



Town Of Durham

Planning Board Minutes

Fire Station Meeting Room, 6:30 pm

September 4, 2024

1. Roll Call & Determination of a Quorum

In attendance: John Talbot (Chair), Juliet Caplinger (Vice Chair), Allan Purinton, Brian Lanoie, Marc Derr and George Theborge (Town Planner).

Absent (excused): Tyler Hutchison and Anne Torregrossa

Guest(s): Michael Friendly (Conservation Commission)

2. Amendments to the Agenda:

Remove June 5th & July 10, 2024 under acceptance of meeting minutes and add August 7th, 2024.

3. Acceptance of Meeting Minutes (August 7, 2024)

Juliet Caplinger moved to accept the meeting minutes for August 7th. **Allan Purinton seconded; motion carried 5 – 0.**

4. Informational Exchange on Non-Agenda Items:

a) Town officials (George Theborge, Town Planner)

- The Community Facilities Steering Committee met on August 26th, 2024 to begin the project of a long-term vision for the Town Offices, Fire Station, Eureka Center and the Ball Field. Greater Portland Community of Governments (GPCOG) will be facilitating the process for the long-term vision.
- The Resource Protection Working Group finished up their work on August 28th.
- Update on the Codification: The consultants sent out a new proposed outline for the Land Use Ordinance to make it more standardized as to where things are located within the ordinance and a new numbering system to follow their standard formatting for the digital version that will be online. They will be conducting a legal review of problematic areas and flagging those areas and giving examples for possible fixes. The Planning Board requested a copy of the proposal.

b) Residents: Michael Friendly (Representing the Conservation Commission)

- The Conservation Commission is creating a map of resources for solar energy systems.
- The Commission is discussing whether or not a fee schedule for compensation of land that is developed should be established.
- Neither initiative will be ready for the 2025 Town Meeting.

c) Non-Residents: None

5. New Business:

a.) Completeness Review of Preliminary Plan Application for Proposed Phase 2 of Bowie Hill Subdivision, Map 10, Lot 38

At the August 7th Planning Board meeting the applicant asked to be extended until the September 4th meeting. The applicant has not completed the application, and the Board cannot begin a formal review of the application until all information stated in the application checklist is completed. The following items need to be addressed:

- Application fees & review escrow not paid
- Complete and accurate application form
- Location map w/ required information
- Preliminary subdivision plan labeled as such
- Complete title block with map & lot number
- Survey plan by registered surveyor
- Septic system test pit logs for Lot 26
- Names and addresses of all adjoining landowners
- Existing buildings on lots in Phase 1
- Proposed cleared areas on each lot

Juliet Caplinger moved to rule the application as incomplete and to provide the applicant with a letter explaining the decision. **Marc Derr seconded.**

Juliet Caplinger amended her motion to include the items listed above. Brian Lavoie seconded; motion carried 5 – 0.

6. Other Business:

a.) Planning Board Discussion of Land Use Policy Issues for Next Town Meeting

Status Reports on Potential Land Use Policy Proposals:

1. Battery Energy Storage Systems

- The Planning Board passed a motion to recommend a moratorium on battery energy storage systems for presentation to the Select Board at the first September Select Board meeting.
- The packet contains a draft moratorium ordinance prepared by the Town Planner that will be presented to the Select Board with the Planning Board’s recommendation. The Town Planner will recommend submitting it for review by the Town Attorney.

2. Resource Protection District Revisions

- The Resource Protection Working Group reviewed the detailed research on buildings in the RP District on July 31st. Three options to grant property owner relief were under review:
 1. Remove all areas designated by Beginning with Habitat as “developed areas” from Resource Protection;

2. Create a 250-foot “development buffer” around existing buildings to allow expansions without Board reviews; or,
3. Create a 100-foot “development buffer” around existing buildings to allow expansions without Board reviews.

- The Working Group asked the Select Board for direction on whether the first option exceeded the charge of the Working Group to grant relief to property owners with buildings in Resource Protection.
- The Town Planner met with the Select Board on August 13 and the Board indicated that Option 1 goes beyond the scope of the charge and should not be pursued further.
- Based on input from the Working Group and Select Board, the Town Planner has recommended that the Working Group wrap up its work on the RP revisions and present Option 3 with a refinement to give differential treatment for floodplains and large forested wetlands versus the more sensitive resources of stream and waterfowl habitat buffers.
- The Planning Board set a tentative date of November 13th for a public information hearing on the proposed land use policies at the Fire Station at 6:30pm.

7. Adjourn:

Allan Purinton moved to adjourn the meeting. **Juliet Caplinger** seconded; motion carried **5 – 0**. Meeting adjourned at 8:32 pm.