



Town Of Durham

Planning Board Minutes

Fire Station Meeting Room, 6:30 pm

June 4, 2025

1. Roll Call & Determination of a Quorum

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

Excused absences: Marc Derr

2. Pledge of Allegiance

3. Amendments to the Agenda: None

4. Acceptance of Meeting Minutes (May 7, 2025)

Motion made by Allan Purinton: To accept the minutes for the May Meeting as presented.

Motion seconded by Brian Lanoie: Votes to approve: 3 Abstained: 1 (Not present at meeting)

5. Informational Exchange on Non-Agenda Items:

- a) Town officials: The Town Planner announced that the Greater Portland Council of Governments presented a report on the Town Center Community Facilities Study. A year-long public participation process indicates that Durham residents see the pressing need for improving the facilities but are concerned about costs. The most critical issues are meeting space and office space. After evaluating the alternatives, the public process pointed to the expansion of the existing Town Offices to meet both needs is the most viable option. Efforts are underway to get internet access to the Eureka Center as an interim meeting space. GPCOG is recommending an architectural study as the next step for looking at an expanded Town Offices building. They have also proposed a master plan for the community properties and facilities.
- b) Residents: None
- c) Non-Residents: None

6. Continuing Business:

- a.) Request for Conditional Use Approval for a seasonal outdoor wedding & event venue at 335Newall Brook Rd Map 5, Lot 61.**

The Planning Board opened and closed a public hearing on the application with no one asking to speak. David Thompson presented the Board with signed notice provided to all his neighbors.

The Town Planner updated the Board on additional submissions provided by the applicant that included a permit for the wedding venue entrance issued by the Maine Department of Transportation and a contract to be used by the applicant to ensure event operators have clear requirements in keeping with the conditional use criteria and any approval given by the Board.

The Planning Board reviewed the seven conditional use criteria of Article 7 of the Land Use Ordinance. Board members reviewed and made changes to the draft findings and approval conditions.

John Talbot moved for approval of the findings and approval conditions as edited by the Board and Allan Purinton seconded the motion. The motion passed with three affirmative votes and one abstention (Caplinger).

7. New Business:

b.) Conditional Use Application for Farm Fair Events at 1252 Royalsborough Rd Map 7, Lot 113c

The Planning Board opened and closed a public hearing with no members of the public requesting to be heard.

Eric Day represented the Replenova application on behalf of Gary Goodrich.

The Town Planner summarized the application requesting expanded conditional use approval for one or two seasonal farm fairs and three to four farm suppers at the Farmer's Market. In April, the Planning Board approved outdoor seating that will be used for the farm suppers.

The applicant presented the Board with two maps, one showing parking for the farm suppers and the second for the farm fairs that will be held behind the greenhouses in the open field. The diagrams showed proposed access and parking and the locations of sanitary facilities.

The Board discussed potential drainage issues in the rear field and the applicant stated that no filling of wetlands is proposed. The Town Planner stated that construction of parking and access would require site plan approval.

The Board reviewed the conditional use criteria and the draft findings and approval conditions. John Talbot moved for approval of the expanded conditional use for the seasonal farm fairs and farm suppers. Allan Purinton seconded the motion and it passed 4 to 0.

c.) Amended Conditional Use Approval for Kids Next Door Daycare Center at 706 Hallowell Rd., Map 7, Lot 35.

Andrea Nash, the daycare owner and applicant was present to discuss her application. The applicant requested amended approval to accept 12 additional children beyond the 20 children approved in the prior conditional use application. The recently expanded building and new parking have adequate capacity to accommodate the increased use.

The Town Planner identified the two issues related to utilities. Going beyond 24 users of a well triggers State requirements for permitting as a "public water supply" that includes a well separation distance from any septic system of 300 feet. There is an existing well within about 100 feet of the septic system. The second issue is the soil evaluator's report that the recently installed septic system was sized based on the maximum flow rate produced by the household and the 20 children and 2 staff members. Adding 12 children and another staff member would theoretically exceed the septic capacity.

Mrs. Nash explained that she has explored these issues in detail with the Maine Department of Human Services that administers the public drinking water licensing program. She has applied for a permit and for a waiver of the well setback and has received email indication that both will be granted. The septic system installed in 1995 will continue to serve the house and home daycare, so the new daycare center addition and septic system have adequate capacity to serve the expanded use.

The Board reviewed the draft amended findings for the proposed increase in enrollment.

John Talbot moved for approval of amendment of the conditional use approval with the amended findings and approval conditions to increase the enrollment to a maximum of 32 children. Allan Purinton seconded the motion, and it passed 4 to 0.

d.) Amended Site Plan Approval for Kids Next Door Daycare Center at 706 Hallowell Rd., Map 7, Lot 35.

Mrs. Nash explained that her engineer did parking calculations and there is a need for 2 more parking spaces based on the added children and a third employee. The parking spaces will be gravel pads across from the garage behind the proposed landscaping.

Board members asked about the status of that landscaping that was a requirement of the prior site plan approval.

Mrs. Nash responded that they were waiting for final resolution of their request for expanded enrollment and the need to add parking spaces. They will install the buffer upon finishing the parking construction.

The Board reviewed the findings of the prior site plan approval and approved amendments to the findings related to adding the two parking spaces.

John Talbot moved to approve the amended site plan subject to the standard approval conditions of following the submitted plans and presentation to the Board. Allan Purinton seconded the motion and it passed 4-0.

8. Other Business:

a.) Planning Board Briefing on Codification Project

The Town Planner updated the Planning Board on the project to digitize the Land Use Ordinance in a standardized format for integration with the Town website. The Town has a contract with General Code Corp. and the consultant has identified 139 technical issues where the Town must give directions on changes. The Select Board has endorsed staff responding to the technical issues by the July 25 deadline and having the boards and commissions focus on a set of minor policy issues to incorporate into the codification.

The Town has until the end of the year to prepare any policy changes, and the consultant will include those changes in the draft Ordinance for consideration at the 2026 Town Meeting. The Select Board will be scheduling a workshop with the leaders of the various boards and commissions involved in land use issues to discuss policies and priorities.

Upcoming Planning Board Meeting

- **Regular Planning Board Meeting, July 2, 2025, Fire Station, 6:30pm**

9. Adjourn:

Motion made by Juliet Caplinger: To adjourn the meeting.

Motion seconded by Allan Purinton: Motion carried: 4 – 0. Meeting adjourned at 8:55 p.m.