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Durham Economic Development Committee
August Meeting Agenda
Monday, August 22, 2011
7:00pm

Members Present: Ute Luxem, Jim Lawson, Susan Fuller, Tom Elliott, Yusi Wang Turell, Jim Campbell

Members Not Present: Doug Clark, Ken Chadwick

I. Call to Order

Chair Tom Elliott called the meeting to order at 7:05 pm

II. Approval of Agenda

Susan Fuller MOVED to accept the agenda as written, this was SECONDED by Jim Lawson and APPROVED unanimously.

III. Public Comments

Chair Elliott noted there were no members from the public present.

IV. Approval of Minutes of 5/23/2011 and 7/18/2011

Minor corrections were made to the minutes of May 23, 2011 and July 18, 2011.

Susan Fuller MOVED to approve the minutes of May 23, 2011 as amended. This was SECONDED by Ute Luxem and APPROVED unanimously.

Ute Luxem MOVED to approve the minutes of July 18, 2011 as amended. This was SECONDED by Tom Elliott and APPROVED unanimously.*

*Susan Fuller abstained as she was not present at the July 18, 2011 meeting.

V. Committee & Staff roundtable and updates

Tom Elliott thanked and applauded Jim Campbell for providing the committee with information prior to this meeting.

Jim Campbell reported the following with regard to the Planning Board:

At the August 10th meeting the Planning Board approved the redevelopment plan for the Grange property.

At the August 10th meeting the Planning Board accepted the plan for a personal wireless facility on the LaRoche farm. There will be a Public Hearing on Wednesday August 24th. A variance has been received for height from the ZBA.

A Public Hearing will be held on Wednesday August 24th regarding a project to construct a new 4000 sq. ft. building with an indoor/outdoor play area, office space and efficiency apartment at the Kennel on Route 108.

A Town Council initiated building change to allow single family housing in the professional/office district will be discussed by the Planning Board on August 24th and possibly schedule a public hearing for September 14th.

1 A building permit has been submitted by DC Coastal (the company planning a
2 restaurant trailer on the Kostis property). Their plan is to be up and running for the beginning
3 of school year of UNH.

4 Jim Campbell met with the consultant regarding the amendments to the zoning
5 ordinance and noted they will be meeting again to gather measurements in town related to
6 development standards within the newly proposed zoning areas (Churchill and
7 professional/office zone).

8 Jim Campbell noted that results of the Master Plan Survey will be tabulated and
9 distributed by the end of the month.

10
11 Jim Lawson reported on the following:
12

13 Parking: A vendor has been selected to provide parking kiosks at Pettee Brook Lane.

14 Chair Elliott asked if the intention is to have the kiosks service the Pettee Brook Lane
15 parking spaces only.

16 Jim Lawson responded that the focus is on the Pettee Brook Lane parking spots. He
17 said the Town received quotes from vendors, selected a vendor and are in the process of
18 securing kiosks. He noted the ordinance changes required have been done.

19 Chair Elliott asked if the new parking spaces on Madbury Lane will be included in the
20 kiosks.

21 Mr. Lawson replied that the spaces on Madbury Lane are on a trial basis and no
22 ordinance changes have been done to include those spaces. He said the trial needs to run its
23 course first and then proceed from there.

24 Jim Campbell reported that the Town is looking at transponder devices as well, which
25 would be separate from the installation of the three kiosks.

26 Ute Luxem asked what the cost of the kiosks are.

27 Chair Elliott said he believes they are \$25,000 per kiosk.

28 Mr. Lawson said he feels the Pettee Brook Lane spots will be a good trial for the
29 kiosks.

30
31 Council update:

32 Mr. Lawson said there was a discussion amongst the council members late in the
33 meeting regarding the question of what Durham should be doing to promote itself. He said he
34 recommends that the Economic Development Committee have this conversation at an
35 upcoming meeting. Mr. Lawson said the Committee should not be responsible for finalizing a
36 plan, but should provide input.

37
38 Mr. Lawson also reported that the Town Council initiated recommendation to allow
39 single family homes be a permitted use in the professional/office district was discussed. He
40 said there was also a discussion regarding not being allowed to have light manufacturing in
41 that district. Mr. Lawson said the process of looking at some of the recommended changes to
42 zoning in central core has begun and will require close examination and re-examination.

43
44 Chair Elliott asked if there has been discussion of rezoning of the business park.

45
46 Jim Campbell said Mike Sievert began the discussion of developing them into five or
47 six lots, but no application has been filed at this point.

48
49 Chair Elliott said the paving and lighting improvement plan on Jenkins Court has made
50 a big difference to the street. He noted how a small amount of money has changed the look
51 and feel of Jenkins Court. Chair Elliott said there are a couple of new businesses opening up
52 on Jenkins Court; a rental office at 13 Jenkins Court and a Thai/Sushi restaurant.

53
54 Mr. Lawson said the improvements to Pettee Brook Lane have been well done as well.

55
56 VI. Review of TIF District draft
57

58 Chair Elliott thanked Ute Luxem and Jim Lawson for the work they did in a month's
59 time to get the draft before the Committee. He said, the consultant, Don Jutton delivered on

1 time for the Town of Durham and he feels it is a good draft. Chair Elliott said his goal for
2 tonight is to approve the draft and send it on, unless members feel there are major
3 substantive problems with the draft. He said there has been a lot of good work done and
4 asked if any members did not feel that way.

5
6 Yusi Turell said she feels it is a strong draft and would like to thank both, Ms. Luxem
7 and Mr. Lawson as well.

8
9 Chair Elliott said the TIF district is a subject that the Committee has been working on
10 for several months and is a way to capture tax revenue and use it in a specific district. He
11 said it will be at least another month before this will move on and there will be a public
12 hearing before the district is created, thus allowing for more public input.

13
14 Chair Elliott asked the other members for their thoughts and concerns regarding the
15 draft.

16
17 Ms. Turell said she believes it is a strong draft, especially considering the past
18 conversations debating how specific or how broad to be with the TIF. She said the draft does
19 a good job of capturing the broader vision, while also identifying current and future projects.
20 Ms. Turell asked what the decision making process was for coming up with the three projects
21 stated and asked about the timing regarding the parking kiosks, and if a rough figure is
22 available for some of the financial numbers regarding tax revenue for the boarders being
23 drawn.

24
25 Mr. Lawson responded that the three projects included in the draft were projects that had
26 been vetted and looked at by the community. He said it was decided to identify a set of
27 projects focused on downtown and within the scope of the broader objective of the TIF. He
28 said since this is a savings account type of TIF it is expected that there will be some revisions
29 to the document. Mr. Lawson noted it is possible to have a revision to the document, so that
30 the plan(s) identified matches with what the community wants. Mr. Lawson said this does not
31 affect the kiosks that are being installed now and he believes the deployment of future kiosks
32 will be further in the future. Mr. Lawson said one option, if approved by the Town Council, and
33 if there is enough incremental tax revenue, the Town Council can chose to move forward with
34 bonding and use the incremental tax revenue to pay for the bonding.

35
36 Chair Elliott asked if the money accrued can be used to pay for projects already completed
37 by the Town.

38
39 Mr. Lawson said he does not believe that is what the Town wants to do. He said that could
40 raise a whole set of questions to deal with in regard to risks. Mr. Lawson said the TIF is to
41 mitigate the risks. He said the incremental value on a yearly basis can be used to work on
42 projects.

43
44 Mr. Lawson said Don Jutton put together an estimate regarding revenue, but needs some
45 additional work before finalizing his estimate. He said after there is some agreement on the
46 TIF boundaries we can ask Mr. Jutton to move forward with his estimates. Mr. Lawson said he
47 is confident we will be under the threshold in terms of evaluation and the land area
48 standpoint.

49
50 Chair Elliott asked if it would be any concern of the TIF being approved includes other
51 parts of town when the projects listed are based in the Pettee Brook Lane area.

52
53 Ute Luxem said there will be many projects that develop in the entire area and that the
54 three initial projects do not cover all projects that will occur in the TIF. She said the Town will
55 collect the money now and use it for what is needed the most when the time comes and what
56 is the most beneficial to the Town.

57
58 Chair Elliott asked, for the act of getting this approved now are we prepared to answer

1 why such a big TIF district with three projects focused on the core of downtown. He said his
2 answer would be to say that we are building this TIF to be agile and the door is open to
3 change the TIF in any way that makes sense.
4

5 Mr. Lawson said from the geographic standpoint, this is not a large TIF, it is only 22 to
6 25 acres.
7

8 Chair Elliott said the TIF appears to be a district with large boundaries and a narrower
9 scope for projects. He noted it may be easier to change the spending pattern than it is to
10 change the boundaries. Chair Elliott said the TIF can be an economic development by
11 signaling to developers that this is an area the Town wants to invest in.
12

13 Mr. Lawson said one advantage of doing the TIF now is to reinforce the message to
14 developers that we are serious and focused on the downtown. He said the TIF administrator,
15 a TIF advisory board, and the Town Council can focus on how to best use the TIF.
16

17 Susan Fuller said she believes the draft is very well written and has no additional
18 questions.
19

20 Chair Elliott asked who would write Exhibit D on page 5 and how it would be justified.
21

22 Mr. Lawson said the broader objective of the TIF is to determine what we might want to
23 use the TIF for; whether it is parking, new roads, new infrastructure, burying power lines
24 underground etc.
25

26 Chair Elliott said he was hoping to see a specific note that we may want to spend
27 some money for land acquisition. He asked if that is in the draft.
28

29 Mr. Lawson said it is stated in section VIII.
30

31 Chair Elliott asked if the size of the advisory board (five members appointed by the
32 Town Council) was discussed. He said he might recommend a smaller number.
33

34 Ms. Luxem said the majority of the advisory board needs to have an interest in the
35 district, the board should also have a member from the EDC and a member from the Town
36 Council or the Town Administrator.
37

38 Mr. Lawson noted that if there were less than five members this would preclude any
39 expertise from anyone outside of the EDC.
40

41 Chair Elliott suggested 2 members from the district and one EDC member – forming a
42 3 member advisory board.
43

44 Mr. Lawson noted that configuration would preclude anyone from outside with
45 expertise from being on board.
46

47 Chair Elliott said that is true, but is concerned the number may get inflated to higher
48 than five.
49

50 Ms. Luxem said she does not believe it makes sense to have the board be a large
51 committee, but thinks five is a good number and that three is a little narrow.
52

53 Chair Elliott reiterated that he would not like it to be larger than five.
54

55 Chair Elliott said as he has not heard any proposed changes to the text, it would be
56 good to vote on the draft and send it to the Town Council.
57

58 Mr. Lawson said that more work needs to be done by the consultant, such as filling in
59 the valuations and exhibits. He said once that is done the draft will be reviewed by

1 this Committee again.

2
3 Chair Elliott said he would like to move this forward and asked to have Mr. Lawson and
4 Ms. Luxem work with the consultant on these items.

5
6 Chair Elliott appointed Yusi Wang Turell as a voting member for the evening.

7
8 *Susan Fuller MOVED to have the EDC approve the draft document of the TIF. This was*
9 *SECONDED by Jim Lawson and APPROVED unanimously.*

10
11
12 VII. Presentation by Jim Campbell of Master Plan Survey Results
13 relevant to economic development

14
15 Chair Elliott noted that Jim Campbell will be making a presentation of the Master Plan
16 survey results and a discussion of the EDC role in the Master Plan. He reminded the members
17 that last winter and spring a group of citizens worked to come up with a survey with a huge
18 breadth of questions that was released in April to the public. Chair Elliott said Mr. Campbell
19 has reported a strong engagement in the survey and will present the results of the survey. He
20 said a subcommittee has been meeting with a consultant with regard to the results of the
21 survey.

22
23 Chair Elliott cautioned that the survey data is not a mandate and should be put into
24 context. He said a relatively small percentage of Durham households filled out the survey.

25
26 Mr. Campbell reported that 435 responses were done on line, 365 were fully answered
27 and 70 were partial answered. He said there were also 32 hardcopies filled out. Mr. Campbell
28 said this is a relatively good response. He said there were more favorable responses to the
29 questions and noted that people are interested in having a balance of economic development
30 with land protection. Mr. Campbell said there were some very strong responses on the
31 economic vitality questions.

32
33 Mr. Campbell went through the questions on the survey and noted the responses in
34 percentage to each question.

35
36 **1) To what degree would you support the following policies aimed at**
37 **stabilizing/reducing the property tax rate?**

38 56% majority wanted to look at heights greater than four stories

39 71% wanted more land available for commercial development

40 71% wanted parking structure in downtown

41 52% encourage shopping plaza development outside of downtown, with low no opinion

42
43 **2) To what extent do you agree with the following statements about economic**
44 **development in Durham?**

45 91% wanted joint UNH projects to promote economic development pursued

46 62% wanted Durham to extend water, sewer and roads to stimulate economic
47 development

48 35% wanted future Durham tax rates to be similar to past increases

49 61% thought a town hotel would have a positive impact

50 72% wanted a performing arts cent in or around downtown

51 81% wanted Durham to establish architectural and site design standards or guidelines for
52 downtown projects

53
54 Chair Elliott said he thought these responses were one of the most interesting points in the
55 survey. He said he believes people want development done correctly and not just
56 development done anyway. Ms. Turell said she believes there is a desire for a policy that
57 sets a threshold.

1 89% thought Durham should continue to facilitate the re-development of existing
2 structures
3 85% though Durham should continue to facilitate new construction in downtown
4 91% said if available, would spend more money on retail and professional services in
5 Durham rather than out of town.
6 35% felt a tax rate with similar rates as in the past is acceptable
7 84% felt economic development beyond downtown should be encouraged by the Town
8 62% were open to development along the entrance to town via route 4
9 72% were open to development along the entrance to town via route 155a
10 70% were open to development along the entrance to town via route 108n
11 64% open to development along the entrance to town at coe's corner near route 4
12 56% open to development to town via route 108S
13

14 Chair Elliott said it would be helpful if the results were put in a relativity graphic
15 display.
16

17 Ms. Turell suggested combining like answers would turn the document into more of a
18 story. She felt the demographics who responded to the survey was interesting.
19

20 Mr. Lawson said 80% of the respondents wanted more affordable housing for younger
21 families. He said he thought that was very positive.
22

23 Ms. Turell noted that 25% of respondents are retired.
24
25

26 **3) How important are the following items to improving the downtown?**

27 74% positive with regard to bike lane network
28 73% positive with regard to better sidewalks
29 68% with regard to better crosswalks
30 59% with regard to better biking and walking access to the downtown from where I live
31 48% better lighting
32 39% two-way traffic pattern
33 28% public transportation to downtown from where you live –
34

35 Susan Fuller said she felt the answers to the questions regarding the downtown show
36 it is not that difficult to access.
37

38 Chair Elliott said he felt the responses showed the heavily car dependent culture of
39 Durham. He asked if there is a way to plot where people live with this data. He said his
40 guess is that some large percentage of people that answered live further from downtown
41 so do not feel they could take a bus ride to go grocery shopping.
42

43 Ms. Fuller said if it were more difficult for her to take a car to downtown, then a bus
44 would be more attractive. She said she feels this shows that it is not unattractive to take
45 a car to downtown.
46

47 Chair Elliott said it is interesting to see such strong support for a structured parking
48 facility and not much support for public transportation, but strong interest in spending
49 money in the downtown.
50

51 Ms. Fuller said when people come to downtown Durham you need to be mindful of
52 where you need to go and the amount of time you have to do it.
53

54 Chair Elliott said these answers help to shape a debate about how car friendly we are
55 in the downtown. He said we need to think about how to make it easy for people to park
56 once and walk through the downtown.
57

58 Mr. Lawson said he agrees noted that having a pedestrian downtown would require us
59 to have adequate parking for residents to park once and walk around downtown.

Chair Elliott said a downtown that is pedestrian friendly will encourage people to spend money there. He said this is a picture that is consistent with Portsmouth's success. Chair Elliott said he feels there is strong support for this philosophy of a structured parking facility which is hidden and out of the way.

39% public transportation that connects the downtown with recreation opportunities
51% more events/festivals
71% improved parking availability
62% buildings that combine residential and commercial uses

4) To what extent do you agree that the following housing options and policies would favorably impact Durham?

67% more flexible options for 'in-law' apartments
64% expand family rental housing opportunities
73% more affordable housing for working individuals and families
80% more affordable housing for young families
73% more affordable housing options for seniors
80% policies that enable seniors on a limited or fixed income to stay in Durham
71% encourage a more diverse mix of housing options in downtown
58% encourage housing options with shared community facilities
51% encourage more multi-unit housing outside of downtown
68% better buffers between commercial or mixed-use (including parking lot) and residential properties

5) To what extent do you agree that Durham should encourage the following housing options?

84% single-family homes
66% two-family homes
38% multi-family homes
41% apartment buildings
67% townhouses
67% condominiums
69% senior housing
22% conversion of owner-occupied homes to apartments
24% manufactured homes
7% manufactured/mobile home parks
78% conservation subdivisions

Chair Elliott asked if there were any comments, opinions, important lessons missed.

Ms. Luxem said a lot of people are in favor of economic development and also in favor of gardens and land protection. She said she feels people are looking for a balance between economic development and land protection and support one as much as the other.

Ms. Turell said she was very heartened by the profile of the respondents and the connection between that and the support for economic development. She said she feels these responses are consistent with what our sense of the community feels about the tax rate and increases. Ms. Turell said these responses show a hope for policies that support an attractive and vibrant downtown, openness to development outside of the core, and a consideration of other uses as well.

Mr. Lawson agreed with Ms. Turell. He said in looking at the data he sees people are looking for balance, not extremes and are thoughtful. Mr. Lawson said he is encouraged by the openness that people have to look at policies that affect availability of land for economic development and bolsters conclusions of the market survey. He said these

1 responses show people want and are looking for reasons to come downtown. Mr. Lawson
2 said when some of the gaps are filled in that were identified in the market survey, you will
3 start to see more vitality downtown.
4

5 Chair Elliott said he was heartened that the survey results reflect back some of the
6 choices that Durham has made for the last 20 years and also reflects a hope that there is
7 not a hard and fast wall between supply and demand. He said he feels optimistic that if
8 the downtown were to change the people would use it. Chair Elliott said some retailers'
9 feel that no matter what is done people will not shop in downtown. He said he never
10 believed that and feels this survey shows there is a chance to get some of the leakage
11 back that was identified in the market study. Chair Elliott said the connection between
12 that and the stabilization of the tax rate are shown here.
13

14 Susan Fuller said she feels people will frequent the downtown if we have an attractive
15 downtown. She said it will keep people here that come to Durham to drop off their
16 student and success breeds more success. Ms. Fuller said if there is an excitement about
17 the downtown people will come; where they live here or are dropping off their students.
18

19 Chair Elliott said he expects this data will continue to inform the Master Plan process
20 and asked when the EDC can make a contribution to the Master Plan.
21

22 Mr. Campbell said he expects to be able to discuss information regarding the survey,
23 the market analysis, etc. for the economic development chapter in October or November.
24

25 Chair Elliott asked the members if they had any specific questions regarding the
26 Master Plan.
27

28 Ms. Turell asked how contentious visions that butt up against each other and how
29 different groups convening around individual chapters can meet to discuss to make the
30 document fluent and consistent.
31

32 Mr. Campbell said such contention is the nature of a Master Plan. He said in the past
33 the process was done with committees. Mr. Campbell said one advantage of this way of
34 writing the document is that the document will be more consistent because there is a
35 consultant involved and will be able to reconcile differences among groups working on
36 different chapters.
37

38 Chair Elliott asked what is the time frame for when the Master Plan is drafted and the
39 Planning Board makes a decision.
40

41 Mr. Campbell said there will be a public meeting on the drafts in December.
42

43 Chair Elliott asked if the Town Council has a role in adopting the master plan.
44

45 Mr. Campbell said the Master Plan is a Planning Board document, but it is wise to seek
46 the Town Council input.
47

48 VIII. Discussion of increasing the Parking Fee for Exempt Parking in 49 Central Business District, as proposed to Town Council 50

51 Chair Elliott said currently in the Town of Durham if a building is built there is a fee to
52 be paid that allows you to not have to provide on site parking. He said the fee is currently
53 \$750 per space and there is a proposal to raise that fee in reaction to some interest from
54 the Town Council. Chair Elliott said the Committee has been asked by the Town
55 Administrator to discuss this. He said he feels it is clear there will be an impact on
56 economic development and that the issue is complex.
57

58 Jim Campbell said the Town has had this fee for a long time; at least since 1990 and is
59 strictly for non-residential uses. He explained that when zoning was redone this was

1 rewritten with no dollar amount in the ordinance, but stated that the parking impact will
2 be reviewed by the Town Council on an annual basis. Mr. Campbell said this has not
3 occurred; partly because previously there was not a lot of development going on
4 downtown. He said in 2006 it became much more attractive to pay the fee rather than
5 have parking associated with a new building. Mr. Campbell said in 2008 the Town
6 received several applications applying for the exemption, (Matt Crape, Kostis, the Grange
7 building, etc.)
8

9 Chair Elliott asked how the space allotment is determined.

10
11 Mr. Campbell said it is set out in the ordinance; 75 parking spaces per resident and 1
12 space for every 250 sq. ft. He said this was reviewed in 2009 and Durham looked at what
13 other towns did with regard to required parking spaces.
14

15 Jim Lawson said in October the parking data was presented, he said the parking
16 standards and policies in zoning are based on standards that are developed by the
17 Institute of Traffic. He reported that today many current papers and studies will advise to
18 be cautious with those standards because they do not apply well to downtown areas. Mr.
19 Lawson said if we looked at the downtown area (excluding Mill Plaza) zoning would say
20 over 700 parking spaces are needed. He said his concern is we have zoning that specifies
21 parking at that level and density which contradicts the concept of park once and walk,
22 contradicts data from the parking study, and contradicts the B. Denis report. Mr. Lawson
23 said those quantities drive what is required for new building and fees associated if new
24 buildings do not have that parking. He said he feels the dilemma is to either encourage
25 people to put in parking or to put in green spaces and areas to park once and walk. Mr.
26 Lawson said the Town needs to determine how much parking is expected based on our
27 vision of what the downtown should be and adjust that and have a more clear policy of
28 how those funds are used. He said until that is done we cannot weigh in with an informed
29 decision on the cost of the exemption. Mr. Lawson said he is concerned about making
30 changes before addressing the bigger issues. He said the consultant's comment is that
31 parking needs to be reviewed. Mr. Lawson asked; when do we get to the point where
32 parking is detrimental to re-development or having developers say it is easier to just
33 blacktop the fronts of their property.
34

35 Chair Elliott said he feels this is a well-intentioned effort to use this fee as a lever to
36 get toward a vision for downtown. He said the equation has been done that the parking
37 fee is low and if it is increased, it will help make downtown more walkable. Chair Elliott
38 said he thinks this is the incorrect lever to be using at this point. He said in some ways it
39 could discourage walkability of downtown. Chair Elliott said he asked town staff where the
40 money from these exemptions have gone and was told that a fund has \$50,250 (67
41 spaces) in it. He said some 60 spaces have been averted and now have that as a capital
42 resource to implement a park once strategy. Chair Elliott recommended tabling the issue
43 until bigger questions are answered.
44

45 Mr. Campbell said it is the policy of the Town Council to allow payment of the
46 exemption in three payments.
47

48 Chair Elliott asked if any of the money been spent and on what.

49
50 Mr. Campbell said he believes the funds are in the parking capital fund.
51

52 Chair Elliott said if we ask our development community to raise this fee we would need
53 a strong justification for why paying the fee would help their businesses.
54

55 Mr. Lawson said it is not unreasonable for a community to collect fees and funds and
56 increase and grow to a point where can undertake a project.
57

58 Chair Elliott said under the current financial structure there is no requirement that the
59 fund that has been built up by the fees be spent on parking infrastructure alone. He said

1 he feels if the Town asks developers to pay a parking impact fee it should be clear how it
2 is an investment in the Town.

3
4 Mr. Campbell said he sees this as an out for the developer to not have to provide
5 parking and if the fee is raised we need to be careful not to encourage developers to put in
6 the parking and not develop as much green space and not encourage centralized parking.
7

8 Ms. Luxem agreed saying a balance needs to be found and where the balance tips.
9 She said if the Town is not getting enough money to provide municipal parking, the policy
10 is not working. Ms. Luxem said the Town needs to calculate how much parking is needed
11 and whether there is a surplus or a deficit. She said if there is a deficit the fee should be
12 increased and if there is a surplus the fee should be kept low to encourage the green
13 spaces we want.
14

15 Ms. Fuller said the proposal for the Grange building will have two workforce housing
16 units but no parking, she said there are spots nearby where parking can be rented. She
17 said from what she has seen there are many units with retail below that have housing
18 above that do not have parking spaces for those units. Ms. Fuller said if the Town wants
19 to encourage this perhaps a 24/7 pass for a garage is an option. She said it will be
20 interesting to find out how renting the workforce units will be when there is no parking
21 that comes with it.
22

23 Chair Elliott said there is some consensus at this table that the formula applied in the
24 zoning ordinance may not be adequate.
25

26 Ms. Turell said to her in some ways it seems backwards. She suggested a developer
27 pay a fee toward central parking and the exemption be if they had parking in their project.
28 Ms. Turell said the norm should be to pay into a central fee and the exemption be if you
29 have parking on site. She suggested this as a change that could be considered.
30

31 Chair Elliott said the Town Administrator is looking for this committee to give an
32 opinion. He asked if a memo should be written.
33

34 Mr. Lawson said he can take the concerns of this committee and bring them to the
35 Town Council in the context that evaluating the fees is something that needs to be done,
36 but other things need to be done ahead of it and in the absence of those being done the
37 committee is uncomfortable changing fees.
38

39 Mr. Campbell said the ordinance says that the Town Council has to look at this on an
40 annual basis. He asked; when do we want to look at it every year; now or January. He
41 said January would give us time to review this further.
42

43 Mr. Lawson said this needs to be addressed.
44

45 Ms. Turell said it is feasible to consider a change to the zoning to read that the
46 developer pays into a central parking fund and have the exemption be for parking on site.
47

48 Mr. Campbell said Portsmouth is the only other community that has this type of fee.
49

50 Mr. Lawson said Portsmouth's zoning is very similar to Durham's. He said Portsmouth
51 changed their fee to \$5000 per space in 2010, then scaled it back and now charge \$2100
52 per space.
53

54 Ms. Fuller said she does not believe this is necessarily the right course for Durham.
55 She said the fee is not easy for developers to swallow; they need a payment schedule in
56 order to pay the fee.
57

58 Ms. Luxem said the Town does not have a plan and funding a central parking
59 structure; if there was a plan would make much more sense.

1
2 IX. Discussion of proposed zoning changes in CBD
3

4 Chair Elliott said he was amazed at the depth of change being proposed. He said
5 there are some very good ideas included in the changes. Chair Elliott said there were
6 suggestions from a consultant for changes which would align zoning uses and architectural
7 standards in the central business district to better direct development in our downtown
8 towards the vision of the B. Denis report. He asked what the relationship is between what
9 is proposed and the design standards coming before the Planning Board.

10
11 Mr. Campbell said he was surprised by the amount of design standards, but feels it fits
12 well with what the B. Denis report was stating and suggesting for the commercial core. He
13 said they are looking at developing standards for the core district and looking at uses and
14 how it fits into the character of surrounding neighborhoods.

15
16 Ms. Fuller asked if the design guidelines would be consistent with the zoning ordinance
17 and Mr. Campbell responded that they would be.

18
19 Chair Elliott asked if the current Master Plan supports these proposed changes.

20
21 Mr. Campbell said the Charette was a public process, and the commercial core chapter
22 of our Master Plan fits somewhat with these changes. He said the Town wants to make
23 sure that the public process' vision moves forward.

24
25 Chair Elliott said the goal for tonight is to get the members opinion on these proposed
26 changes. He asked if there were any concerns or comments. He said he has been hearing
27 for months a concern about five-story buildings in the downtown. Chair Elliott said the
28 way this has been crafted I am comfortable with it, he said it is not being proposed for
29 everywhere, only in specific locations and a lot of thought has been put into it. He said
30 there still may be some opposition to it.

31
32 Ms. Fuller said as part of the Planning Board she started going through the document
33 and is excited about the process. She said hopefully the Town can make this document
34 more of a living, working ordinance as opposed to an ordinance that gets interpreted and
35 doesn't fit with the modern day vision for the town.

36
37 Ms. Turell said the "Category of Uses Table, Conditional Uses" have been changed.
38 She asked if the thought is that the changes as a whole will make it easier for developers
39 to know when they come in what is allowable or is it to screen out earlier what is not in
40 keeping with what the town wants.

41
42 Mr. Campbell said the change is to make it a clearer process for applicants and also to
43 say if you don't fit in to this category this is not a use that we want. He said the changes
44 have tried to tie to specific performance standards; if meet the standards good, if not
45 meet the standards, it is not something that will happen in the Town of Durham.

46
47 Chair Elliott said the proposed changes include meaningful changes that greatly
48 increase the range of activity in the downtown.

49
50 Ms. Turell said this is an area where planning in collaboration with UNH could make a
51 big difference.

52
53 Chair Elliott said one intention is to do away with as many conditional uses as possible
54 in the Central Business District. He said he is intrigued that it was deemed wise to make
55 light manufacturing an approved use in the downtown area.

56
57 Mr. Campbell said light manufacturing is for such companies as assembly of smaller
58 products which would have light truck traffic. He said this is a use that should be allowed
59 in the downtown.

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Chair Elliott asked if there is new language for a research facility.

Mr. Campbell responded that the performance standard for research facility is new.

Mr. Lawson said a lot of these changes from conditional use to permitted are very good and very insightful. He said he is very happy that things like light manufacturing were picked up. He said they are critical to small research and development companies. Mr. Lawson said he is a little concerned about some of the uses that are allowed in the Professional/Office District. He said this district is limited in geography and is a very critical district with a few proposed permitted uses; like repair shops; that may need to be removed. Mr. Lawson said he is not sure a few of the uses in that district are consistent with our vision.

The members discussed the minimum lot requirement per dwelling unit, the minimum and maximum lot frontage required and proposed.

Mr. Campbell said he will be going with the consultant to make actual measurements of lots to determine what the average is currently for lot frontage. He said the consultant has proposed a change from a minimum lot frontage to a maximum lot frontage of 80 ft. The members discussed the possible impacts of this proposed change and other ways to prevent "big box buildings" in the downtown.

The members discussed the need and right for the Town to mandate liability insurance for participation in the farmers market.

Mr. Campbell said most farmers market have these rules.

Chair Elliott said it is one thing if the market is on a public lot, but the proposed change mandates liability insurance on any lot and does not belong in a performance standard.

Mr. Campbell said the farmers market is currently held on public land, but previously it was on private land.

Chair Elliott said he would like to be friendly to farmers.

Mr. Campbell said private land owners would have the option of requiring it.

Mr. Campbell said these proposed changes would go to Planning Board in September to begin discussion.

Ms. Fuller said she has written down comments from the members and if any member would want to send her more comments, she will bring them to the Planning Board.

Mr. Campbell said another change that is being added is under the Central Business District with regard to maximum height of mixed use buildings. He said it is being proposed to allow four stories if the first floor is non-residential and the remaining three floors are residential.

Ms. Luxem suggested some part of the first floor residential be allowed for handicap and then allow some commercial space in one of the other three stories.

Ms. Fuller said the Kostis building is proposing a handicap unit on the first floor from Rosemary Lane.

Chair Elliott discussed the "three/one zoning". He said there are other controls on the number of bodies in the building that would mean the same number of students in the same building, but in larger apartments that could be used at a later date for non

1 students. He said this would provide three floors of housing with the same number of
2 people living in it, with bigger living space.

3
4 The members discussed the maximum height limit of 50 feet.

5
6 Mr. Campbell noted that there are dramatic changes to the parking section (at the end
7 – page 31) which speaks about the compliance required.

8
9 Chair Elliott said he feels this is a good place to make changes to encourage village
10 living. He asked if the consultant has been asked to think about making changes to
11 encourage village living.

12
13 Mr. Campbell said the consultant has been asked to look at parking calculations;
14 within the lot or within 1000 ft, shared parking, and the payment of a one-time parking
15 fee.

16
17 Mr. Lawson said he is interested in delving more into parking.

18
19 Mr. Campbell said mixed use standards, rather than individual uses, can relax
20 standards and is another avenue to look at.

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24 X. Next meeting and action items

25
26 Chair Elliott noted that Unutil was unable to make it for the August meeting, but would
27 like to be present for the September meeting.

28
29 Chair Elliott announced that the next meeting of the Durham Economic Development
30 Committee would be September 19th at 7:00 pm. He said Jim Lawson has volunteered to
31 research parking issues for a presentation at the September meeting.

32
33 Susan Fuller MOVED to adjourn the August 22, 2011 meeting of the Durham Economic
34 Development Committee at 10:00 pm. This was SECONDED by Ute Luxem and APPROVED
35 unanimously.

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37
38 Respectfully submitted by,

39
40
41 Sue Lucius