



TOWN OF DURHAM  
15 NEWMARKET ROAD  
DURHAM, NH 03824-2898  
Tel: 603/868-5571  
Fax: 603/868-5572

## **AGENDA**

**DURHAM TOWN COUNCIL**  
MONDAY, SEPTEMBER 26, 2011  
DURHAM TOWN HALL - COUNCIL CHAMBERS  
7:00 PM

**NOTE:** THE TOWN OF DURHAM NEEDS 48 HOURS NOTICE IF YOU  
REQUIRE SPECIAL COMMUNICATION AIDS

- I. Call to Order
- II. Approval of Agenda
- III. Special Announcements
- IV. Approval of Minutes  
August 15, 2011
- V. Councilor and Town Administrator Roundtable
- VI. Public Comments (NLT 7:30 PM)
- VII. **Unanimous Consent Agenda** (*Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote*)
  - A. Shall the Town Council, upon recommendation of the Administrator, approve a special event permit application submitted by the UNH Wildcat Marching Band to close a portion of Main Street for the band to march from Main Street in front of Thompson Hall to the entrance of Cowell Stadium during 2011 UNH home football games?
  - B. Shall the Town Council adopt a schedule of supplemental meeting dates for the purpose of deliberating the proposed FY 2012 Operating, Capital, and Special Fund Budgets and the 2012-2021 Capital Improvement Plan, and schedule a public hearing for the proposed FY 2012 budgets for Monday, November 14, 2011?
- VIII. **Committee Appointments**
  - A. Shall the Town Council appoint Steven Weglarz, 19 Cedar Point Road, to the Durham Energy Committee?

- B. Shall the Town Council appoint Nathan Trauntvein, 15 Griffiths Drive, as a regular member to the Parks and Recreation Committee?
- C. Shall the Town Council move Albert LaRoche, a regular member on the Durham Agricultural Commission, to fill the remaining alternate member term vacancy and appoint Raymond LaRoche, Jr. to fill Albert LaRoche's regular member term?

**IX. Presentation Items**

- A. Update on Durham Public Library fund-raising and design efforts - Doug Bencks, Chair, DPL Board of Trustees
- B. Thomas Kelly, UNH Office of Sustainability

**X. Unfinished Business**

- A. **PUBLIC HEARING AND POSSIBLE ACTION** on a proposed resolution to temporarily change the future disposition of the Town's Land Use Change Tax (LUCT)
- B. **ACTION ON ORDINANCE #2011-05**, a Council-initiated ordinance, in accordance with Section 175-14 (B) of the Durham Zoning Ordinance, that would amend Article XII, Zone Requirements, Section 175-53 (A), the "Table of Uses", of the Durham Town Code, to allow single-family residences as a permitted use in the Professional Office District

**XI. New Business**

**XII. Nonpublic Session (if required)**

**XIII. Extended Councilor and Town Administrator Roundtable (if required)**

**XIV. Adjourn (NLT 10:30 PM)**



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AGENDA ITEM: # 4

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Durham Town Council

**AGENDA ITEM:** APPROVE THE TOWN COUNCIL MEETING MINUTES FOR  
AUGUST 15, 2011

**CC PREPARED BY:** Jennie Berry, Administrative Assistant

**PRESENTED BY:** Todd I. Selig, Town Administrator

**AGENDA DESCRIPTION:**

Attached for the Council's review and approval are the minutes for the Town Council meetings held on Monday, August 15, 2011.

Please call Jennie Berry with any grammatical/spelling changes prior to the meeting. Discussion at Monday evening's meeting should be limited only to substantive changes.

**LEGAL AUTHORITY:**

RSA 91-A:2 (II) specifies what must be contained in minutes of public meetings: *"Minutes of all such meetings, including names of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection not more than 5 business days after the public meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any body or agency, or any subordinate body thereof, without exception."*

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION 1:**

*The Durham Town Council does hereby approve the Town Council meeting minutes for August 15, 2011 (as presented) (as amended).*



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AGENDA ITEM: **#7A**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Casey Goodwin, Director, UNH Marching Band  
Megan Davis, Executive Assistant to the President, UNH

**AGENDA ITEM:** SHALL THE TOWN COUNCIL APPROVE A SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY THE UNH MARCHING BAND TO CLOSE A PORTION OF MAIN STREET FOR THE BAND TO MARCH FROM MAIN STREET IN FRONT OF THOMPSON HALL TO COWELL STADIUM DURING 2011 UNH HOME FOOTBALL GAMES?

**PREPARED BY:** Jennie Berry, Administrative Assistant

**PRESENTED BY:** Casey Goodwin, Director, UNH Marching Band  
Megan Davis, Executive Assistant to the President, UNH

### **AGENDA DESCRIPTION:**

Attached is a special event permit application submitted by Casey Goodwin Director, UNH Marching Band, requesting that a portion of Main Street from the area in front of Thompson Hall to Cowell Stadium be temporarily closed for the UNH Marching band during the UNH home football games. This is an annual event held by the University of New Hampshire. The home game schedule is as follows:

Saturday, October 1, 2011	12:00 noon
Saturday, October 8, 2011	12:00 noon
Saturday, October 29, 2011	12:00 noon
Saturday, November 5, 2011	12:00 noon
Saturday, November 19, 2011	12:00 noon

A representative from the UNH Marching Band has been asked to attend Monday evening's meeting to answer questions that Councilors may have relative to this permit application.

The Administrator has reviewed and recommends approval of this Special Event Permit.

**LEGAL AUTHORITY:**

RSA 41:11 and RSA 47:17 authorize the Town Council to regulate the use of public highways.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby approve the special event permit application submitted by Casey Goodwin, UNH Marching Band Director, requesting that a portion of Main Street in front of Thompson Hall to Cowell Stadium be temporarily closed for the UNH Marching Band during the UNH home football games scheduled as follows:*

<i>Saturday, October 1, 2011</i>	<i>12:00 noon</i>
<i>Saturday, October 8, 2011</i>	<i>12:00 noon</i>
<i>Saturday, October 29, 2011</i>	<i>12:00 noon</i>
<i>Saturday, November 5, 2011</i>	<i>12:00 noon</i>
<i>Saturday, November 19, 2011</i>	<i>12:00 noon</i>



## TOWN OF DURHAM

15 Newmarket Road

Durham, NH 03824

Tel: (603) 868-5571

Fax: (603) 868-5572

Email: [jberry@ci.durham.nh.us](mailto:jberry@ci.durham.nh.us)

## PERMIT APPLICATION

### TYPE OF PERMIT (Please check one):

Special Event

Road Closure Request

Use of Town Property

2011 - 10/1, 10/8,

DATE OF EVENT: 10/29, 11/5, 11/19 TIME(S) OF EVENT: 11:20 AM (11:25 on 10/1)

NAME OF APPLICANT/ORGANIZATION: UNH Wildcat Marching Band

PERSONAL CONTACT FOR THIS EVENT: Casey Goodwin

ADDRESS: Music Dept. PCAC 30 Academic Way Durham, NH 03824

TELEPHONE NO.: DAY: 862-3259 EVENING: 781-4259

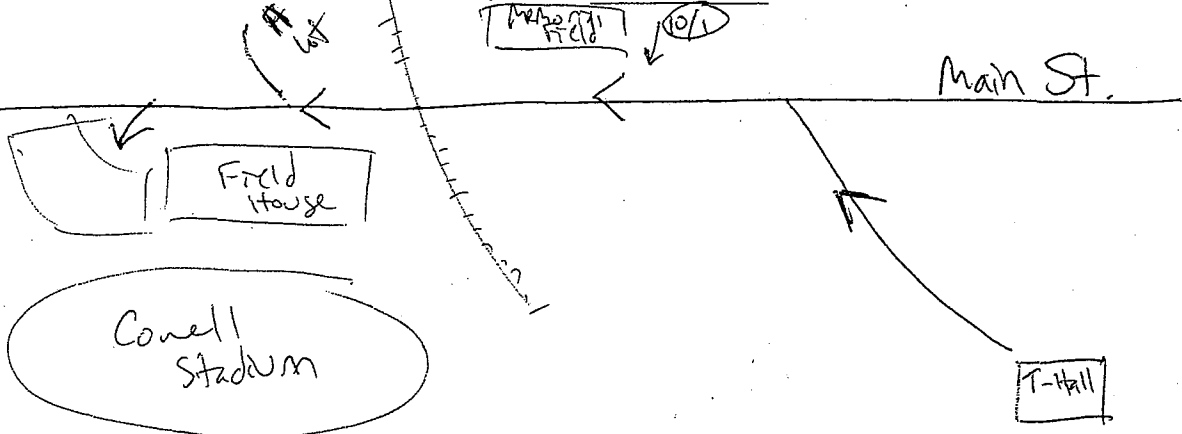
EMAIL: Casey.Goodwin@unh.edu

DETAILED DESCRIPTION OF REQUEST (Pertaining to amplified music, location, route of travel. Please attach maps denoting routes and road closures):

The marching band will march a brief "parade" from Main St. in front of Thompson Hall to the entrance of Cowell Stadium before football games on the Saturdays listed above (departing from the front of the Whittemore Center on 10/1).

ANTICIPATED NUMBER OF PARTICIPANTS: 106

ANTICIPATED NUMBER OF VEHICLES: 0



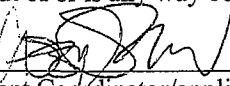
CERTIFICATE OF INSURANCE INFORMATION

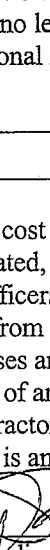
As evidence of its financial ability to indemnify the Town of Durham, during the term of this agreement, the applicant shall obtain and pay premiums for Commercial General Liability insurance protecting the parties hereto, their agents, officers, elected officials, representatives, or employees because of bodily injury, property damage, personal injury or products liability incurred by the parties in the performance of the terms of this lease, such policy to provide limits no less than \$1 million per occurrence. A Certificate of Insurance naming the Town of Durham as an Additional Insured shall be provided.

Insurance Carrier: On file

Policy Number and Expiration Date: \_\_\_\_\_

The undersigned hereby agrees, at its sole cost and expense, to defend, indemnify and hold harmless the Town of Durham and all associated, affiliated, allied and subsidiary entities of the Town, now existing or hereinafter created, and their respective officers, boards, commissions, employees, agents, and contractors (hereinafter referred to as "indemnities") from and against any and all liability, obligation, damages, penalties, claims, liens, costs, charges, losses and expenses which may be imposed upon, incurred by or asserted against the indemnities by reason of any act or omission of the undersigned, its personnel, employees, agents, contractors or subcontractors which results in damage or injury of any kind to any person or any property and which arises out of or is any way connected with the activities permitted by this permit.

Casey S. Goodwin  9/6/2011  
Printed Name and Signature of Event Coordinator/applicant Date

Megunsa  9/6/14  
Printed Name and Signature of Principal/Owner/Authorizing Authority Date

\*\*\*\*\*

**FOR OFFICIAL USE ONLY**

Reviewed by DPW  OK plus linked  
Comments:

Reviewed by PD  Pere Kelly  
Comments:

Reviewed by PD  Paul H. Dean  
Comments:

Approved

\_\_\_\_\_  
Todd I. Selig, Town Administrator Date



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AGENDA ITEM: **#7B**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Todd I. Selig, Town Administrator

**AGENDA ITEM:** SHALL THE TOWN COUNCIL ADOPT A SCHEDULE OF SUPPLEMENTAL MEETING DATES FOR THE PURPOSE OF DELIBERATING THE PROPOSED FY 2012 OPERATING, CAPITAL, AND SPECIAL FUND BUDGETS AND 2012-2021 CAPITAL IMPROVEMENT PLAN, AND SCHEDULE A PUBLIC HEARING ON THE PROPOSED FY 2012 BUDGETS FOR MONDAY, NOVEMBER 14, 2011?

**CC PREPARED BY:** Jennie Berry, Administrative Assistant

**CC PRESENTED BY:** Todd I. Selig, Town Administrator

**AGENDA DESCRIPTION:**

The proposed FY 2012 Operating Budgets and 2012-2021 Capital Improvement Plan are in the final process of completion and will be ready for presentation to the Town Council for the meeting on Monday, November 7<sup>th</sup>.

Historically, the Town Council has held meetings every Monday evening throughout the months of November and December until the budget and CIP have been adopted.

**LEGAL AUTHORITY:**

Section 5.3 "Budget hearings" of the Durham Town Charter:

"The Town Council shall hold in convenient places as many public hearings on the budget as it deems necessary, but at least one (1) public hearing on the budget shall be held at least fourteen (14) days before its final adoption by the Council at such time and place, convenient to the public, as the Council shall direct. Notice of such public hearing, together with a copy of the budget as submitted, shall be posted in two (2) public places and published once at least one (1) week in advance by the Town Clerk."

Section 5.4 "Final date for budget adoption" of the Durham Town Charter:

"The budget shall be adopted not later than the last workday of the preceding fiscal year....Failure by the Council to adopt a budget by the deadline established in this section will establish the budget as recommended by the Administrator as the adopted budget."

Section 5.8 "Capital Improvement Plan" of the Durham Town Charter:

"A. The Town Administrator, after consultation with the Planning Board, shall prepare and submit to the Council a capital improvements plan at least one (1) month prior to the final date for submission of the budget. The capital improvements program shall include:

1. A clear summary of its contents.
  2. A list of all capital improvements, including major replacements, which are proposed to be undertaken during the next six (6) fiscal years, including but not limited to equipment, sewer and water mains or facilities, roads, sidewalks, bicycle paths or lanes, public open spaces and recreation facilities, new police and/or fire stations and other new public facilities and major items of equipment, with appropriate supporting information as to the necessity for such improvements.
  3. Cost estimates methods of financing and a recommended time schedule for each such improvement.
  4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.
- B. The capital improvements plan shall be based on a period of not less than six (6) years and shall include reference to or be influenced by, where appropriate, the Town Master/Comprehensive Plan.
- C. The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION #1:**

*The Durham Town Council hereby adopts the following schedule of special meeting dates, in addition to its regular legislative meeting dates, to deliberate, discuss, and take action on the proposed FY 2012 Operating, Capital, and Special Fund Budgets and 2012-2021 Capital Improvement Plan:*

*Monday, November 14, 2011      7:00 PM*  
*Monday, November 28, 2011      7:00 PM*  
*Monday, December 19, 2011      7:00 PM (if necessary)*

**MOTION #2:**

*The Durham Town Council hereby schedules a Public Hearing for the proposed FY 2011 Operating, Capital, and Special Fund Budgets for Monday, November 14, 2011, in accordance with Section 5.3 "Budget Hearings" of the Durham Town Charter.*



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AGENDA ITEM: # **8A**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Steve Weglarz, 19 Cedar Point Road

**AGENDA ITEM:** SHALL THE TOWN COUNCIL APPOINT STEVE WEGLARZ, JR.,  
19 CEDAR POINT ROAD, TO THE DURHAM ENERGY  
COMMITTEE?

**CC PREPARED BY:** Jennie Berry, Administrative Assistant

**PRESENTED BY:** Todd Selig, Town Administrator

**AGENDA DESCRIPTION:**

On September 12, 2011, the Durham Town Council passed Resolution #2011-17 to change the membership on the Durham Energy Committee by replacing the Public Works Department representative position with a community member and increasing the total number of positions to be as many as nine (9) members.

There are currently two citizen vacancies on the Durham Energy Committee (DEC).

Attached for the Council's review is a completed application for board appointment submitted by Steve Weglarz, 19 Cedar Point Road who is interested in being appointed to fill one of the two remaining vacancies on the DEC. This committee does not have term expirations. Mr. Weglarz would also like for the Council to know that he recently completed a Residential Energy Auditor course and is currently attending a Commercial Energy Auditor course.

DEC Chair Kevin Gardner has been provided with Mr. Weglarz's application for his information. Mr. Weglarz has been invited to attend Monday night's meeting for introduction to the Council if he so desires.

**LEGAL AUTHORITY:**

Durham Town Charter, Section 11.5 "Vacancies in Elected or Appointed Office" states:

*Unless otherwise specified in this Charter, in the event of a vacancy in an elected or appointed office, board, commission or committee of the town, the Town Council shall fill*

*that vacancy by appointment, such appointment to continue until the next town election for elected positions or the remainder of a person's term if an appointed position."*

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby APPOINT Steve Weglarz, Jr., 19 Cedar Point Road, to the Durham Energy Committee.*



# Town of Durham

15 Newmarket Road  
Durham, NH 03824-2898  
Tel: 603/868-5571  
Fax 603/868-5572

## Application for Board Appointment

Position Desired (specify one only):

New  Reappointment  Regular  Alternate

Name: Steve Weglarz, Jr. Date: Aug 9, 2011

Address 19 Cedar Pt. Rd., Durham, NH

E-Mail Address: sweglarzjr@yahoo.com

Home Telephone: 740-4646 home, 502-1914 cell

Board/Commission/Committee you are interested in being appointed to. (Please list in order of preference, if interested in more than one appointment).

1. Durham Energy Committee
2. \_\_\_\_\_
3. \_\_\_\_\_

Please provide a brief explanation for your interest in appointment to a particular board, commission or committee:

I have been concerned about our region's unique and overwhelming dependence on foreign oil. Along with energy conservation measures, I believe we need to invest in large scale biomass heating systems not only to save money, but to improve our local economy and create a better future for our children.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please provide brief background information about yourself:

Graduated from UNH in 1983 with a degree in Zoology, have worked as a commercial salmon farm manager and manager of a retail hardwood flooring store, currently in a job transition and becoming a certified energy auditor. Have been involved with oyster restoration efforts in Great Bay Estuary and hold a shellfish aquaculture permit to raise oysters and clams. Resident of Durham since 1996 on Cedar Point Rd., where our winter thermostat setting is 59 degrees. Busy home with wife Tess, 3 boys and 1 girl who together enjoy skiing, mountain biking, fishing and lacrosse.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---Continued on back---

Please provide below the names and telephone numbers of up to three personal references:

Name: Bob Carbone \_\_\_\_\_  
Telephone: 303-1445 \_\_\_\_\_

Name: Ted Mulligan \_\_\_\_\_  
Telephone: 313-4521 \_\_\_\_\_

Name: Christine Henderson \_\_\_\_\_  
Telephone: 498-3459 \_\_\_\_\_



Thank you for your interest in serving the Town. Please return this application, along with a resume, if available, to: Town Administrator, 15 Newmarket Road, Durham, NH 03824

## Stephen P. Weglarz, Jr.

19 Cedar Point Road, Durham, New Hampshire 03824

[sweglarzjr@yahoo.com](mailto:sweglarzjr@yahoo.com)

603.502.1914

Objective: To secure a challenging and rewarding position with a dynamic, forward thinking company, building on my management background, creativity and solid work ethic.

### EXPERIENCE:

#### **Retail Store Manager, April 1998 – December 2010**

##### **Lumber Liquidators, Manchester, NH**

Responsible for managing daily operation of the wood flooring retail business, achieving and exceeding store sales and profit goals on monthly (\$500,000) and annual basis while adhering to company policies and governmental regulations, ensuring customer satisfaction. Duties include, but not limited to:

- Lead a team of 5 associates while overseeing a store with annual sales of \$6 million
- Employee team management– payroll, scheduling, conflict resolution, disciplinary action, hiring, training, performance reviews, general problem solving.
- Warehouse and inventory management, receiving POs and transfers on bi-weekly basis
- Guiding customer through purchase process, and post purchase Customer Care
- Driving sales through prospecting, lead follow up and contact management

##### *Notable achievements:*

- Maintained smooth daily operation through complete reconstruction project of Manchester facility during period between May and October 2008.
- Developed strong team through recent period of high turnover and promoted 5 associates under my leadership to management positions within the company.
- Personally implemented an innovative sales technique, optimizing profit margins in specialty sector, which is now being used as a model for the entire company, nationwide.
- Consistently produced strong sales results by driving business and exceeding annual sales goal, including achieving the top rank regionally for add-on sales and profit margin in 2009.
- Awarded highest level of compensation and equity bonuses for store performance, 2009.

#### **Project Manager and Service Team Leader, May 1996 – April 1998**

##### **Marine Biotech, Inc. (aka Aquatic Habitats) Beverly, MA**

- Designed and oversaw manufacture of water treatment and biofiltration systems for aquatic animals used in applied genetics research
- Trained and supervised multiple project production teams
- Led on site installation and maintenance teams at university and government research facilities
- Fabricated aquaria and holding systems for live seafood, including automated water quality monitoring equipment
- Aquaculture service representative providing technical assistance with water recirculation technology and hatchery management protocol

#### **Managing Director, June 1984 – August 1992**

##### **New England Fish Farming Enterprises, Inc., Bristol, NH**

- Responsible for all aspects of commercial Atlantic Salmon hatchery operation
- Sales, marketing, account maintenance, budgeting, inventory control, personnel management
- Engineered facility expansion, installed and maintained UV water sterilization unit, oxygen injection system, and degassing device to treat well water nitrogen supersaturation
- Implemented fish health maintenance policy, administered pharmaceutical therapy, spawning and egg incubation program

EDUCATION: Bachelor of Arts, Zoology, University of New Hampshire, Durham, 1983

COMPUTER SKILLS: Microsoft Office, Prelude, SAP

INTERESTS: Skiing, mountain biking, renewable energy, fishing, kids lacrosse, oyster farming.

CERTIFICATIONS: National Ski Patrol, PSPA, PSIA Level 1, OSHA Forklift Safety Trainer, NAUI Open Water II

SCUBA



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AGENDA ITEM: **# 8B**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Nathan Trauntvein, 15 Griffiths Drive

**AGENDA ITEM:** SHALL THE TOWN COUNCIL APPOINT NATHAN TRAUNTVEIN, 15 GRIFFITHS DRIVE, TO FILL THE REGULAR MEMBER VACANCY ON THE PARKS AND RECREATION COMMITTEE?

**CC PREPARED BY:** Jennie Berry, Administrative Assistant

**PRESENTED BY:** Todd Selig, Town Administrator

**AGENDA DESCRIPTION:**

The Parks and Recreation Committee currently has one regular member and one alternate member vacancy.

Attached for the Council's review is a completed application for board appointment submitted by Nathan Trauntvein, 15 Griffiths Drive, who is interested in being appointed to fill the regular member vacancy with a term ending April 30, 2014.

P&R Committee Chair Diane Moore has been provided with Mr. Trauntvein's application for her information. Mr. Trauntvein has been invited to attend Monday night's meeting for introduction to the Council if he so desires.

**LEGAL AUTHORITY:**

Durham Town Charter, Section 11.5 "Vacancies in Elected or Appointed Office" states:

*Unless otherwise specified in this Charter, in the event of a vacancy in an elected or appointed office, board, commission or committee of the town, the Town Council shall fill that vacancy by appointment, such appointment to continue until the next town election for elected positions or the remainder of a person's term if an appointed position."*

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION:**

*The Durham Town Council does hereby APPOINT Nathan Trauntoein, 15 Griffiths Drive, to fill the regular member vacancy on the Parks and Recreation Committee, said term to expire on April 30, 2014.*



## Town of Durham

15 Newmarket Road  
Durham, NH 03824-2898  
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APR 31, 2014

### Application for Board Appointment

Name: Nathan Trautvern Date: 9-9-11

Address: 15 Griffiths Drive

E-Mail Address: nct34@unh.edu

Home Telephone: 603-292-6189 or 435-770-7430

Board/Commission/Committee you are interested in being appointed to. (Please list in order of preference, if interested in more than one appointment).

1. Parks and Recreation Reg Vacancy
2. \_\_\_\_\_
3. \_\_\_\_\_

Please provide a brief explanation for your interest in appointment to a particular board, commission or committee:

This position is of particular interest to me because I have 2 daughters that will benefit from a strong Park & Rec municipal organization. Further, I was a park & Rec director for a small city before becoming a professor.

Please provide brief background information about yourself:

I have a B.S. in Parks & Rec from Utah State University. Following that degree I served as the park & rec director for a small city in UT (Providence). I then obtained 2 graduate degrees in parks and rec and now I am a faculty member in Recreation Management and policy at UNH.

---Continued on back---

Please provide below the names and telephone numbers of up to three personal references:

Name: Dennis Nelson  
Telephone: 435-797-1509

Name: Andrew Mower  
Telephone: 814-865-2102

Name: Heather Bennett  
Telephone: 410-260-2484

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Thank you for your interest in serving the Town. Please return this application, along with a resume, if available, to: Town Administrator, 15 Newmarket Road, Durham, NH 03824



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AGENDA ITEM: # **8C**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Raymond LaRoche, Jr., 41 Bennett Road

**AGENDA ITEM:** SHALL THE TOWN COUNCIL MOVE ALBERT LAROCHE, A REGULAR MEMBER ON THE DURHAM AGRICULTURAL COMMISSION, TO FILL THE REMAINING ALTERNATE MEMBER TERM VACANCY AND APPOINT RAYMOND LAROCHE, JR. TO FILL ALBERT LAROCHE'S REGULAR MEMBER TERM?

**CC PREPARED BY:** Jennie Berry, Administrative Assistant

**PRESENTED BY:** Todd Selig, Town Administrator

**AGENDA DESCRIPTION:**

On August 15, 2011, the Council made appointments to the newly-established Durham Agricultural Commission. At that time, Albert LaRoche was appointed to fill one of the seven regular member positions. Appointments to four of the up to five alternate member positions were also made at that time, leaving one remaining alternate vacancy.

Attached for the Council's information is an application for board appointment submitted by Raymond LaRoche, Jr. indicating his interest in appointment to the Commission. Also attached is correspondence from Theresa Walker explaining that Raymond would like to serve as Vice Chair, but in order for that to happen, he would need to be appointed as a regular member. Albert LaRoche has graciously offered to become an alternate member in order for Raymond to fill his regular member vacancy.

**LEGAL AUTHORITY:**

Section 11.5 "Vacancies in Elected or Appointed Office" states:

Unless otherwise specified in this Charter, in the event of a vacancy in an elected or appointed office, board, commission or committee of the town, the Town Council shall fill that vacancy by appointment, such appointment to continue until the next town election for elected positions or the remainder of a person's term if an appointed position.

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION 1:**

*The Durham Town Council does hereby move Albert LaRoche from his current regular member position on the Durham Agricultural Commission to fill the remaining alternate member term vacancy, said term to expire on April 30, 2013.*

**MOTION 2:**

*The Durham Town Council does hereby appoint Raymond LaRoche, Jr. to fill the regular member term vacancy of Albert LaRoche, said term to expire on April 30, 2014.*



# Town of Durham

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## Application for Board Appointment

Type of Appointment and Position Desired (Please select only one):

New appointment/regular member  New appointment/alternate member   
Reappointment/regular member  Reappointment/alternate member

Name: RAY CAROCHÉ JR Date: 9-21-11

Address: 41 BENNETT RD DURHAM

E-Mail Address: \_\_\_\_\_

Home Telephone: 603-292-5563

Board/Commission/Committee you are interested in being appointed to. (Please list in order of preference, if interested in more than one appointment).

1. AG COMMISSION
2. \_\_\_\_\_
3. \_\_\_\_\_

Please provide a brief explanation for your interest in appointment to a particular board, commission or committee:

Been Res. for 53 YEAR- INVOLVED  
with AGRICULTURE ENTIRE LIFE-  
Still involved with AGRICULTURE AND  
would like to keep AGRICULTURE GOING  
IN DURHAM FOR MANY MORE YEARS

Please provide brief background information about yourself:

work for town of DURHAM for 23 YEARS-  
RUN AND OPERATE CAROCHÉ FARM-  
grow DIFFERENT TYPES OF GRAINS  
VEGETABLES - MAY CROPS RAISE Beef-  
CATTLE - MAPLE SUGARING -  
Composting

Please provide below the names and telephone numbers of up to three personal references:

Name: RAYMOND CARROLL SR

Telephone: 868-9659

Name: MIKE LYNCH

Telephone: 868-5578

Name: ALBERT CARROLL

Telephone: 659-4222



Thank you for your interest in serving the Town. Please return this application, along with a resume, if available, to: Town Administrator, 15 Newmarket Road, Durham, NH 03824

## Jen Berry

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**From:** Theresa Walker [theresawalker@comcast.net]

**Sent:** Tuesday, September 20, 2011 5:47 PM

**To:** Jen Berry

**Cc:** 'Diana Carroll'

**Subject:** RE: Ray LaRoche Junior's Application

Dear Durham Town Council - The newly created Durham Agricultural Commission met last night for the first time and we are off to a very productive start. We have one housekeeping chore that needs your attention. Raymond LaRöche, Jr. has submitted an application for membership and is interested in serving as Vice Chair of the Commission. In order to make this happen we need a vacancy. Raymond's uncle, Albert LaRoche is a full member and has generously offered to become an alternate so that there is a vacancy for Raymond. Would you please consider appointing Raymond to be a full member and appoint Albert as an alternate? Thanks very much, Theresa Walker



TOWN OF DURHAM  
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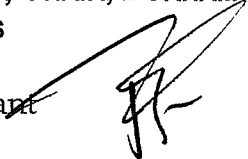
AGENDA ITEM: **# 9A**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Douglas Bencks, Chair, Durham Public Library Board of Trustees

**AGENDA ITEM:** UPDATE ON DURHAM PUBLIC LIBRARY FUND-RAISING AND DESIGN EFFORTS – DOUGLAS BENCKS, CHAIR, DURHAM PUBLIC LIBRARY BOARD OF TRUSTEES

**CC PREPARED BY:** Jennie Berry, Administrative Assistant 

**PRESENTED BY:** Douglas Bencks, Chair, Durham Public Library Board of Trustees

**AGENDA DESCRIPTION:**

Douglas Bencks, Chair of the Durham Public Library Board of Trustees, will be present at Monday night's Council meeting to provide Councilors with a report on the progress of the new library, specifically the Trustee's fund-raising efforts that have been in progress since April.

The Trustees believe they have made significant progress toward their goal of raising an additional \$900,000 to add to the previous \$1.2m received by the library trustees over the past 14 years. Mr. Bencks will also be prepared to speak to the proposed bond warrant article that would go hand in hand with these non-taxpayer funds to make the library building a reality. Attached is information that describes the potential tax impact of the bond and the changes in operating costs for the new building.

**LEGAL AUTHORITY:**

N/A

**LEGAL OPINION:**

N/A

Council Communication, 9/26/11  
Re: Update on DPL Fund-raising and Design Efforts  
Page 2

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action is required. Receive update from Library Trustee Chair Douglas Bencks on the fund-raising and design efforts for the new library and hold question and answer session if desired.

# COST OF THE NEW LIBRARY FOR DURHAM

## PROJECT BUDGET

Building Construction	2,800,000
Site Development	400,000
Telecom/Audio/Video	30,000
Pre-design Services	23,000
Design Services	312,000
Clerk of the Works	65,000
Furniture	180,000
Miscellaneous	70,000
Contingency	320,000

Project Budget	4,200,000
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Site Acquisition	600,000
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Total Capital Budget	4,800,000
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BOND - To keep the amount of the bond as low as possible the DPL Trustees are committed to raising \$2.1m. As of March 2010 we had received \$1.2m and since then we have another \$650k in pledges. The DPL Trustees are committed to having a bond that is no more than \$2.7m, if it is passed in March 2012.

Looking at borrowing costs provided by the Town Business Office, there are several variables that affect the tax bill impact of a bond. Most specifically the length of borrowing time (the data provided looks at 10, 15 or 20 years) and the interest rate (in this calculation we are using a higher interest rate than is currently available to be conservative) result in a wide range of potential impacts. It is also important to note that unlike a mortgage, this type of borrowing has a decreasing cost each year over the life of the bond. So the highest cost is the first full year, which is typically the second year of the bond. Using the data provided, the average cost per year of the \$2.7m bond is somewhere between 23-34 cents/\$1000 of property value (depending upon the length of time of borrowing and the interest rate). A 20 year bond at 5% would average about \$207,000/year (23 cents/\$1000). A 15 year bond at 4.5% would average \$269,000/year (27 cents/\$1000). A 10 year bond at 4% would average \$330,000/year (34 cents/\$1000).

If people think we should try to lower the cost of the project to reduce the burden to the taxpayers, the cost of a \$2.2m bond is somewhere between 19-29 cents/\$1000 (a nickel less). It would be very speculative to guess what the design and long term operating cost implications would be if we tried to reduce the cost by this much, but it shows that the savings is not significant.

The current tax rate is \$27.28/\$1000 of property value. The tax increase for this bond during the first full year of pay off would be between .8-1.2% of a properties current tax bill. A \$300,000 average property would pay an average of \$70-\$100 per year over the life of the bond. This is \$6-\$8.50/month, or \$1.35-\$1.90 week. If we generalize even more, it will be around a 1% increase in the tax rate, which is \$50 for every \$5,000 of taxes currently paid. Additionally, the library operating budget is about 1% of our property taxes. By building and operating this library the total cost will be no more than 2% to our tax bill, and is still below the average % of what municipalities typically expend on libraries.

OPERATIONS - The current library operating budget includes about \$265,000 of town funding.

Cost of Rent for existing space that will be avoided – The following will be offset by the elimination of the cost of rent today (\$56,000).

Energy - The project engineers have evaluated an energy model of the building design, and using current utility and fuel rates, the annual energy cost for the building operating a similar amount of hours to what occurs today (38 hours per week) is approximately \$33,000. Our current energy costs for our existing space is about \$6,000 annually. So the additional cost is about \$27,000 for the same number of hours of current operation. When the new building is operated 51 hours per week, the energy costs are estimated at \$47,000, resulting in a \$41,000 increase.

Technology – We anticipate having about twice as many computers in the new library as we have today. The current annual cost to operate our computers is about \$8,000. The estimated additional cost to maintain and manage the increased number of computer resources is approximately \$2,000.

Staffing – There are three aspects to staffing, one is the staffing needed to operate a larger facility, another is the number of hours the library is open, and the third is the generally increasing levels of activity that are already occurring. The new building has been designed to require limited additional staffing that at the current amount of hours of operation (38 hours) would cost only \$27,000 more than today. This is the additional cost of staffing the building. However, library staffing needs to be increased even now to deal with the growing usage and activities with up to two additional full time equivalent (FTE) positions. This will increase the number of full time staff from 1 to 3 and will provide a much higher level of service than is available today. This staffing will also provide for an increase to 51 operating hours per week to take full advantage of the capital investment in the building. The modest pay for an average library position results in an additional cost of approximately \$70,000 to provide more hours and services.

With the changes shown above the operating costs at the current amount of hours of operation would be no greater than that for the existing space because of the elimination of the cost of rent. However, with the capital investment being made by this project, a more common level of hours of operation (51 hours) will provide a significantly greater level of service to the community, and serve a much greater number of patrons at an increased cost of up to \$57,000 in today's dollars.

The library will continue annual fundraising to augment our operating budget. In recent years these outside funds have contributed between \$18,000-\$25,000 annually.



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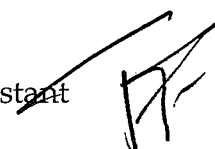
AGENDA ITEM: **# 9B**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Diana Carroll, Chair, Durham Town Council

**AGENDA ITEM:** RECEIVE UPDATE FROM THOMAS KELLY, UNH OFFICE OF SUSTAINABILITY

**CC PREPARED BY:** Jennie Berry, Administrative Assistant 

**PRESENTED BY:** Thomas Kelly, Chief Sustainability Officer, UNH Office of Sustainability

### **AGENDA DESCRIPTION:**

The first item listed on the Town Council's adopted list of goals for 2011/12 is to "Pursue long-term economic and environmental sustainability by embracing the concept of sustainability in its broadest terms, including regional concerns, implementation of continuous improvement "Kaizen" principles, encouraging thoughtful development and redevelopment, diversifying and expanding the tax base, preserving and protecting Durham's limited natural resources, exploring the possibility of an Agriculture Commission, ensuring the long-term viability of financial strategies, and implementing "new urbanism" principles where appropriate."

In keeping with this goal, Thomas Kelly from the UNH Office of Sustainability has been invited to attend Monday night's Council meeting to provide a brief update to Councilors regarding UNH's current efforts and programs toward sustainability.

### **LEGAL AUTHORITY:**

N/A

### **LEGAL OPINION:**

N/A

### **FINANCIAL DETAILS:**

N/A

### **SUGGESTED ACTION OR RECOMMENDATIONS:**

No formal action is required. Receive update from Thomas Kelly, UNH Office of Sustainability, and hold question and answer session if desired.



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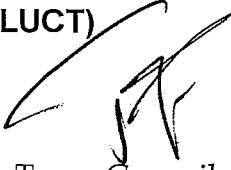
# **10A**

AGENDA ITEM:  
DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Neil Niman and Peter Stanhope Town Councilors

**AGENDA ITEM:** PUBLIC HEARING AND POSSIBLE ACTION ON RESOLUTION  
#2011-18 TEMPORARILY CHANGING THE DISPOSITION OF THE  
TOWN'S LAND USE CHANGE TAX (LUCT)

**CC PREPARED BY:** Neil Niman, Town Councilor 

**PRESENTED BY:** Neil Niman and Peter Stanhope, Town Councilors

### **AGENDA DESCRIPTION:**

The Town of Durham has faced an unprecedented number of property tax abatement requests. To settle many of these cases, the Town has reimbursed property tax payers for a portion of the taxes paid during previous tax years. To date, the amount paid out has been in excess of \$250,000. Unfortunately, there are additional abatement requests that have still not been resolved and the amount to be paid in the future might substantially increase the current total of payments.

To meet its financial obligations, the Town can offset these one-time property tax adjustments through a permanent increase in the tax rate, a reduction in spending (with a corresponding reduction in services), or utilize some of the unreserved fund balance. The challenge of raising property taxes at this moment of time is that the economy is still in recession making it difficult for some to pay their bills, the downshifting of costs by the State is creating other pressures which is having an adverse impact on the tax rate, and it is not clear that a permanent increase in the tax rate is the appropriate response to a one-time need for funds. Reducing spending has its own set of challenges given the Town Administrator's belief that any reduction will directly lead to a decrease in the services provided to the citizens in the town. Finally, the unreserved fund balance has consistently been used to artificially reduce the tax rate in the past, but is now at a level that is significantly below recommended levels.

A fourth alternative does exist however. That would be to offset a one-time need to finance property tax abatements with a one-time increase in property tax revenues. A one-time increase in property tax revenues might be realized if land comes out of current use and is placed in productive use in the town. Current use is a device that defers property taxes until a piece of land is brought into productive use. By

redirecting the land use change tax to the general fund, property tax revenues could be used to offset expenses created by a decrease in property taxes.

On August 3, 1992, the Town Council established a formal policy, via the adoption of Resolution #92-15 for the disposition of Land Use Change Tax (LUCT) receipts. This resolution deemed that fifty percent (50%) of all LUCT revenues after April 1, 1993 would be deposited in to the Conservation Commission Fund. This policy followed what had been the previous practice of the Council regarding the disbursement of LUCT revenues. On August 20, 2001, the Town Council adopted Resolution #2001-22 amending Resolution #92-15 by increasing the percentage of LUCT revenues deposited in to the Conservation Commission Fund from fifty percent (50%) to one hundred percent (100%).

Redirecting the land use change tax to the general fund under this proposal would only occur until April 1, 2015. It is meant to be a temporary solution to an extraordinary problem created by the large number of abatement requests. By the end of 2015, the Town should complete a total revaluation and the need for dollars to offset abatements should return to past normal patterns. The intent of this resolution is not to lead to a fundamental change in policy, but merely represents a short-term adjustment in response to a temporary, but significant financial problem.

Temporarily redirecting land use change tax dollars will not affect the current balance of funds in the Conservation Commission account. Nor does it prevent the Conservation Commission from bringing forward proposals to conserve land that would be financed through property tax dollars. What it does do is utilize property tax revenues to offset property tax declines, rather than having potential revenues placed in an account that may or may not be used between now and 2015.

At the September 12, 2011 Town Council meeting, the Council voted to schedule a public hearing on this matter for Monday, September 26, 2011. A Public Hearing notice was published in *Foster's Daily Democrat* on Thursday, September 15, 2011. The notice was also posted on the public bulletin board located outside the Town Hall, as well as at the Durham Public Library and the Department of Public Works.

Attached is a draft resolution for the Council's information and review.

**LEGAL AUTHORITY:**

RSA 79-A

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION OR RECOMMENDATIONS:**

**MOTION 1:**

*The Durham Town Council does hereby OPEN the public hearing on Resolution #2011-18 temporarily changing the disposition of the Town's Land Use Change Tax.*

**MOTION 2:**

*The Durham Town Council does hereby CLOSE the public hearing on Resolution #2011-18 temporarily changing the disposition of the Town's Land Use Change Tax.*

**MOTION 3:**

*The Durham Town Council does hereby ADOPT Resolution #2011-18 (as presented) (as amended) temporarily changing the disposition of the Town's Land Use Change Tax.*



**DRAFT**

## **RESOLUTION #2011-18 OF DURHAM, NEW HAMPSHIRE**

**AMENDING RESOLUTION #2001-22 BY DECREASING THE PERCENTAGE OF LAND USE CHANGE TAX REVENUE DEPOSITED IN THE CONSERVATION FUND FROM ONE HUNDRED PERCENT (100%) TO ZERO PERCENT (0%) UNTIL APRIL 1, 2015**

**WHEREAS**, the Durham Town Council, through Resolution #92-15 adopted the provisions of RSA 79-A:25, II and III which allows legislative bodies to vote to account for all revenues collected in Land Use Change Tax separated from the general fund; and

**WHEREAS**, through Resolution #92-15, the Town Council voted to deposit fifty percent (50%) of all Land Use Change Tax revenue received after April 1, 1993 into the Conservation Fund; and

**WHEREAS**, in 2001, the Council desired to increase the current percentage of revenue received from Land Use Change Tax to be deposited into the Conservation Fund from 50% to 100% and subsequently adopted Resolution #2001-22 to enact such a change;

**WHEREAS**, as a means of mitigating the cost of property tax abatements, the Town Council desires at this time to temporarily decrease the current percentage of revenue received from the Land Use Change Tax to be deposited into the Conservation Fund from 100% to 0% and place revenue from the Land Use Change Tax into the General Fund;

**NOW, THEREFORE BE IT RESOLVED** that the Durham Town Council, the governing body of the Town of Durham, New Hampshire does hereby approve Resolution #2011-18 amending Resolution #2001-22 as follows:

Now, therefore be it resolved that the Town Council of the Town of Durham, New Hampshire has determined that ~~one hundred percent (100%)~~ **no revenues received from Land Use Change Taxes received after April 1, 2002 before April 1, 2015 will be deposited in to the Conservation Fund. After April 1, 2015, one hundred percent (100%) of Land Use Change Taxes received will be deposited in to the Conservation Fund.**

**PASSED AND ADOPTED** by the Town Council of the Town of Durham,  
New Hampshire this \_\_\_\_ day of \_\_\_\_\_, **2011** by \_\_\_\_\_ affirmative votes,  
\_\_\_\_\_ negative votes, and \_\_\_\_\_ abstentions.

\_\_\_\_\_  
Diana Carroll, Chairman  
Durham Town Council

**ATTEST:**

\_\_\_\_\_  
Lorrie Pitt, Town Clerk-Tax Collector



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AGENDA ITEM: **# 10B**

DATE: September 26, 2011

## COUNCIL COMMUNICATION

**INITIATED BY:** Councilor Julian Smith

**AGENDA ITEM:** ACTION ON ORDINANCE #2011-05, A COUNCIL-INITIATED ORDINANCE IN ACCORDANCE WITH SECTION 175-14 (B) OF THE DURHAM ZONING ORDINANCE, THAT WOULD AMEND ARTICLE XII, ZONE REQUIREMENTS, SECTION 175-53 (A), THE "TABLE OF USES", OF THE DURHAM TOWN CODE, TO ALLOW SINGLE-FAMILY RESIDENCES AS A PERMITTED USE IN THE PROFESSIONAL OFFICE DISTRICT

**CC PREPARED BY:** Councilor Julian Smith

**PRESENTED BY:** Councilor Julian Smith

### **AGENDA DESCRIPTION:**

**Background:** On February 20th, 2006, after a public hearing at which no member of the public spoke, the Council adopted by unanimous vote Ordinance 2005-06, which created the Professional Office District out of part of the Residence A District. In the Table of Uses for this new district, Single-Family Residences were no longer permitted, which meant that Single-Family Residences were prohibited unless that use was grandfathered.

At the time the PO District was established, there were only three properties used for professional offices in that new district: The medical offices at 36 Madbury Road, the Xemed building at 16 Strafford Avenue, and the real estate and insurance office at 39 Madbury Road. Since then, no new professional offices have opened in this district--and the former single-family residence at 39 Madbury Road has been vacant for more than a year.

According to 175-43 (A), "The purpose of the Professional Office District is to provide an area for the growth of professional services and offices adjacent to the Downtown." That purpose would not be compromised or endangered by amending the table of uses in the way I am proposing.

Let us remember that last year the Council amended the table of uses for the ORLI and MUDOR Districts to allow single-family residences and duplexes as a Conditional Use.

On August 1, 2011, the Town Council moved this ordinance on First Reading, as presented, and scheduled a Public Hearing for its meeting on Monday, August 15, 2011. A Public Hearing notice was published in *Foster's Daily Democrat* on Thursday, August 4, 2011. The notice was also posted on the public bulletin board located outside the Town Hall, as well as at the Durham Public Library and the Department of Public Works.

The Council held a Public Hearing on this proposed ordinance on August 15, 2011. No members of the public spoke to this issue, however, two letters supporting the ordinance were read. After holding the Public Hearing, the Council voted to refer the proposed ordinance to the Planning Board for its review and study.

At its September 14, 2011 meeting, the Planning Board held a Public Hearing on this ordinance and then voted, 6-1, to recommend that the Town Council approve Ordinance #2011-05.

Attached for the Council's information and consideration is draft Ordinance #2011-05 regarding a proposed change to the Zoning Ordinance that would allow single-family residences as a permitted use in the Professional Office district.

**LEGAL AUTHORITY:**

Section 175-14 (B) of the Durham Zoning Ordinance

**LEGAL OPINION:**

N/A

**FINANCIAL DETAILS:**

N/A

**SUGGESTED ACTION:**

**MOTION:**

*The Durham Town Council does hereby, in accordance with Section 175-14 (B) of the Durham Zoning Ordinance, ADOPT (as presented) (as amended) Ordinance 2011-05, a Council-initiated Ordinance that would amend Article XII, Zone Requirements, Section 175-53 (A), the "Table of Uses", of the Durham Town Code, to allow Single-Family Residences as a Permitted Use in the Professional Office District.*



## **ORDINANCE #2011-05 OF DURHAM, NEW HAMPSHIRE**

**A COUNCIL-INITIATED ORDINANCE AMENDING CHAPTER 175 "ZONING", ARTICLE XII, ZONE REQUIREMENTS, SECTION 175-53 "TABLE OF USES" III RESIDENTIAL USES" OF THE DURHAM TOWN CODE TO ALLOW SINGLE-FAMILY RESIDENCES IN THE PROFESSIONAL OFFICE DISTRICT AS A PERMITTED USE**

**WHEREAS**, on February 20, 2006 the Professional Office District was established by the Durham Town Council when it voted unanimously to adopt Ordinance #2005-06; and

**WHEREAS**, the Table of Uses for the Professional Office District currently prohibits single-family residences; and

**WHEREAS**, all of the properties currently in the Professional Office District were formerly part of the Residence A District, which allows single-family residences as a permitted use; and

**WHEREAS**, it is the desire of the Town Council to encourage single-family residences near the downtown and campus area; and

**WHEREAS**, the Town Council may initiate Zoning Ordinance amendments in accordance with Section 175-14 (B) of the Durham Zoning Ordinance which states: "The Town Council may, upon its own initiative, from time to time, consider changes to the Zoning Ordinance, including its overlay districts. All such Council-initiated changes shall be referred to the Planning Board for its review and study. The referral shall be made in writing by the chair of the Town Council. The Planning Board shall, after following the public notice and hearing requirements contained in Subsection D below, submit a recommendation regarding the changes to the Town Council members within sixty (60) days of their referral"; and

**WHEREAS**, on August 1, 2011 the Durham Town Council conducted a first reading on Ordinance #2011-05; and

**WHEREAS**, on August 15, 2011 the Durham Town Council held a Public Hearing on Ordinance #2011-05 and voted to refer this ordinance to the Durham Planning Board for its review and study; and

**WHEREAS**, on September 14, 2011, the Durham Planning Board held a Public Hearing on this ordinance and afterward voted to recommend that the Town Council approve Ordinance #2011-05.;

**NOW, THEREFORE BE IT RESOLVED** that the Durham Town Council, the governing body of the Town of Durham, does hereby adopt Ordinance #2011-05 amending Chapter 175 "Zoning", Article XII, Zone Requirements, Section 175-53 "Table of Uses", "III Residential Uses" of the Durham Town Code to allow Single-family Residences in the Professional Office District as a Permitted Use. This section, in its approved form, is attached to this ordinance as a matter of final record. Wording to be deleted is annotated with ~~strikeout~~ type. New wording is annotated with underscoring.

**PASSED AND ADOPTED** by the Town Council of the Town of Durham, New Hampshire this \_\_\_\_\_ day of \_\_\_\_\_, **2011** by \_\_\_\_\_ affirmative votes, \_\_\_\_\_ negative votes, and \_\_\_\_\_ abstentions.

\_\_\_\_\_  
Diana Carroll, Chair  
Durham Town Council

**ATTEST:**

\_\_\_\_\_  
Lorrie Pitt, Town Clerk

CATEGORY OF USES	RESIDENTIAL ZONES				RETAIL/COMMERCIAL ZONES					RESEARCH/INDUSTRY ZONES			
	Rural (R)	Residence A (RA)	Residence B (RB)	Residence C (RC)	Central Business (CB)	Professional Office (PO)	Church Hill (CH)	Courthouse (C)	Coe's Corner (CC)	Office Research - Route 108 (OR)	Multitunit Dwelling Office Research (MUDOR)	Office Research Light Industry (ORLI)	Durham Business Park (DBP)
Stable <i>(Amended by Ord. #2008-16 dtd 9/22/08)</i>	P	X	X	P	X	X	X	X	X	CU	CU	CU	X
Forestry in accordance with the provisions of Article XX <i>(Amended by Ord. #2006-07 dtd 7/16/07)</i>	P	P	P	P	X	X	X	X	P	P	P	P	P
Temporary sawmill in accordance with the provisions of Article XX	P	P	P	P	X	X	X	X	X	P	P	P	P
Reuse of existing agricultural building in accordance with provisions of Article XX	CUA	X	X	CUA	X	X	X	X	X	P	P	P	P
<b>B. Uses Accessory to Commercial Agriculture and Animal Husbandry</b>													
Retail sales of farm products	P	X	X	P	X	X	X	X	X	CU	CU	CU	X
<b>III. RESIDENTIAL USES</b>													
<b>A. Principal Uses</b>													
Residence, single-family <i>(Amended by Ord. #2010-07 dtd 7/12/10)</i>	P	P	P	P	X	X	P	X	X	X	CU	CU	X