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Town Planner's Review
DURHAM HISTORIC DISTRICT COMMISSION MEETING
Thursday, April 7, 2016

I. Call to Order

II. Opening remarks from the Chair

Peter Stanhope asked that we distribute the etiquette for meetings from the Strafford Regional Planning Commission (enclosed in the packets)

III. Approval of the Agenda

IV. Public Comments

V. Discussion with Mike Lynch, DPW Director, about Durham Department of Public Works projects:

A. Durham Point Road – Route 108 intersection

This is presented to the Heritage Commission for discussion. The following information and the rendering are taken from the March 25, 2016 Friday Updates. *See the rendering on a separate document enclosed in the HDC packet.* The intersection is located within the Durham Historic District but I do not believe that the HDC has purview over proposed changes in road design in Town rights of way. Mike Lynch would also like to discuss the impacts, if any, upon the historic Town pound site.

DURHAM POINT ROAD/ROUTE 108 INTERSECTION CHANGES AS PART OF NHDOT RT. 108 PROJECT

The New Hampshire Department of Transportation has included the Route 108 project consisting of the installation of bike lanes, shoulder widening, and intersection improvements in its Ten Year Transportation Improvement Plan for 20 years.

This update provides a brief overview of the current project, new schedule, and information regarding the NHDOT redesign of the Durham Point Road/Newmarket Road intersection. Durham Public Works received the final drawings two years ago. During the DPW review process Durham staff had concerns regarding the NHDOT Durham Point Road intersection at Newmarket Road.

The NHDOT Design had included a bus stop which blocked the site view of vehicles exiting Durham Point Road. The NHDOT design also did not include a designated south bound turning lane as vehicles exit Durham Point Road.

Public Works discussed these design flaws with a few residents of Durham Point Road, the Durham Traffic Safety Committee, and NHDOT Project Engineer Ronald Grandmaison. Residents and the TSC agreed with the Public Works review and Mr. Grandmaison agreed to take the design back to NHDOT Headquarters.

Months later NHDOT officials did support the removal of the bus stop but not the addition of the south bound turning lane. This decision was not acceptable to Public Works officials, thus Mr. Grandmaison was invited back for a discussion with the Traffic Safety Committee.

Provided the Town Council and the Durham Historic District Commission find the DPW recommended changes acceptable, NHDOT will agree to Durham's request. The Council discussed the design at its meeting on Monday, March 21, 2016, and suggested that it be discussed again on April 4th to give the public a chance to provide input.

If residents have feedback, they may email them to DPW Director Mike Lynch at mlynch@ci.durham.nh.us. Residents are also encouraged to provide feedback during the public comments period at the start of the April 4th Town Council meeting which begins at 7 PM.

B. Old Landing Park on the Oyster River – refreshing the park

This is presented to the Historic District/Heritage Commission for discussion. *See the enclosed 11x17 color rendering showing the proposed improvements.*

Historic district. The park is located on Map 5, Lot 6-6. This lot is located in the Durham Historic District and is subject to HDC review. (Note that the current ordinance refers to Map 5, then lot “5-6-6” rather than “6-6.” This appears to be a typo as there is no lot 5-6-6. The Historic District map includes the entire lot and the current proposed amendments would correct this.)

Purview of HDC. Thus, any proposed work on the site that fall under HDC purview will need to be reviewed. HDC purview includes demolition or alteration of structures; installation of pavement or other pervious or semi-impervious material; erection, alteration, or removal of walls and fences; and substantial changes in topography. General maintenance and repair and landscaping are not subject to review (except for removal of trees with a 12” diameter).

“Structure” is defined as follows: “Structure – (For Historic Overlay District purposes) Anything within the Historic Overlay District that is built or constructed with a fixed location on the ground or attached to anything with a fixed location on the ground including but not limited to buildings, fences, walls, signs, light fixtures, decks, porches, and steps.”

We should clarify which specific proposed projects fall under HDC purview (posts, sidewalk, wall improvements, etc.). The Town can then submit a formal application for a subsequent HDC meeting. Note that the HDC does have purview over Town land but the Town Council can override any decision about Town property by a 2/3 vote.

Pump station. The plans call for the removal of the old sewer pump station. The building is obsolete, functionally, if not also structurally. However, I think that it would be desirable to retain it if practical. The building would likely be quite difficult to return to any productive use but it would be worth exploring if it could be stabilized in some manner and remain as a signature historic element of the park.

The old pump station is a handsome public works relic. It is well proportioned with high-quality brick laid in an English bond (alternating courses of headers and stretchers), a high square hip roof, attractive roof slates (though many have fallen off), and exposed rafter ends (though a number are broken or rotting).

According to Mike Lynch, Public Works Director, the building has not been used in probably over 50 years. The Town abandoned it about 25 years ago. There have been proposals to rehabilitate the structure but the Town was not interested in doing this at those times. There was a suggestion years ago to try to convert it for some public use such as an ice cream shop but that did not progress. Mike Lynch says the building leaks a good deal, a lot of slates are missing, the plaster inside is shot, and windows have been vandalized and are now mostly boarded up.

Approval from the HDC would be needed to demolish the structure. Mike would be able to show the HDC the interior at another meeting if that is desired.

Heritage Commission. Of course, the Heritage Commission may comment on any of the proposed work, whether it falls under the HDC or not.

C. Other projects

VI. **30 Main Street - Signage.** Application to amend earlier approval for the design of three signs at 30 Main Street for The Juicery and The Soupery – two front wall signs and one projecting sign. Alex Vandermark, applicant. Mark Henderson, property owner. Signs by Portsmouth Sign Company. Map 4, Lot 1-0.

Earlier approval. The HDC approved an earlier set of four signs on December 3, 2015. This application is to change the designs of those signs but not the size or placement. The ZBA approved variances for the sizes of the two front wall signs and the projecting sign. The HDC approval and these earlier sign designs are included in the packet.

Amendments to ordinance. As I noted in an email that I sent to the HDC, per RSA 676:12, the proposed new language in the Historic District ordinance, pertinent to signage, that was noticed for the Planning Board public hearing on March 9 applies to this application, provided that language is ultimately adopted by the Town Council. Thus, the HDC should use some judgment in applying those provisions, recognizing that different language could be adopted later, especially since the Planning Board has modified that language since the public hearing. We should discuss this issue with the applicant so that the process is clear. I will review the proposed language to see if any provisions are pertinent to this application, and will send a separate email to the HDC and the applicant shortly.

New designs. I would recommend looking carefully at the new proposed signage. It is quite different in character from the earlier approved signage. I think the white lettering is rather intense. Is there another light color that could be used? It is difficult, though, to provide sufficient contrast to the mottled wood background.

Property owner. Mark Henderson, the property owner, emailed this message to the HDC:

To the HDC –

I am writing on behalf of the The Juicery and The Soupery, and the owner Alex Vandermark. My apologies for not being able to make the HDC meeting on 4/7. I hope that the HDC will vote favorably on Alex's requests. As you can see from his mock up designs he has stayed within the sizing that you previously approved for me and has only enhanced the look and quality of the signage. Once he opens for business you will also see the significant investment he has made within the walls of 30 Main St. He has gone above and beyond my expectations in design, taste, and quality. His business will truly be an asset to our community and more significantly, to our downtown.

Sincerely,
Mark Henderson

VII. **Three Chimneys Inn – Reconstruction of two stone walls, adjustment to sign, and discussion about other site improvements.** 17 Newmarket Road. The Inn is planning various projects on the property as part of a long-term landscaping master plan. Changes to stone walls, signage, and certain other potential future improvements are subject to HDC review. Three Chimneys Inn, LLC, property owner, c/o Karen Meyer, Innkeeper. Robbi Woodburn, Landscaping Architect. Piscataqua Landscape and Tree Company, contractor. Map 5, Lot 5-11.

Stonewalls. The renovation of the two stone walls (on both sides of the entry drive) and minor changes to the sign are presented for review by the HDC. The applicant can also provide an overview of the potential future projects being considered as part of the master plan. Alterations to stone walls are subject to review but maintenance is not. Given that the proposed activity will change the appearance of the walls somewhat, I think these changes are more than simple maintenance.

Sign. Regarding the sign, the applicant proposes to straighten it (That is simple maintenance) and move it up the hill a little. They will also make a minor hardware change: the sign is currently lit by a small light hanging off the sign post which will be replaced with a subtle landscape light from below. The bar shown at the top of the sign in the photo will also remain (not shown in rendering).

VIII. **5 Tavern Way – New House.** Proposed new single-family, two-story house on vacant lot with frontage on Newmarket Road. The lot was created from a recent 2-lot subdivision of the former Mill Pond property. Benjamin Morrison, Stratham, NH, realtor and applicant. Swedepole Investments, c/o Paul and Helen Goransson, lot owner. Newmarket Plains, LLC, c/o Paul LeBeau, designer. Langdon Construction, LLC, c/o Paul Langdon, contractor. Map 6, Lot 9-8-1.

Subdivision. The Planning Board approved a 2-lot subdivision for the former Mill Pond Center property off Newmarket Road on April 15, 2015. The applicant is now presenting an application for a house for the new front lot.

Note that they do not have a specific buyer for this lot but believe that if they have either an approved design or clear direction from the HDC, it will help in marketing the lot. Thus, the submitted design is very fluid.

Review by HDC. It would be worth discussing with the applicant the best way to proceed. To obtain an actual approval now would involve a lot of work – reaching an acceptable design for the house, including the myriad details for the house that would be needed, including a detailed site plan. If such a design were actually approved now, it would be likely that any future buyer would want to make certain amendments to the plan. Alternatively, is there any kind of direction (however, general or specific) that the HDC could give to the applicant that they could provide for prospective buyers of the lot?

After speaking with the chair and vice chair of the HDC, I contacted the applicant to discuss the process and the submitted design. I think that the design is fairly suburban in character and numerous changes would be desired. There are a number of other historic Cape Cod houses in the Durham Historic District close to this property that can serve as inspiration. I have encourage the applicant to look at them and sent them photographs.

Basic design. One approach that might be worth pursuing would be to have a basic mass/block in a Cape Cod form situated parallel to Newmarket Road. It could be fairly simple (a Georgian or Greek Revival style) symmetrical with 3 or 5 bays, with or without dormers (Note that the dormers on historic capes are very narrow, encompassing only a single window). Additional mass(es)/block(s) could be appended to the rear, including a garage if one is desired and the driveway and parking area could be placed at the rear. In this manner, the primary view from Newmarket Road would be of a traditional cape.

I will email to the HDC numerous photos of these other capes in the Historic District.

New construction. The Historic District ordinance states: “*New construction.* New construction is an essential process in a vital community, representing the current phase of an evolution that has been ongoing since the settlement of Durham. Contemporary architecture may be appropriate, provided that it is respectful of the historic fabric of the District. New construction within the Historic District should be consistent with Sections A and B, above.”

I don’t believe that an applicant is expected to replicate an old building but the house should be harmonious with and respectful of these older designs.

Details. There are numerous details that should be discussed at the appropriate time – mass and form, orientation of the building, building style, roof pitch, scale, dormers, foundation, materials, trim, window treatment, entrance portico, shutters, etc.

Amendments to ordinance. As I noted above, per RSA 676:12, the proposed new language in the Historic District ordinance that was noticed for the Planning Board public hearing on March 9 applies to this application, provided that language is ultimately adopted by the Town Council. Thus, the HDC should use some judgment in applying those provisions, recognizing that different language could be adopted later, especially since the Planning Board has modified that language since the public hearing. We should discuss this issue with the applicant so that the process is clear. I will review the proposed language to see if any provisions are pertinent to this application, and will send a separate email to the HDC and the applicant shortly.

Discussion. This is not a complete application so I recommend this be discussed in a general fashion, so the applicant can decide how best to proceed from here. The applicant may have one or more updated options for the HDC to examine at the meeting.

IX. **Historic District Ordinance changes.** Pursuant to recommendations from the HDC, the Town Council initiated numerous amendments to the Historic District ordinance. The amendments were forwarded to the Planning Board for review. The Planning Board has proposed additional changes to the ordinance and has sent all of the proposed changes to the HDC for its comments.

Amendments. The Historic District Commission developed numerous proposed amendments to the Historic District ordinance, Article XVII of the Durham Zoning Ordinance, on December 3, 2015. Jim Lawson presented the document to the Town Council on January 11, 2016 which then crafted several changes to the proposal. These additional changes were presented to the HDC on February 4, and the HDC endorsed the changes and a few additional ones. The Town Council then formally initiated the amendments at its meeting on February 15. The Council sent the document to the Planning Board for the board's recommendation. The board held a public hearing on the Council document on March 9 (and has continued the public hearing).

The Planning Board has developed numerous changes of its own to the Town Council document. The board has sent this revised document to the HDC for comments. Once the Planning Board receives the HDC's comments (Hopefully for the next Planning Board meeting on April 13), the board will finalize its document. The board will then need to hold another public hearing on this revised document and then send its final recommendation back to the Town Council.

Packet. The packet includes the revised document that the Planning Board has developed. Please review this so that the HDC can offer comments back to the board. I have also enclosed the original document that the HDC endorsed so that you can consider the differences. I think the HDC can comment on any items proposed by the Planning Board and any other items that are part of the ordinance.

Requirement for architect? Peter Stanhope, Andrea Bodo, and I discussed whether there should be a requirement for projects to be designed by an architect. This is worth discussing. Note that the present ordinance (including the amendments) does not require this. In contrast, the Architectural Regulations in the Site Plan Regulations (for the 5 core commercial areas where the architectural regulations apply) state: "A licensed architect shall design the building(s) and prepare the architectural drawings." Also, the Site Plan Regulations require an architect prepare drawings also in the areas where there is no architectural review, as follows: "The architectural drawings shall be prepared by a licensed architect but the Planning Board may waive this requirement for smaller structures or those less prominently located, or as it deems appropriate."

X. **Other Business**

Peter Stanhope suggested discussing the sign installed recently for St. George's Church (approved by the HDC). He noted how well the sign has turned out.

XI. **Approval of Minutes**

XII. **Adjournment - by 9:30 p.m.**