



Town Of Durham

Planning Board Minutes

Fire Station Meeting Room, 6:30 pm

May 20, 2026

Public Hearing on Draft Land Use Ordinance Amendments

In attendance were Brian Lanoie, Juliet Caplinger, Allan Purinton, Brian Stickney, Daryn Levesque, and Town Planner George Theborge.

Chairman Brian Lanoie opened the public hearing on the proposed Land Use Ordinance amendments to be presented to the voters at the June 2026 Town Meeting.

Chairman Lanoie stated that the Board had previously reviewed the proposed amendments at public meetings held on October 22, 2025, November 12, 2025, and March 18, 2026. He noted that the public hearing was being held within the required time period before Town Meeting and that the Select Board had approved the proposed warrant article format. He explained that no further changes would be made at this stage and that the purpose of the hearing was to summarize the amendments and receive public comment.

Chairman Lanoie reviewed the three parts of the proposed amendments.

Part 1 — Minor Policy Changes

Chairman Lanoie summarized the seven minor policy changes included in Part 1:

1. **Back Lots and Private Ways** — streamlining review by allowing Code Enforcement Officer approval for single back lots and Planning Board approval for private ways serving multiple lots, and reducing the driveway width for single back lots from 20 feet to 16 feet.
2. **Expansion of Nonconforming Structures** — simplifying the standards for residential expansions and removing Planning Board review of issues reserved for the Board of Appeals.
3. **Subdivision Road Buffers** — granting the Planning Board discretion to require vegetative buffers where new subdivision roads abut existing homes.
4. **Fire Protection Water Supplies** — eliminating water storage systems as an option and allowing fire ponds, existing water sources, or residential sprinkler systems for subdivisions. Chairman Lanoie noted that the Fire Chief had been consulted and was comfortable with the proposal.

5. **Cannabis Cultivation Facilities** — establishing clearer definitions and prohibiting aggregated growing operations that are exempt from state permitting requirements.
6. **Manufactured Housing and Accessory Apartments** — bringing local standards into compliance with state law regarding tiny homes, standalone accessory apartments, placement of mobile homes on individual lots, and mobile home parks.
7. **Road Frontage Determination** — clarifying how frontage is measured on curved frontage, corner lots, and turnarounds, particularly in subdivision layouts.

There were no public comments or Board questions on Part 1.

Part 2 — Administrative Changes

Chairman Lanoie summarized the ten administrative changes included in Part 2:

1. **Subdivision Road Standards** — updating road design standards to reflect current engineering practices.
2. **Driveway Standards** — clarifying applicability of driveway standards to various roads, updating safety provisions, and adopting MaineDOT sight distance standards. Chairman Lanoie noted that the Road Commissioner had been consulted.
3. **Zoning Boundary Interpretation** — assigning zoning boundary interpretation authority to the Planning Board instead of the Board of Appeals.
4. **Solid Waste Management** — requiring a readiness-to-serve letter or internal solid waste collection plan for subdivisions.
5. **Campground Reviews** — reducing duplication between Planning Board review and state campground permitting.
6. **Planning Board General Submission Requirements** — adjusting submission deadlines, reducing the number of required printed copies, and establishing a timeline for resubmissions.
7. **Ordinance Correction Provision** — delegating authority to the Select Board for nonsubstantive text corrections, such as formatting, punctuation, and clerical corrections, in coordination with the Planning Board.
8. **Proof of Payment of Taxes** — requiring proof that property taxes have been paid when filing Planning Board applications, including when the applicant is not the current property owner.

9. **Conditional Use Submissions** — adding detailed conditional use submission requirements to the ordinance text. Town Planner George Theborge explained that the Planning Board had previously developed a detailed checklist and information sheet, but the Town Attorney advised that the requirements needed to be included in the ordinance to be enforceable.

10. **Tree Clearing in Subdivisions** — clarifying that clearing trees for development purposes prior to final subdivision approval is a violation.

Town Planner George Theborge clarified that the campground amendment was not required by state mandate. Rather, the purpose was to avoid duplicative review by having the Planning Board focus on zoning issues, neighborhood impacts, buffers, and similar local land use concerns, while leaving sanitation, licensing, and campground management matters to the state.

There were no public comments or further Board questions on Part 2.

Part 3 — Codification of the Land Use Ordinance

Chairman Lanoie summarized Part 3 as the codification of the Land Use Ordinance. He stated that this part includes more than 100 editorial, grammatical, formatting, and cross-reference corrections, including updates to terminology such as changing “Board of Selectmen” to “Select Board.” He noted that these changes had previously been reviewed and were not being summarized individually at the hearing.

It was noted that information on the proposed amendments is available on the Town website and at the Town Office.

Public Comment

Carolyn Woerter who owns land that extends from Wardtown Road in Brunswick into Durham asked about how information would be available to the public.

Town Planner George Theborge explained that the full amendment package is approximately 300 pages and has been available on the Town website since January. He stated that hard copies could be made available at the Town Office upon request, subject to the Town’s normal per-page copying fee. He also noted that summaries of the proposed amendments were available.

Ms. Woerter also raised general concerns about property development and subdivisions in Durham, including development near property she owns.

Chairman Lanoie explained that the public hearing was limited to the proposed Land Use Ordinance amendments to be voted on at Town Meeting and was not the forum for

discussing specific subdivision applications. The Board noted that the pending subdivision applications had already gone through their required public hearing process.

Ms. Woerter stated that she wanted to stay informed and involved in the process and expressed appreciation for the Board's work.

Close of Public Hearing

Chairman Lanoie closed the public comment portion of the hearing after confirming that there were no further comments or questions from the public or the Board.

The public hearing closed at approximately 6:56 p.m.