



Town Of Durham

Planning Board Minutes

Fire Station Meeting Room, 6:30 pm

April 1, 2026

1. Roll Call & Determination of a Quorum

In attendance: Brian Lanoie (Chair), Juliet Caplinger (Vice Chair), Allan Purinton, Brian Stickney, Sunny Du, Daryn Levesque (Alternate), and George Thebarga (Town Planner).

2. Pledge of Allegiance

3. Amendments to the Agenda:

Chairman Lanoie asked the Board to consider enacting the draft meeting continuation policy presented by the Town Planner.

The Town Planner pointed to the increase in application activity and the need for predictability in the process. The draft meeting continuation policy would help the Board and applicants determine when applications can be reasonably processed. The Board can determine at a set time whether items will be continued to a special meeting or the following month's agenda.

Motion made by Allan Purinton: To adopt the proposed meeting continuation policy.

Motion seconded by Juliet Caplinger: Votes to approve: 5-0

4. Acceptance of Meeting Minutes (March 4, 2026)

Motion made by Allan Purinton: To accept the minutes for the March 4, 2026 meeting as presented.

Motion seconded by Brian Stickney: Votes to approve: 5-0

5. Informational Exchange on Non-Agenda Items:

- a. Town officials: The Town Planner provided his monthly report in the packet. Brian Lanoie announced that he and the Town Planner will be presenting the final ordinance amendments to the Select Board on April 28th. There will be a final public hearing on the amendments on May 20th.
- b. Residents: Heather Roy of Hallowell Road asked for and received clarification on whether the draft ordinance amendments address State requirements on accessory dwelling units.
- c. Non-Residents: None.

6. Continuing Business:

- a. **Substantive Review of the Preliminary Plan Application of Durham Heights Subdivision at 439 Quaker Meeting House Rd., Map 2 Lot 60.**

Joe Marden of Site Lines presented for the applicant, Stonex Construction LLC. Mr. Marden updated the Board on revisions made to the plans based on prior Board input. The 17 acres of land at the end of the project has been made part of the subdivision with the majority going into the open space and one house lot added at the road end. The individual lot configurations have been revised per Board concerns for inclusion of wetland and steep slope strips.

The stone walls have been mapped, and the very poorly drained soils are shown on the maps which also show the limits of tree clearing. They have contacted Casella about getting a readiness-to-serve letter for solid waste collection.

Mr. Marden went over the individual lot adjustments and explained that the DEP requires 2 septic test pits on some of the lots per the soil classifications. They will provide a hydrogeological analysis for final approval.

Max Doughty of Stonex Construction explained that limited clearing of trees was done for the test pits and the clearing work has stopped.

Heather Roy, who is working with the development team, reminded the Planning Board of the prior discussion of tree clearing by the Board.

Juliet Caplinger asked whether IF&W was notified of the clearing that has happened on site.

Brian Lanoie questioned the posting of a State permit for tree clearing.

Max Doughty explained that a forestry permit is required when a certain amount of tree removal is exceeded.

Brian Lanoie stated that he thinks there are still stone walls he observed on the site walk that don't appear on the plans.

Juliet Caplinger asked whether there would be easements on the areas of stormwater buffers.

Mr. Marden responded that restrictions will be in the homeowner association documents and deeds for the lots.

Juliet Caplinger asked for clarification of the different types of stormwater treatment ponds.

Joe Marden explained the differences between dry and wet basins.

Brian Lanoie asked if there will be a fire pond.

Mr. Marden responded that he is checking with the Fire Department on doing a combined stormwater treatment and fire pond.

Brian Lanoie asked if there is an alternative to the forested buffers that restrict the already constrained cluster lots.

Mr. Marden responded that the buffers serve the dual purpose of screening between the homes and are a maintenance-free form of stormwater treatment favored by the DEP.

Brian Lanoie pointed to the risk of future conflicts in expansion of developed areas within the lots.

Mr. Marden responded that the buffers improve lot marketability, and the conceptual building footprints are larger than would typically be built, thereby giving some margin. He also pointed out that the DEP will enforce the stormwater buffers.

Heather Roy argued that the wooded buffers enhance the marketability of the lots and this project provides more open space than any other project.

Brian Lanoie asked for clarification on transformer locations and Mr. Marden explained the final locations are determined by CMP.

Brian Lanoie expressed concern that the applicant has disturbed the site during tree clearing and has not implemented the erosion and sedimentation controls indicated on the subdivision plans.

Max Doughty said that if areas are eroding, they will stabilize them.

Brian Lanoie observed that the cover letter still indicates that the land on the end will be retained by the prior owner.

Mr. Marden said that is an error.

The Board and applicant had an extended discussion about the process for establishing building site suitability based on input from the Town Attorney on building envelope exclusions and cluster lot parameters.

The Board reviewed the draft conditions of approval and added review of the hydrogeological analysis to the list of peer review items. They clarified that the applicant will not need to submit individual site plans but will need to identify development “pads” that satisfy the parameters for cluster lots. The peer reviewer will check both building envelope calculations and the development pad compliance with cluster lot limitations.

The Board added a condition of approval that the applicant implement erosion and sedimentation measures and provide an engineer’s report to the Town Planner within 30 days of the preliminary approval.

The applicant is also to provide surveyor verification that all stone walls in the development area are shown on the plans.

The applicant is to update the Maine IF&W Department on the amount of tree clearing that has been done.

Submittal of a readiness-to-serve letter from Casella was also added.

Motion made by Allan Purinton: To grant preliminary subdivision approval with the approval conditions as amended.

Motion seconded by Juliet Caplinger: Votes to approve: 5-0

7. New Business:

a. Request for Conditional Use Approval for Reopening the Jackson Gravel Pit on Cushing Rd., Map 8, Lots 17&18.

Cam Cox and Brett Plossay presented the application for Crooker Construction. Mr. Cox explained the proposal to continue sand and gravel operations only within the grandfathered portions of the property as outlined in the site plan. The map shows all of the property limits and buffering limits. He explained the various excavated portions of the property.

Mr. Plossay explained this is somewhat outside their normal process of working with DEP. They will only be working within the grandfathered (from DEP rules) parts of the site. Eventually they may file a notice of intent to comply to move into other portions of the site.

Juliet Caplinger asked for clarification of ownership of the surrounding gravel pits.

Brian Lanoie asked for clarification of the extent of proposed excavation activities.

Mr. Plossay said for right now they are only working within the grandfathered portion and they will need to come back to go beyond those portions. They want to make sure the material is worth pursuing.

The Board members and applicants clarified that the project will expand into portions of the current pit that have not been cleared or excavated but are within the grandfathered portions of the pit.

Juliet Caplinger asked whether a wetland delineation has been done for the parts that have not been mined.

Mr. Cox said no wetland delineation has been done.

Mr. Plossay said they would maintain DEP required setbacks from any wetlands.

Brian Lanoie asked how the level of groundwater is established.

Mr. Cox said that hasn't been considered yet. The intent is not to go down further than the current conditions. It is closer based on looking at other pits. In other pits they have wells so that they can establish the water level.

Mr. Thebargue clarified that the standard is five feet above the water table.

Mr. Cox indicated that the higher elevation of the area proposed for excavation would indicate they will be well above the water table.

Brian Lanoie pointed out that this pit is over an aquifer.

Brian Stickney stated he may need to recuse himself because he is friends with one of the company officials.

The Board reviewed whether there would be a conflict of interest or bias and determined that Mr. Stickney could objectively participate and vote.

The Board discussed the need for a site visit and determined there is not.

The Board reviewed the draft findings of fact and approval conditions and voted on each set of findings for conformance to the conditional use criteria.

They added an approval condition for a wetland delineation to be added to the site plan and submitted to the staff. The rest of the approval conditions are taken from Article 14 of the Land Use Ordinance.

Motion made by Allan Purinton: To grant conditional approval of reactivation of the Jackson Gravel Pit with the approval conditions as amended.

Motion seconded by Juliet Caplinger: Votes to approve: 5-0

Meeting Continuation: Per the recently adopted meeting continuation policy, the Board reviewed the remaining agenda items at 8:40 pm and determined that it would not be able to complete review of all agenda items. The Board decided to consider the maintenance agreement for Alder Way and to make a final recommendation on the draft Land Use Ordinance Amendments and to table the application for Ivy Ridge to a special meeting on April 8.

b. Request for Approval of a Maintenance Agreement for Alder Way, Map 8 Lot 15E.

The Town Planner reviewed the summary notes for the application and the history of the establishment of the grandfathered access easement. The Town Attorney determined that the existing driveway to the back lot will need to be upgraded to add the second lot and a maintenance agreement must be approved by the Planning Board.

Sue Lydick presented the application for approval of the Alder Way maintenance agreement.

Chairman Lanoie observed how the application appeared to be in order and ready for Board action.

Motion made by Allan Purinton: To grant approval of the maintenance agreement for Alder Way.

Motion seconded by Brian Stickey: Votes to approve: 5-0

- c. **Completeness Review of Ivy Ridge Preliminary Subdivision Application 335 Newell Brook Road, Tax Map 5, Lot 61**

Tabled to April 8, 2026.

8. Other Business:

- a. **Planning Board Discussion of Draft Land Use Ordinance Amendments**

The Board reviewed public comment taken at the public hearing and decided to limit additional changes to the clarification of State allowances for individual cannabis cultivation and inclusion of the limits on tree clearing in subdivisions. Based on the input from the Town Attorney, the explanatory notes on granting waivers of those clearing limits should be removed.

Motion made by Juliet Caplinger: To approve the changes to the draft amendments for cannabis facilities and tree clear and forward the recommendation to the Select Board.

Motion seconded by Allan Purinton: Votes to approve: 5-0

9. Adjournment

Motion made by Allan Purinton: To adjourn the meeting.

Motion seconded by Juliet Caplinger: Motion carried: 5 – 0. Meeting adjourned at 8:55 p.m.