

# **D-R-A-F-T**

## **DURHAM PLANNING BOARD WEDNESDAY, MARCH 24, 2004 TOWN COUNCIL CHAMBERS, DURHAM TOWN HALL 7:00 P.M.**

**MEMBERS PRESENT:** David Watt, Chair; Stephen Roberts, Vice Chair; Kevin Webb; Arthur Grant; Annmarie Harris; Neil Wylie; Amanda Merrill

**MEMBERS ABSENT:** Rachel Rouillard; Richard Ozenich; Nick Isaak

**OTHERS PRESENT:** Jim Campbell, Planner, Victoria Parmele, Minute Taker; members of the public

### **I. Call to Order**

Chair Watt called the meeting to order.

### **II. Approval of Agenda**

It was noted that Items V and VIII would not be heard that evening, and would be heard instead at the April 14<sup>th</sup> meeting.

*Councilor Grant **MOVED** to approve the agenda, with Items V and VIII being moved to the April 14<sup>th</sup> meeting. The motion was **SECONDED** by Neil Wylie.*

Chair Watt explained that Item V concerned a public hearing on proposed renovations to an existing barn on State property, located on Bunker Lane, and said the application would be heard on April 14<sup>th</sup>. He said that Item VIII, the continued design review of the application for conservation subdivision submitted by Spruce Wood Retirement Trust also had been postponed until the April 14<sup>th</sup> meeting.

*The motion **PASSED** unanimously.*

### **III. Report of the Planner**

Town Planner Jim Campbell updated the Board on the following issues:  
He said the Town Council would be meeting in special session to discuss the Draft Zoning Ordinance on Monday, March 29<sup>th</sup>, and noted that the Planning Board would be providing a presentation at this meeting.

He said there were two new Town Councilors – Karl Van Asselt and Jerry Needell, and said Mr. Needell had expressed an interest in serving on the Zoning Rewrite committee.

Mr. Campbell said he had made two presentations before the Transportation Enhancement Committee of NHDOT on March 2, 2004. He said that one of the grant applications was for the continuation of the Main Street Enhancements from the RR bridge to the Route 4 interchange, and said the other concerned the Central Durham Sidewalk Project. He told Board members he would provide these Powerpoint presentations to the Board at a future meeting.

In response to a question from Councilor Grant concerning the nature of the Central Durham Sidewalk Project, Mr. Campbell explained that it involved connecting some missing pieces of sidewalk, on Mill Road, Strafford Ave, Madbury Road, and Garrison Ave.

Mr. Campbell said he had had met with UNH's Doug Bencks for their monthly meeting, and said they had covered the following topics: the recent meeting with the Transportation Safety Committee concerning the University's planned roundabout at the intersection of Main Street and the Loop Road; Spruce Wood; the Zoning Rewrite process; Transportation Enhancement Grants; Oyster River dredging; the Town's Draft Storm Water Ordinance; the Grant for a feasibility study for the Northern/Southern Connector; the planned UNH cogeneration plant; additional parking on the UNH campus; Craig Supply/Depot Street; the UNH Police Station; and future housing projects.

Mr. Campbell noted that he, along with Town Engineer Bob Levesque and Fire Captain Mike Blake had met with developer Jack Farrell to discuss issues related to the proposed Spruce Wood Conservation Subdivision development. He said the meeting involved key sewer and water issues related to the project, and noted that they were trying to determine how to get the project on town sewer and water, if it moved forward.

Ms. Merrill noted that the Spruce Wood project was one of the topics covered with Doug Bencks, and asked what the discussion involved.

Mr. Campbell said this topic was covered as part of keeping Mr. Bencks up to date on all issues that in some way related to UNH.

Mr. Campbell said he had met with representatives of the Strafford Regional Planning Commission to discuss regional housing issues, noting that they were looking at the issue of affordable housing as part of updating the Regional Master Plan.

Mr. Campbell said he and Code Administrator Tom Johnson had met with Steve Schuster of Chinburg Builders concerning development of Phase II of Spruce Woods. He explained that Chinburg Builders had bought the development rights to the already approved fifty additional units surrounding the Inn at Spruce Woods from Jack Farrell.

Mr. Campbell said the Town's Traffic and Safety Committee had met with UNH representatives concerning the University's planned roundabout at the intersection of Main Street and the Loop Road. He said the representatives would be meeting with Fire Chief O'Keefe and Mike Lynch in April, and then would be giving a presentation to the Town Council.

Mr. Campbell said he had attended a Seacoast MPO (Metropolitan Planning Organization) TAC meeting on March 19<sup>th</sup>, as a member of their technical advisory committee. He said that a key topic discussed was the One-Way Toll Report issued on March 10<sup>th</sup>, which among other things said the toll concept would continue on an experimental basis, from Memorial Day to Labor Day, in order to gather more data on the concept.

Mr. Campbell told Board members he would not be at the April 28<sup>th</sup> Board meeting, because he would be attending a conference in Washington, DC.

- IV. Deliberation on an Application for Voluntary Lot Merger** submitted by Charles T. Cheney, Durham, New Hampshire, to merge two lots. The properties involved are shown on Tax Map 11, Lots 23-9 and 23-10, are located at 8 and 6 Williams Way respectively and are in the Residential C Zoning District.

Mr. Campbell described the proposed lot merger, which involved two parcels owned by the applicant, one a vacant lot, and the other the homestead, in order to create one property as their homestead.

Mr. Campbell explained that the Board was being asked to endorse the proposed merger. He said he and Code Administrator Johnson had reviewed the proposal, and had found it would not be creating any violations to the Zoning Ordinance.

*Neil Wylie MOVED to accept the Application for Voluntary Lot Merger submitted by Charles T. Cheney, Durham, New Hampshire, to merge two lots. Amanda Merrill SECONDED the motion, and it PASSED unanimously.*

- V. Public Hearing Presentation** on proposed renovations to an existing barn on State property on Bunker Lane. The property is located on Map 11, Lot 21-0, within the Residential C Zoning District.

This Agenda Item was not heard, and was postponed until the April 14<sup>th</sup> Planning Board meeting.

- VI. Public Hearing Presentation** on a proposal for two separate energy facilities on the campus of the University of New Hampshire. One facility will be a new 17,500 square foot central combined heat and power plant adjacent to the existing steam plant. The other facility will be a new 2,400 square foot satellite chilled water plant adjacent to the Philbrook Dining Hall.

Allen Braun, UNH Assistant Vice President of Facilities, spoke before the Board. He noted that he did not have the final drawings for the project with him because they had not yet been completed. He said they would be provided once they were completed.

Mr. Braun presented a series of slides on the proposed cogeneration facility and the chilled water plant. He first outlined the objectives of the project:

- Develop utility plan to meet the steam, chilled water, and electricity needs of the campus through 2025.

- Design and construct utility infrastructure in 2005 that will meet the short-term campus energy requirements in the most flexible and economic manner.
- Assure that expansion of utility infrastructure allows UNH to meet long-term energy requirements in the most economic manner.
- Assure that new infrastructure maximizes energy efficiency, so that future energy cost avoidance will pay the capital costs of the equipment.

Mr. Braun explained that at present, the University owned its own power substations, but they were old, and said it was decided to build a combined heat and power plant. He provided capital costs of meeting the electrical requirements at the University, of adding future heating capacity, and of meeting the chilled water (air conditioning) requirements.

Mr. Braun described the cogeneration process, noting that conventional electricity generation was inherently inefficient (only capturing 30-40% of energy created). He explained that a cogeneration facility captured waste heat from the process, which was used either to produce steam and/or hot water for heating, or to produce chilled water for air conditioning. He said this made a significant improvement in the efficiency of the system (60-90%), and said the resulting system would meet 90% of campus electricity needs, and 95% of the University's heating requirements. He said the plant might actually become competitive with a commercial utility, if it could capture all of the energy that came in, through cogeneration.

He described the system components: a 7.5 megawatt gas turbine for electricity; a 90,000 lb/hr heat recover steam generator; and a 300 ton chiller for inlet air cooling. Mr. Braun said the plant would burn primarily natural gas, but also #2 oil, as compared to the present use of #6 oil, which would provide flexibility as the energy market changed. He also described numerous other benefits that the facility would provide:

- Budget stability – long term gas and oil contracts would lock in steam and electricity costs
- Chilled water would provide air conditioning to more campus buildings
- A more reliable electrical supply – which would not be susceptible to transmission and distribution line problems
- Environmental benefits of use of less #6 fuel oil (including 40% reduction in greenhouse gas emissions)
- Expansion flexibility, as campus grows, resulting in avoidance of \$28.7 million in capital costs

Mr. Braun showed Board members the location of the existing power plant site, as well as where the new cogeneration plant and the chiller would be located. He noted that the plant building would have enough capacity to allow for expansion in the future.

Mr. Webb asked how many units were being built now, and Mr. Braun explained that one would be built now, but they were overbuilding the plant now in order to allow for additional units to be added in the future.

He said the feasibility study had been done 3 years ago, and the plan for the project had been recently approved. He said the final design would be completed by late April, construction was expected to start in mid-to-late May, and the project was expected to be

completed by September of 2005. He said that many companies had been interested in doing the project, and that the one chosen, EMCOR Energy and Technologies, was handling design, build and operation of the facility.

Mr. Braun described the following expected impacts of the project on Durham: reduction in air pollution; reduction in oil truck traffic; more flexibility in emergencies; and a reduction in water used by the new system. He said he would be happy to come back once the final details on the layout and other aspects of the project were available.

Ms. Merrill asked if the existing facility would still be used. Mr. Braun said it would be used to provide backup power, which would extend its useful life for some time, but said that the long term plan (15-20 years) was to replace it. He said growth in energy demand had averaged 4% a year over the last 25 years, and this number had been used in their energy model.

Mr. Wylie asked when the UNH master plan would be completed.

Mr. Braun said ideally the master plan would get final board approval in May.

Mr. Webb said the cogeneration facility was a wonderful idea, and also said it was about time such a facility was being built. He also asked Mr. Braun if there would be any noise issues associated with the facility.

Mr. Braun said he had hired a noise consultant, who had determined that the new plant would actually make less noise than the existing plant. He also noted that the facility would be located at a distance from dorms and classrooms. He said that the site was somewhat tight, and it would be important to take great care not to block fire and police vehicle access in that area.

Mr. Webb asked if all of the power generated by the plant would be used internally, or if some would conceivably be sold on the electricity grid.

Mr. Braun said the University had debated this, but their model at present assumed that they would not be selling any power. He said the plan was to see first how the cogeneration plant worked out.

Mr. Roberts asked if construction of the facility would impact the Town negatively in any way. Mr. Braun said it was not expected to impact the Town negatively in any way.

Mr. Roberts said he had noticed particulates from the existing power plant on his car when he had parked it at the train station. There was discussion about this.

There was discussion about the 4% growth figure, and it was clarified that it referred to 4% growth in energy demand per year.

Chair Watt asked where the gas tanks for the facility were located, and what the cost of the plant would be.

Mr. Braun said they were on site, and said the cost of the plant was \$22 million.

Mr. Campbell asked how many employees would work at the facility, and Mr. Braun said there would be 13 employees, who would work for EMCOR.

***Councilor Grant MOVED to open the public hearing. The motion was SECONDED by Neil Wylie and PASSED unanimously.***

Tom Richardson, resident of Durham, and also a firefighter in Durham, said he was glad to hear there would be more air conditioning of buildings as a result of the new construction project. He expressed concern about possible noise from the facility.

Mr. Braun said the design criteria included minimizing noise, and said the contractor would be held to this.

Mr. Richardson asked why the plant was going to be built in that location.

Mr. Braun said it would be built there because of economic considerations, and described some of these considerations.

***Councilor Grant MOVED to close the public hearing. Amanda Merrill SECONDED the motion, and it PASSED unanimously.***

Mr. Campbell said the Board could send a letter to UNH with any concerns they had about the project. No concerns were expressed by Board members, but it was agreed that a letter of some kind would be sent to the University.

- VII. Acceptance Consideration for a Site Plan Application** submitted by Verizon Wireless, Westborough, Massachusetts. The application is for a Personal Wireless Service Facility located on the Foss Farm Water Tank. The property is shown on Tax Map 6 Lot 1-18 and is within the Residence B Zoning District.

Mr. Lorne Fienberg, Attorney for Verizon Wireless explained that he had previously spoken conceptually to the Board about the wireless communications facility project. He noted he was accompanied by David Velez, Vital Site Services, a consultant for Verizon. Mr. Fienberg said that unless requested, he would be happy to defer his formal presentation until the public hearing.

He said Verizon was proposing to install 12 panel antennas on the existing water tank, at the same height as the antennas that were currently on the tank, and to install a 12 ft. by 20 ft. ground facility to shelter equipment needed as part of the facility. He said the antennas would be wedged between the existing antennas on the tank, and would be the same size and height. He said they would be painted the same color as the tank, and would be flush mounted.

He said they were making application to install a backup generator to serve the emergency needs of the facility. He explained that part of the quid pro quo with Nextel was that they didn't have an emergency generator, so in exchange for moving the fence,

Verizon had agreed to install a generator that was large enough to cover the emergency needs of both installations.

Mr. Fienberg said he believed a complete application had been submitted to the Board, and asked that it be accepted. He noted that the applicant had submitted a request for four partial waivers, noting that one was actually not relevant, leaving three partial waiver requests.

Councilor Grant said for the benefit of the television audience that the water tank under consideration was the Foss Farm water tank.

Mr. Fienberg explained that the Foss Farm water tank was town owned, and was located on an easement parcel over a property owned by UNH. He said that \$875,000 in revenue would be divided by the Town and UNH over the course of the lease, and said Verizon had chosen this site in part because it would be good for the Town to share in this revenue stream.

Chair Watt asked what the term of the lease was, and was told it was 25 years.

Councilor Grant asked Mr. Campbell if the application was complete.

Mr. Campbell said it was, and said that if the Board found it was complete, the public hearing date could be set that evening.

***Councilor Grant MOVED to accept the Application submitted by Verizon Wireless, Westborough, Massachusetts. The application is for a Personal Wireless Service Facility located on the Foss Farm Water Tank. Amanda Merrill SECONDED the motion.***

Mr. Campbell said that generally the Board didn't discuss waivers at this point in the process. He said that one of the waivers concerned the fact that the applicant was not using an acoustical engineer (required by site plan review regulations). He noted that the gentleman who had done the noise report for Verizon had supplied the Board with a statement of qualifications. Mr. Campbell said he believed the man was qualified, and had no problems with him, but said this was something the Board needed to be comfortable with.

There was a detailed discussion about whether an acoustical engineer was required for the noise report. Mr. Wylie said the site plan review regulations specifically required this, and the Board and Attorney Fienberg agreed that an acoustical engineer would review the noise report that had been prepared.

Mr. Roberts pointed out that the cost of designing a noise suppression structure was very reasonable, if it turned out that one was necessary.

Attorney Fienberg said Verizon would use the most noise-reducing model that was needed.

Ms. Merrill noted that Tom Johnson had some concerns about the application, and Mr. Campbell explained that none of these related to acceptance of the application, and most were related to submittals. He said these questions would be answered in time for the public hearing.

Mr. Webb said he wanted to make it clear that acceptance of the application that evening did not constitute granting of waivers.

***The motion PASSED unanimously.***

It was agreed that a site walk for this application would be conducted on April 14<sup>th</sup> at 8:15 am.

**VIII. Continued Design Review on an Application for Conservation Subdivision** submitted by Spruce Wood Retirement Trust, Dover, New Hampshire, on behalf of Douglas & William Worthen, Springfield, Virginia. The property involved is shown on Tax Map 13, Lot 14-2, is located at Mill Road and Packers Falls Road and is in the Residential B Zoning District.

This Item was postponed until the April 14<sup>th</sup> meeting.

**IX. Other Business**

A. Old Business:

B. New Business:

**Request for Technical Review by Paul Allen**

Mr. Campbell explained that a technical review was being requested instead of a full site plan review, for a recreational playing field on Packers Falls Road.

Chair Watt read the proposal for the recreational playing field. Mr. Campbell noted that if the Board voted to send the application to the technical review committee, the usual site plan review process would still be followed for this application, including public hearings.

***Councilor Grant MOVED to have the technical review committee review the proposal and report back to the Planning Board. The motion was SECONDED by Neil Wylie and PASSED unanimously. (Mr. Webb abstained on the vote)***

**Request for Technical Review by Gamma Theta Corporation**

Mr. Campbell said there were a written request and a site plan for a proposed parking area. He asked if the Board wanted to send this application to a technical review committee, or instead to have the full Board review it.

Councilor Harris said this application involved parking in front of a building, and said the Master Plan's intention was to not allow parking in the front of a building, especially when there was already parking in the back of a building.



She said this would be a huge eye sore on Main Street, and also said there had not been parking there in the past.

Mr. Wylie said the whole area needed site plan review.

***Neil Wylie MOVED that the request for technical review be denied. The motion was SECONDED by Stephen Roberts, and PASSED unanimously.***

Next meeting of the Board: **April 14 , 2004\*\***

**X. Approval of Minutes**

**XI.**

February 11, 2004

**Page 2**, 3<sup>rd</sup> paragraph, should read “..3 sites in Strafford County..”

4<sup>th</sup> paragraph, should read, “... the fact that the Edgewood Road tower would not..”

**Page 4**, 8<sup>th</sup> paragraph, should read “..would be intermittent..”

**Page 5**, 3<sup>rd</sup> paragraph, should read “..the antenna panels were,..”

4<sup>th</sup> paragraph, should read “..Krinus..”

**Page 6**, 6<sup>th</sup> paragraph, should read “..Hemlock Drive was within that radius..”

**Page 7**, 1<sup>st</sup> paragraph, should read “..Roger Jacques..”

2<sup>nd</sup> paragraph, should read “..the draft he would be giving the Board..”

4<sup>th</sup> paragraph, should read “ He said that when the Planning Board and Zoning Rewrite committee need to assure that when they get to the long deferred sections in the rewrite process, that the previous correspondence relating to these sections be including in discussions.”

***Councilor Grant MOVED to approve the minutes as amended. The motion was SECONDED by Neil Wylie, and PASSED unanimously.***

February 27, 2004

**Page 5**, 9<sup>th</sup> paragraph, should read “..Tom Ballestero..”

***Councilor Grant MOVED to approve the minutes as amended. The motion was SECONDED by Neil Wylie , and PASSED unanimously.***

**XI. Adjournment**

***Neil Wylie MOVED to adjourn the meeting. The motion was SECONDED by Councilor Harris, and PASSED unanimously.***

The meeting ADJOURNED at 8:30 pm.