentage increase in the remaining budget items and digging
17 into them. She noted in the Recreation Department budget an increase in incoming fees,
18 but it didn't record the income the town will receive from them.

19
20 Councilor Friedrichs said ze was also looking at the remaining budget items section also.

21
22 Councilor Lund said he has some concerns about this budget and he had sent a note to
23 Ms. Jablonski about a line that was zeroed out. He said he also had questions on the
24 recreation department budget about the large increase in afterschool services, what is
25 driving that and what revenue offsets that. He also was looking at some items in the
26 Capital Improvement Plan for both the fire department and for the wastewater treatment,
27 which he will put into writing and submit to Administrator Selig.

28
29 Chair Needell said she's the only person suggesting the town spend more money on the
30 fire department, a concern she sent in an email that was shared with everyone, in terms of
31 the overtime they spent this year and if there's something we can work with the fire
32 department on to avoid that in the future.

33
34 Councilor Bubar is looking at the water and wastewater budgets and directed councilors
35 to Page 24 of the information booklet. He feels the numbers can't be correct and he's
36 trying to reconcile them. He said there are other areas where numbers don't correlate.
37 Chair Needell asked that he highlight those for Ms. Jablonski and Administrator Selig.
38 He said he is disappointed that the library has no source of revenue and works overtime
39 for events. Library Director Sheryl Bass said the three exempt employees don't work
40 overtime and they change their schedules to accommodate events. She also said the

1 building is set up so late meetings can take place without them on site. She confirmed no
2 revenue is being generated by the library. Councilor Bubar asked about the funds from
3 the Trustees they receive and she said it's about \$20,000 a year. He said in 2021 the
4 library received \$41,000. She explained the contributions were for special programming
5 and events, and discussion followed.

6
7 Administrator Selig asked if there are departments where there are no concerns so the
8 staff members don't have to come back for another meeting. Councilors discussed the
9 various departments and different meeting formats where the budget could be discussed
10 in more detail.

11
12 Administrator Selig said for the Dec. 2 meeting, agenda setting will have to leave
13 reasonable time for the Workforce Housing Overlay District discussion and the budget
14 discussion. He noted there will also be a budget session on Dec. 9 and the last meeting on
15 Dec. 16 before the holiday break so there are three opportunities for the Council to talk
16 about the budget.

17
18 Councilor Ford asked if some of the town staff could be allowed to go home since it was
19 getting so late.

20
21 Councilor Friedrichs added ze had questions for IT and Assessing, but not for Planning,
22 Code or the Town Clerk.

23
24 Chair Needell asked councilors to send concerns and questions to Administrator Selig
25 and he said he'd come up with a schedule for the departments.

26
27 **XII. Approval of Minutes** of the Nov. 4, 2024 meeting

28
29 *Chair Pro Tem Friedman MOVED to accept the minutes of the Nov. 4 meeting as*
30 *amended. Councilor Bubar SECONDED the motion. The minutes were APPROVED*
31 *on a unanimous hand vote.*

32
33 **XIII. Councilor and Town Administrator Roundtable - None**

34
35 Councilor Friedrichs suggested putting an explanation of the lead testing letter that went
36 out to some residents in the Friday Update this week.

37
38 Administrator Selig - Flag Statement

39
40 Administrator Selig said he has decided to display an American flag on the bumper of his
41 new car to honor his father who served in the U.S. Air Force in Vietnam and it's due to
42 him that he is proud to be an American. He said displaying this flag is not a political
43 statement of any kind. He said the flag is a positive symbol of our country and the

1 important democratic values it represents. He said the flag does not belong to any person,
2 party or campaign. It belongs to all of us.
3

4 **XIV. New Business - None**

5
6 **XV. Nonpublic Session (if required) - Not required.**
7

8 **XVI. Extended Councilor and Town Administrator Roundtable (if required) - Not**
9 **required**

10
11 **XVII. Adjourn (NLT 10:30 PM)**

12
13 *Councilor Grant MOVES to adjourn the meeting. Councilor Lund SECONDS the*
14 *motion, which passes on a unanimous hand vote.*
15

16 **The meeting is adjourned at 10:58 PM**

17
18 *- Jane Murphy, Minutes Taker*