

# **Appendix I**

Chesley Drive File

## **The Chesley Drive File**

Durham, NH

Updated August, 2007

*This compilation of documents, which reads from most current to the past, represents a history of discussion in Durham related to Chesley Drive – a residential cul-de-sac in the Faculty neighborhood that borders the Mill Plaza property. Despite its size, this file is not an exhaustive list of Chesley-related correspondence. It was started by former Town Planner Duane Hyde during the 2000 Master Planning process and updated and placed in pdf format in August, 2007 to inform the efforts of architecture teams working with the Mill Plaza Study Committee and their partners with AIANH (American Institute of Architects New Hampshire Chapter) as they explore conceptual designs for redeveloping the Plaza property. The original file, which should contain the latest information, is kept for the public in the Town Planning office.*



## Overview of Contents

### 2007

- ✓ “A Brief History of Mill Plaza Property” – an excerpt of draft April 1, 2007 report, “Criteria for Design Teams of the Durham/ AIA150 Community Partnership.”

### 2000

- ✓ Excerpt from Chapter 3 of the 2000 Durham Master Plan addressing vehicular access via Chesley Drive
- ✓ January, 2000 petition by 200 residents living outside the Faculty neighborhood opposed to vehicular access to the Plaza via Chesley Drive

### 1990s

- ✓ June, 1999 petition by residents on Faculty Road opposing vehicular access to the Plaza via Chesley Drive
- ✓ April 4, 1994 letter from town denying permit for development of the Osgood lot (Lot 06-03-19) and related documents
- ✓ January 10, 1994 excerpt of Town Council minutes on debate over extending Chesley Drive to Plaza
- ✓ Record of five petitions in 1993 opposed to opening vehicular traffic to Plaza – totaling 220 signatures, and three 1994 news articles about Chesley Drive issue.
- ✓ Excerpt of Oct 4, 1993 Town Council minutes of public hearing on extending vehicular access to the Plaza via Chesley Drive.
- ✓ Oct 15, 1993 letter with results of poll of Church Hill Apartment residents on Chesley Drive issue.
- ✓ Jan 3, 1993 Memo to the Town Council detailing a “limited impact analysis of proposed Chesley Drive connector to the Plaza.”
- ✓ Nov 2, 1993 raw data from traffic study by Strafford Regional Planning Commission.
- ✓ July 30, 1991 letter from town denying driveway permit from end of Chesley Drive and related map.

## 1970s

- ✓ May 29, 1979 minutes of Planning Board meeting regarding a parking plan at the Plaza site and related background documents.
- ✓ March, 1977 Application for Plaza site review
- ✓ Various 1974 and 1973 documents, minutes and letters regarding the development of the Plaza property and vehicular access to the site.

### **A Brief History of the Mill Plaza**

At about the time Julian Smith (a current Town Councilor and our MPSC vice chair) bought a house in Durham in 1965, the property that would become the site of the Mill Plaza went on the market. Dick Houghton recently told the Mill Plaza Study Committee that although some members of the business community thought the town should acquire the property and establish a town center there, the three selectmen were not interested because there was at that time no pressing need for more space to conduct town business. At that time, the selectmen and various town boards met in the Court House – and the town clerk and police department were also housed in the Court House while the Public Works Department operated in several buildings on what is now the back of the Town Hall parking lot. And in those days, of course, the town library was located in the University of New Hampshire’s Dimond Library.

Exactly forty years ago, in 1967, two New Hampshire developers, Sam Tamposi and Ed Lehoullier, began the process of developing a nearly 10-acre parcel east of Mill Road between College Brook and the rear of buildings along Main Street. In their first conceptual plan for the development of the property that would become the Plaza, they proposed two town roads across their property: one running just north of College Brook from what was then and still is the end of Chesley Drive all the way to Mill Road, and a second coming down from Main Street across the Grange property and connecting at a right angle to the extension of Chesley Drive. Nothing came of the plan to build those two proposed town roads – and the first phase of the Plaza development opened in 1969 with a single building containing five businesses, including a grocery, a pharmacy, and a hardware store serviced by a parking lot about half the size of the present lot.

In 1968, at town meeting, that warrant included an article to see if the town would purchase land and buildings located at 29 Main Street, two doors east of the town-owned Grange, “to provide facilities for relocation and expansion of the Town offices.” That article failed by a vote of 360 to 88. In 1969, the board of selectmen, which had expanded from three to five members, decided to buy the two buildings that were later combined to make our present town hall.

Early in 1973, a traffic engineer for the New Hampshire Department of Public Works and Highways wrote to Becky Frost, the chair of the Durham Planning Board, to say that it would be “advantageous” to have additional vehicular access to the Plaza from Chesley Drive on the east and from Main Street via the Grange property on the north.

In 1974, as part of the process for approving and expansion of the parking lot and the construction of a second building on the site, the developers deeded to the town a right-of-way parallel to the brook connecting Chesley Drive to Main Street with the stipulation that the town would have to vote at town meeting to build that town road within two years and build and accept that town road within five years of that vote. At the Durham Town Meeting in March 1974, Durham voters rejected a proposal put forward by Town Selectmen to extend Chesley Drive as a vehicular route to Mill Road. Instead, voters approved an amended proposal to extend Chesley Drive only as a foot and bicycle path. The vehicular right-of-way became null and void.

Over the years, several attempts to extend Chesley Drive into the Plaza have been defeated – in town meeting votes and in efforts to write the goal into the zoning ordinance and the master plan. Hundreds of residents, both inside and out of the Faculty neighborhood have signed petitions, written letters and attended meetings to voice support for preserving the buffer and wetland between Chesley Drive and the Mill Plaza. This green pedestrian-and-bike friendly corridor is used by residents across town as a gateway between the downtown, the Faculty neighborhood, and the Mill Pond. As a result of a town-wide petition and concerted engagement of the Faculty neighborhood, the town’s current master plan calls for its enhancement as a pedestrian gateway to the Mill Pond and further states that Chesley Drive “should be excluded from evaluation as an option for improved access to the Mill Plaza.” These sentiments were echoed strongly in the neighborhood focus group hosted in July for this report (For more information, See Section 5, and Chesley Drive folder in Appendix).

In 1983, the original developers sold the two buildings and other improvements (but not the land) to John Pinto, an investment banker doing business as Colonial Durham Associates. Ten years later, in 1993, the original developers sold the land itself to Mr. Pinto. As time passed, the police department moved out of town hall into its own facility on Dover Road – and Public Works moved to Stone Quarry Drive.

In 1995, the town's Community Development Plan observed what had been obvious for some years: “The Mill Plaza makes up a large portion of the Central Business District and is currently not used to its potential.” That plan had as a goal: “To actively engage the owners of the Mill Plaza in the improvement of the buildings and open space.”

In 1997, the Durham Public Library moved out of the UNH library and began searching for a permanent home. In 2000, Durham's Master Plan established a number of goals you will find quoted in the Mill Plaza Study Committee's draft “Vision Statement” (Found in Section 5 of this report).

Last year, two things happened: the town administrator undertook a space-needs assessment for both the town hall and the library – and some members of the council and of the library board of trustees became interested in the possibility of locating a new town center at or next to a redeveloped Plaza. As a result, Neil Niman, the chair of the Town Council, Town Administrator Todd Selig, and others met with John Pinto, the owner of the Plaza, to discuss that possibility. After the meeting, Mr. Pinto wrote a letter to Todd Selig in which he suggested the Town begin “to develop design specifications” that would result in “both an improved tax base and better symmetry between the Town, the University, and [the Plaza] property.” Late last year, the Council voted to establish the Mill Plaza Study Committee and charged it with “the development of a future vision for the Mill Plaza site.” As mentioned in the Introduction and Overview, the MPSC’s efforts have blossomed in the new collaboration with AIANH and its AIA150 partners.

Finally, on July 18, the Council Chair, the Town Administrator and representatives from AIA150 and the MPSC met with John Pinto to provide an update on their efforts. Mr. Pinto reinforced his support for the process underway and we look forward to working with him closely as the design and facilitation process progresses.

***Option A: Access to Mill Plaza via an extension of Church Hill Road***

**Positives**

- Reduces traffic on Mill and Faculty Roads.
- Opens backside of Church Hill for commercial use.
- Improves walk to Mill Plaza from elderly housing.

**Negatives**

- Land acquisition costs would be high.
- Road construction costs would be high, estimated to be \$500,000 to \$1,000,000 including land acquisition costs.

***Option B: Two-way access from Main Street in the area of the Grange.***

**Positives**

- May reduce traffic on Mill and Faculty Roads.

**Negatives**

- Land acquisition costs are high.
- Road construction costs are high due to slope and ledge.
- May not alleviate traffic on Main Street from south or east due to traffic avoidance of the Main Street/Route 108 intersection.
- Big grade difference to resolve.
- Does not alleviate traffic on the Main Street/Pettee Brook loop nor does it improve access to the plaza.



*Chesley Drive should specifically be excluded from evaluation as an option for improved access to Mill Plaza for the following reasons:*

- Strong historic and continuing opposition from the entire neighborhood, not just the residents from Chesley Drive. Neighborhood residents have stated that they prefer to put up with the current traffic on their streets rather than to alter the nature of the current footpath through the woods to the Mill Plaza.
- The problems with the orientation, parking, and landscaping of the Plaza.
- The degradation of residential property values that would result from a Chesley Drive connection.
- The broad impact on and the lack of access to the Mill Pond Greenway, natural resources, and pedestrian access.
- The poor sight distance at Mill Pond Road.
- The desire to maintain Chesley Drive as a "pocket neighborhood."

- The desire to maintain pedestrian and recreational access to the Mill Plaza and downtown.

This recommendation to exclude Chesley Drive from consideration was made due to the above stated reasons, after consideration was given to the potential positive aspects of such a connection which include:

- Properties could be zoned for business, allowing residents to capture value.
- The road is in place and would be inexpensive to connect. Cost of connection is estimated at \$50,000 to \$100,000.
- The connection would reduce traffic on Mill and Faculty Roads.
- No property acquisition is required.
- The Town would have additional commercial land if the Chesley Drive area were commercially zoned.

### ***OBJECTIVE #3:***

Promote mixed-use (apartments/retail/commercial) development to encourage in-fill and increased density and height in the built environment.

### ***RECOMMENDATIONS:***

1. Expand office/retail space by allowing apartments to be included as a mixed use on the second and third floors of three-story buildings and on the third and fourth floors of four-story buildings with two floors of commercial space. This plan will provide economic stability due to the income from apartment rentals and will also increase available commercial space.
2. Eliminate commercial and residential use parking requirements in the CBD in order to encourage full commercial development of properties to the street and property lines.

### ***OBJECTIVE #4:***

Create a new zone, Professional Office District, along Madbury Road. (See Downtown and Commercial Core map, page 3.3) See discussion in the Professional Office District section of this chapter.

# PETITION TO THE DURHAM PLANNING BOARD

January 2000

We, the undersigned residents of Durham who live **outside** the Faculty Neighborhood, express our strong support for the Master Plan Steering Committee's vote to exclude Chesley Drive from further study of a possible additional vehicular entrance and/or exit from the Mill Plaza.

As those who value the pedestrian nature of Durham's downtown know, the Chesley/Faculty footpaths are a treasure enjoyed by residents of all parts of town. The woods and wetland surrounding the paths provide a crucial buffer between the commercial core and Durham's largest downtown neighborhood, with its parks and scenic walking areas. As we walk from the Mill Plaza into the Chesley marsh, we leave behind the asphalt of a large parking lot, and we escape the noises, glare, and fumes of cars and stores. We enter a world of woods and wetland, of a winding brook and a wooden footbridge, of intersecting paths where neighbors meet and talk. This area is one of the gems that has earned Durham the distinction of being "Tree City, USA."

The College Brook greenway and the Chesley footpaths provide the best pedestrian access from the center of town to the Mill Pond Park, the Smith Chapel Reservation, and the Oyster River Park. These routes are popular with families, children, elderly, workers on lunch break, bird watchers, and nature lovers. Walkers, joggers, bike riders, and rollerbladers frequent these paths and quiet streets. This area helps to make Durham a special place to live and work.

The idea of destroying the pedestrian character of this small nature preserve is not a new one. Making Chesley Drive a through street has been "studied" numerous times over the last 25 years. Each time it has been overwhelmingly rejected for numerous good reasons. But every time the destruction of the Chesley marsh and footpaths has been "studied," the neighborhood and the other Durham residents who value this area have been thrown into months of anxiety and distress. Each previous "study" of Chesley Drive has swallowed up the time and energy of hundreds of Durham residents. We are pleased to see that the Master Plan Steering Committee has had the wisdom to finally put this question to rest and to advocate the protection of the Chesley footpaths and the College Brook greenway (in Chapters 3 and 4, with consistent recommendation throughout the plan). We urge you to accept and endorse this position regarding the preservation of one of the few remaining patches of scenic wetland and forest in the heart of our downtown.

signature

name

address

<u>Pamela K. Davis</u>	<u>Pamela K. Davis</u>	<u>11 Fairchild Dr. Durham</u>
<u>Wendell P. Davis</u>	<u>Wendell P. Davis</u>	<u>11 Fairchild Dr. Durham</u>
<u>Gregory A. Zelenki</u>	<u>Gregory A. Zelenki</u>	<u>28 FFRAT Dr. DURHAM</u>
<u>Debra Fleming</u>	<u>Debra Fleming</u>	<u>124 Dame Rd. Durham</u>
<u>Lisa Shaker</u>	<u>Lisa Shaker</u>	<u>8 Adams Circle Durham</u>
<u>SUE Milovina</u>	<u>SUE Milovina</u>	<u>10 Adams Cir Durham</u>
<u>Jack Quinn</u>	<u>Jack Quinn</u>	<u>10 Adams Cir, Durham</u>
<u>David Cross</u>	<u>David Cross</u>	<u>4 Adams Circle</u>
<u>David Cross</u>	<u>DAVID CROSS</u>	<u>4 ADAMS CIR.</u>
<u>Kathleen McCartney</u>	<u>Kathleen McCartney</u>	<u>8 Fairchild Dr.</u>

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signature	name	address
	Amanda Merrill	8 Meadow Rd.
	Ashley Brown	34 Edgewood Rd
	WARREN BROWN	34 Edgewood Rd.
	Donna Brown	34 Edgewood Rd.
	KENNETH FULD	8 Meadow Rd.
	ELLIOTT BAKER	331 PACKERS FALLS RD
	Sally Ann Baker	331 Packers Falls Rd
	Jason Baker	331 Packers Falls Rd
	Lynne Donnelly	10 Carriage Way
	Ron Donovan	10 Carriage Way



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signature	name	address
<i>Bill Hagen</i>	Bill Hagen	8 Fairchild Drive
<i>Neil Stepien</i>	Neil Stepien	12 Fairchild Drive
<i>Margaret Wilson</i>	Margaret Wilson	12 Fairchild Drive
<i>Lucille Pirie</i>	Lucille Pirie	8 Fairchild Drive
<i>JAMES G. PIRIE</i>	JAMES G. PIRIE	13 Fairchild Drive
<i>Karl Van Asselt</i>	Karl Van Asselt	12 Fairchild Drive
<i>JANIS A SHEA</i>	JANIS A SHEA	15 Fairchild DRIVE
<i>Catherine K. Leach</i>	Catherine K. Leach	14 Fairchild Dr.
<i>DAVID C. LEACH</i>	DAVID C. LEACH	14 Fairchild Dr.
<i>Uza Hewitt</i>	Uza Hewitt	4 Fairchild Dr.

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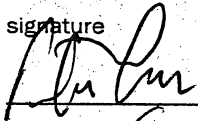
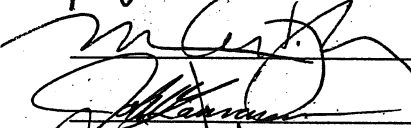
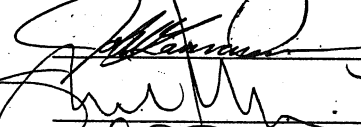
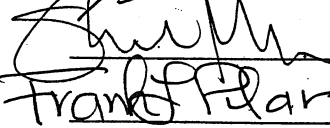
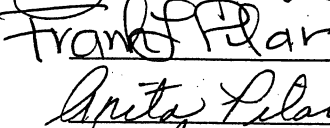
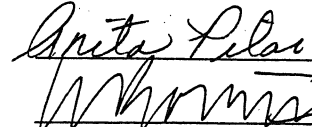
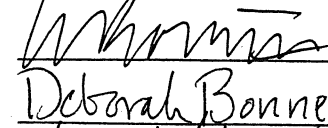
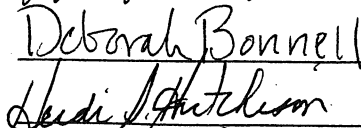
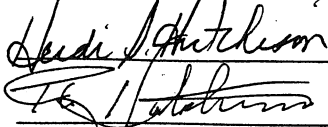
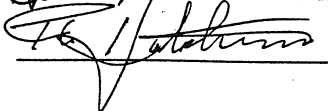
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signature	name	address
	PETER CASS	168 PACKERSTALLS RD DURHAM
	Mara Witzling	168 Packerstalls Rd Durham
	JOHN LANNAMANNI	156 PACKER'S FALLS RD. DURHAM, N.H.
	Sheila McNamee	156 Packer's Falls Rd. Durham, NH
	FRANK L. PILAR	26 NEWMARKET RD, DURHAM
	ANITA PILAR	26 NEWMARKET RD, DURHAM
	Wilburn Bonnell	50 Newmarket Rd Durham
	Deborah Bonnell	50 Newmarket Rd. Durham
	Heidi S. Hatchison	6 Laurel Lane, Durham NH
	Thomas L. Hatchison	6 Laurel Lane, Durham NH

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signature	name	address
<i>Donna Hardy</i>	Donna Hardy	8 Beech Rd Durham
<i>Robert Maur</i>	Robert Maur	3 Beard's Landing Durham
<i>Robert C. Dragan</i>	ROBERT C. DRAGAN	15 MOHAMED DRIVE MADISON
<i>Claire T. Picone-Powell</i>	CLAIRE T. PICONE-POWELL	1 Langley Rd. Durham
<i>Richard Robbins</i>	Richard Robbins	31 Laurel Lane, Durham
<i>Evelyn Robbins</i>	Evelyn Robbins	31 Laurel Lane, Durham
<i>Denise Dutka</i>	Denise Dutka	98 Newmarket Rd, Durham
<i>Rox Ann Abelman</i>	Rox Ann Abelman	15 Simons Lane, Durham
<i>Paula Roy</i>	Paula Roy	22 Davis Ave. Durham
<i>Kevin Webb</i>	Kevin Webb	22 Davis Ave. Durham
<i>Hillary Scott</i>	HILLARY SCOTT	20 DAVIS AVE Durham

out of Durham →

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signature	name	address
<i>Carly Lewis</i>	CINDY Edith Lewis	9 Gerrish Dr Durham, Nc
<i>John M Lewis</i>	JOHN M Lewis	9 Gerrish Dr, Durham, Nc
<i>Representative Don Lent</i>	Representative Don Lent	7 Gerrish Dr. Durham, Nc
<i>Robin Lent</i>	Robin Lent	"
<i>NORMA SEBAL</i>	NORMA SEBAL	53 Bucks Hill Rd Durham.
<i>John E. Carroll</i>	John E. Carroll	54 Canney Rd., Durham
<i>Diana Carroll</i>	Diana Carroll	54 Canney Rd. Durham
<i>LOVERTIA A. GRANT</i>	LOVERTIA A. GRANT	261 Mast Rd Durham
<i>W. ARTHUR GRANT</i>	W. ARTHUR GRANT	261 Mast Rd DURHAM
<i>Patricia M Binty</i>	Patricia M Binty	251 Mast Rd Durham

# PETITION TO THE DURHAM PLANNING BOARD

January 2000

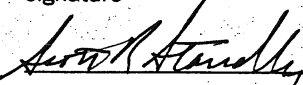
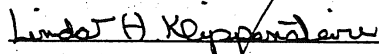
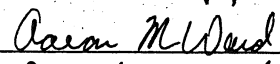
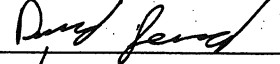
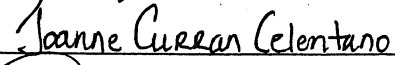
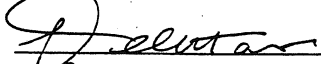

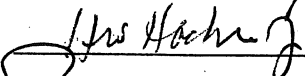
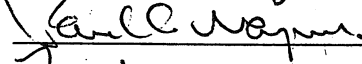

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signature	name	address
	SCOTT R. STANDLEY	20 DAVIS AVE DURHAM
	LINDA H. KLIPPENSTEIN	19 DAVIS AVE DURHAM NH
	Aaron M. Ward	10 Surrey Lane Durham NH
	DAVID GERARD	17 Woodridge rd Durham
	Joanne Celentano	3 Davis Ave Durham
	Jeannemarie Celentano	3 Davis Ave Durham
	Rachel A. Gooze	9 Meadow Rd Durham
	HAROLD W. HOCKER	6 BEARDS LN DG Durham
	PAUL A. MAYOWSKI	591 BAY RD DURHAM
	MARILYN W. MAYEWSKI	" "

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signature	name	address
<i>Lisa Assis</i>	Lisa Assis	593 Bay Rd. Durham, NH
<i>Douglas L. Wheeler</i>	Douglas Wheeler	27 Mill Rd, Durham, N.H.
<i>Myra A. Davis</i>	MYRA L. DAVIS	20 Main St, Durham, NH
<i>Susan Richman</i>	Susan Richman	16 Cowell Dr. Durham, NH
<i>DAVID</i>	DAVID RICHMAN	16 Cowell Dr. Durham, NH
<i>Marion E. James</i>	MARION E. JAMES	4 Wood Rd, Durham, NH
<i>Ellen Karelitz</i>	Ellen Karelitz	113 Madbury, Durham, N. H.
<i>Andrew Merton</i>	Andrew Merton	11 Gerrish Dr. Durham, NH
<i>Gail Kelley</i>	Gail Kelley	11 Gerrish Dr. Durham, NH
<i>Gabe Merton</i>	Gabe Merton	11 Gerrish Dr. Durham, NH

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signature	name	address
<i>John A. McGinty</i>	John A. McGinty	251 Mast Rd. Deep Haul, NH
<i>Nina G. Schiller</i>	Nina G. Schiller	253 Durham Pt Road, Durham, NH
<i>Stephen Reyna</i>	Stephen Reyna	253 " " " " "
<i>Damon Reyna</i>	Damon Reyna	253 Durham Point Road Durham, NH
<i>Nicole Cailler</i>	Nicole Cailler	" " " " "
<i>M Jerome Chase Jr</i>	M JEROME CHASE JR	191 DURHAM POINT ROAD
<i>Holly Hart</i>	Holly HART	191 DURHAM POINT ROAD
<i>Jennifer Koos</i>	Jennifer Koos	191 Durham Point Rd.
<i>S Bradley-Swift</i>	S BRADLEY-SWIFT	17 FUNNYSIDE DR
<i>Christopher Kies</i>	Christopher Kies	12 PINECREST LN.



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	FRANK D. McCANN	191 Forest Park Durham
	Russell G. Congleton	4 Ryan Way Durham
	Penn Surpless	4 Hemlock Way Durham MT 03824
	Arlene Ries	12 Pinecrest Lane Durham
	Diane Ramus	18 Riverside Farm Drive Lee
	Samuel C. Smith	260 Durham Point Rd.
	Elizabeth C. Smith	260 Durham Pt. Rd.
	VICKY KJOSS	14 MCDANIEL DR., DURHAM
	ROBERT A. RORTSON	12 Woodman Road Durham
	MARGUERITE M. NICOLOFF	72 Madbury Rd Durham

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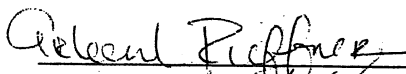
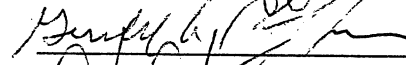
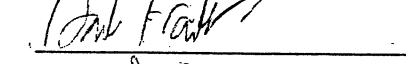
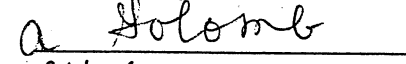
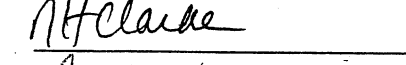
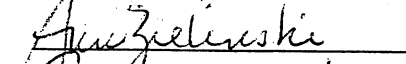
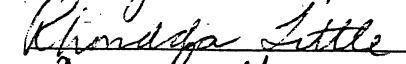
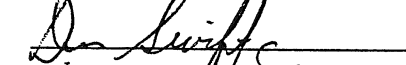

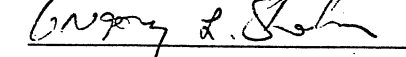
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	GEORGE A. RUFFNER	" "
	David Frankfurter	3 Briarwood Ln
	Anam Golomb	3 Briarwood Ln
	Nancy Clarke	6 Ausler way
	Ann Zielinski	28 Frost Dr.
	Rhonda Little	27 Frost Dr.
	Dan Swift	17 SUNNYSIDE DR
	Hannelore Moebius	13 Sunnyside Dr.
	Gregory L. Shaker	8 Adams Circle, Durham

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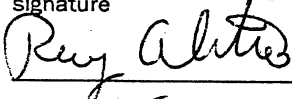
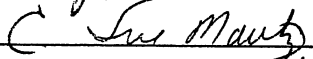
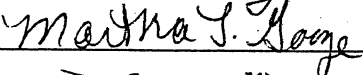
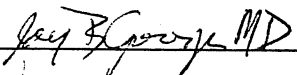
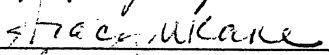


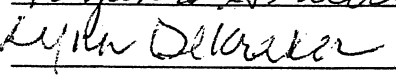
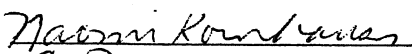
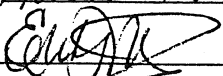
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signature	name	address
	RAY CELENTANO	3 DAVIS AVE
	C. SUE MAUTZ	7 Davis Ave.
	Martha Goode	9 Meadow Rd
	Jay B. Goode	9 Meadow Rd
	TRACY M KANE	17 Meadow Rd Durham
	LAWRENCE KANE	17 Meadow Rd Durham
	Virginia Griewank	1 Maple St. Durham
	Lynn DeKraaker	24 Meadow Rd, Durham
	Naomi Kernhauser	27 Edgewood Rd Durham
	ERIKA MANTZ	31 Edgewood Rd., Durham

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signature

name

address

<i>Leonard D L</i>	LEONARD DISESA	31 EDGEWOOD ROAD DURHAM
<i>Margaret Anne Paine</i>	MARGARET ANNE PAINE	35 Edgewood Road, Durham
<i>George Chapline</i>	GEORGE CHAPLINE	35 Edgewood Rd, Durham
<i>Geoffrey Conrad</i>	48 Edgewood Rd - Durham NH	Geoffrey Conrad
<i>Jane Miller</i>	JANE MILLER	48 Edgewood Rd Durham NH
<i>Sybil Goldberg</i>	Sybil Goldberg	16 Sumac Lane, Durham NH
<i>Michael</i>		16 Sumac Lane, Durham
<i>James Lewis</i>	James Lewis	88 Bucks Hill Rd Durham, NH
<i>Cynthia J. Watkins</i>	Cynthia Watkins	88 Bucks Hill Rd, Durham
<i>Jenny Sheehan</i>	Jenny Sheehan	71 Madbury Rd. Durham, N. H.

# PETITION TO THE DURHAM PLANNING BOARD

January 2000

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signature	name	address
	LESLIE SCHWARTZ	24 LAUREL LN., DURHAM
	Dan A. Schwartz	24 Laurel LN, Durham
	Jerry Young	20 Laurel Ln, Durham
	Paul C. Young	20 Laurel Lane, Durham
	Anne H Katter	16 Laurel Lane Durham
	Roger Evans	15 Laurel Lane "
	Sandra Evans	15 Laurel Lane "
	JAN NISBET	9 Woodside Rd, Durham
	John Miescher	9 Woodside Rd
	Albert R. Elwell	19 Davis Ave.

## PETITION TO THE DURHAM PLANNING BOARD

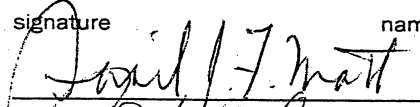

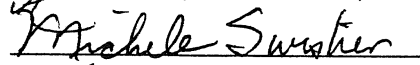
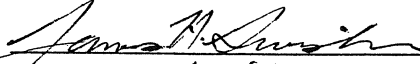
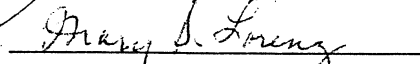
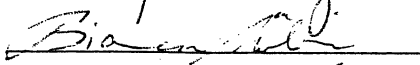
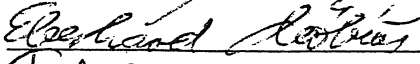
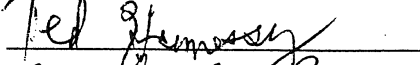
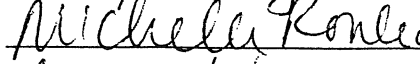

January 2000

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signature	name	address
	Basil J. F. Mott	8 Mathes Cove Rd. 03824
	Ruth B. MOTT	8 MATHES COVE RD 03824
	Michele Swisher	9 Mathes Cove Rd 03824
	JAMES H. SWISHER	9 MATHES COVERD 03824
	MARY S. LORENZ	3 Mathes Cove Rd. 03824
	Bianca Moebius	13 Sunnyside Dr., NH 03824
	Eberhard MOEBIUS	13 Sunnyside Dr. "
	Ted Hennessy	5 Cold Spring Rd Durham
	Michelle Ronleau	5 Glassford Ln Durham
	Cindy Schram	30 Woodman Rd Durham

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signature

name

address

Kathy Webb KATHY WEBB 23 Woodridge

Peter Lamb PETER LAMB 269 DURHAM PT. ROAD

Russell Allyson RUSSELL ALLYSON 193 DURHAM PT ROAD.

Jeanette B. Allyson Jeanette Ballyson 193 Durham PT ROAD

Donna Marie Everett Donna Marie Everett 189 Durham Point Rd

Jack Kimball JACK Kimball 189 Durham Point Rd

John C. Belcher JOHN C. BELCHER 7 SANDY BROOK DR.

Trish Belcher TRISH BELCHER 7 SANDY BROOK DR.

William B. Skinner WILLIAM B. SKINNER 28 GARDEN LN.

Franklin Wood 3 Durham Point Road

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<i>Karen Harland</i>	<i>23 Woodridge Rd.</i>
<i>Judith MacHardy</i>	<i>34 Woodridge Durham</i>
<i>Martin Ridgeway</i>	<i>42 Woodridge Rd. Durham</i>
<i>Zung Mu</i>	<i>25 Woodridge Rd Durham</i>
<i>Kim McNamee</i>	<i>" "</i>
<i>Martina Smith</i>	<i>26 Woodridge Rd Durham</i>
<i>Christina DeLoe</i>	<i>9 Fogg Dr. Durham</i>
<i>Michael Goss</i>	<i>9 Fogg Dr. Durham</i>
<i>Sara W. Cocker</i>	<i>14 Fogg Dr.</i>
<i>Kenneth W. Cocker</i>	<i>14 Fogg Dr Durham</i>







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<i>Donna Heald</i>	Donna Heald	220 Longmarsh Rd, Durham NH 03824
<i>Kelly K. Watson</i>	Kelly K. Watson	1 Briarwood Ln Durham NH 03824
<i>JoAnn M. Watson</i>	JoAnn M. WATSON	1 Briarwood Ln Durham NH 03824
<i>Robert F. Keefe</i>	Robert F. Keefe	59 Piscataqua Rd., Durham, NH 03824
<i>Tim Hayes</i>	Tim Hayes	229 Longmarsh Rd Durham NH
<i>Deborah Cardwell</i>	Deborah Cardwell	230 Longmarsh Rd "
<i>STEPHEN CARDWELL</i>	STEPHEN CARDWELL	230 Longmarsh Rd Durham, NH
<i>Glenn Heald</i>	Glenn Heald	3 Durham Pl Rd Durham, N.H.
<i>Geoff Salxier</i>	GEOFF SALXIER	27 NEWMARKET RD, DURHAM N.H.
<i>Arnold S. Linsky</i>	Arnold S. Linsky	10 OLD LANDING RD, DURHAM

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signature

name

address

Anne Long Anne Long 10 Woodside Rd Durham

John Caulfield JOHN F. CAULFIELD III 8 WOODSIDE DR DURHAM

Mary Caulfield Mary L. Caulfield 8 Woodside Dr Durham

Robert Watson ROBERT WATSON 1 Briarwood Ln Durham

Judie Churchill Judie Churchill 4 Briarwood Lane Durham

Mary James Mary James 21 Bagdad Rd. Durham

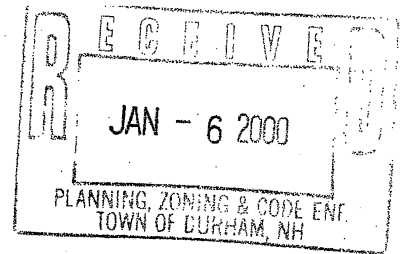
Bob James Bob James 21 Bagdad Rd Durham

Michelle Grenier Michelle Grenier 4 Woodside Dr. Durham, N.C.

MS Masley 2 WOODSIDE RD DURHAM NC 03

Elizabeth Linsky Elizabeth LINSKY 10 OLD LAW DING RD, DURHAM, N.C.

Joshua Meyrowitz  
Seven Chesley Drive  
Durham, NH 03824-2702 USA  
(603) 868-5090 FAX: (603) 868-6123



5 January 2000

Neil Wylie, Chair  
Durham Planning Board

Dear Mr. Wylie:

I am pleased to write in support of the Master Plan's recommendations in Chapters Three and Four to protect the College Brook greenway and to preserve the pedestrian character of the wooded wetland area that is nestled between the rear of the Mill Road Plaza and the residential streets of Faculty Road and Chesley Drive.

These Master Plan recommendations rest on a strong historical foundation. At the Durham Town Meeting in March 1974, Durham voters rejected a proposal put forward by Durham Selectmen to extend Chesley Drive as a vehicular route to Mill Road. Instead, voters approved an amended proposal to extend Chesley Drive only as a foot and bicycle path (*Publick Occurrences*, 3/15/74, p. 15).

Over the last 25 years, the paths through the wooded wetland connecting Chesley Drive to the shopping plaza and linking Faculty Road to the Chesley foot and bike path (via the small wooden bridge over the College Brook) have become a heavily used and highly valued feature of the downtown. These paths are traveled by foot, bike, rollerblade, and stroller. They are used for pedestrian travel to and from the Mill Pond and are part of a passive recreation loop through the Faculty Neighborhood.

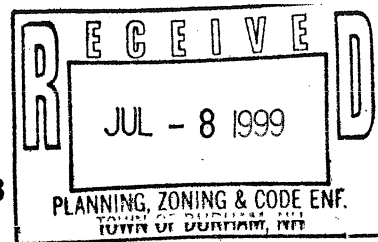
A number of subsequent proposals to convert Chesley Drive to a through street for cars have been rejected by voters (in the days of Town Meetings) and, more recently, by the Town Council. In January 1994, for example, the Town Council voted unanimously to reject a proposal to extend Chesley Drive as a vehicular through street (*Foster's*, 1/11/94, p. 21), after the Red Tower Association and more than 220 Durham residents wrote letters, signed petitions, and attended meetings to oppose the extension of Chesley Drive. The council even expressed its hope that this issue would never arise again.

For the Planning Board's reference, I have enclosed some material from the last time the town explored the Chesley issue. (This was right before my family moved into the neighborhood in mid-1994, but I've drawn a small sample of material from the files of neighbors on other streets who were involved in the fight to preserve the Faculty-Chesley woods/wetland at that time.)

As the enclosed sample material indicates, this issue has been extensively explored and debated in the past. Indeed, several studies have been conducted over the last decade alone. The extension of Chesley Drive was studied as part of the 1990 zoning ordinance, but was rejected at public hearings. Just a few years later, a study by the consulting firm Vanasse, Hangen, Brustlin, Inc. concluded that extending Chesley Drive would have negative environmental and neighborhood impacts. The Town nevertheless decided to "study" the issue again in 1993 and 1994, which, after drawing on the extensive time and input of hundreds of residents, eventually led to unanimous Town Council rejection of the plan.

I believe that the Master Plan Steering Committee correctly recognized that the key facts are well known and don't need to be "studied" again: 1) Building a road through the small wooded wetland at the end of Chesley Drive would be technically easier and less expensive than other

Joshua Meyrowitz  
Seven Chesley Drive  
Durham, NH 03824-2702 USA  
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Horton Social Science Center  
University of New Hampshire  
Durham, NH 03824-3586 USA  
(603) 862-3031 (office & 24-hr. voice mail)  
FAX: (603) 862-1913  
E-Mail: joshua.meyrowitz@unh.edu

Ray Belles, Chair  
Durham Master Plan Steering Committee  
14 Deer Meadow Road  
Durham NH 03824

Dear Ray:

I thought you might be interested in seeing the enclosed material from the last time the town explored extending Chesley Drive into the plaza. This was right before we moved into the neighborhood (in 1994), and I've drawn a small sample of material from the files of neighbors on other streets who were involved in the fight to preserve the Faculty-Chesley woods/wetland at that time.

As the enclosed sample material indicates, this issue has been extensively "studied" and debated before. The 1992(?) study by the consulting firm Vanasse, Hangen, Brustlin, Inc. concluded that extending Chesley Drive would have negative environmental and neighborhood impacts. The Town nevertheless decided to "study" the issue again in 1993 and 1994, which, after drawing on the time and input of hundreds of residents, eventually led to unanimous Town Council rejection of the plan.

I hope that the Steering Committee recognizes that the key facts are known and don't need to be "studied" again: 1) Building a road through the small wooded wetland at the end of Chesley Drive will be technically easier and less expensive than other potential additional entry points to the plaza; 2) a Chesley link to the plaza will save a few minutes for those driving to the plaza from the Newmarket direction of 108 (including those coming from Durham Point Road); 3) A Chesley through street will probably reduce some of the traffic on Faculty Road, at least in the short run, but Faculty Road will still be heavily travelled, especially at commuter times; and 4) residents of the greater Faculty Neighborhood (on Chesley, Mill Pond, Oyster River, Burnham, Thompson, Magrath, Valentine Hill, Croghan, Hoitt, Garden, **and Faculty**) are overwhelmingly opposed to the plan--as are many residents from other parts of town.

Deane -  
Thanks again for the  
email. I thought  
you might want a  
printed of a cover  
letter I wrote to  
Ray Belles for  
material I've already  
shared with you.  
Joe

The reasons for this opposition are clear even from the drafts of the Master Plan, which express the importance of protecting "pocket neighborhoods," preserving and enhancing the College Brook to Mill Pond greenway, maintaining and enhancing the pedestrian nature of the downtown, preserving safe places for children and elderly to walk, and encouraging passive recreation activities in town. The discussion of creating a road through a wetland buffer between our neighborhood and the plaza runs counter to all these goals.

Indeed, contrary to what one line in a Downtown Subcommittee draft suggested, Chesley Drive itself is not a "pocket neighborhood." It is merely one street in the Faculty Neighborhood, the largest pocket neighborhood in Durham. And if one wants to appreciate why virtually all the residents in the Faculty Neighborhood are passionately opposed to touching the woods and wetlands between Faculty Road, Chesley Drive, and the plaza, the best place to start is on streets such as Faculty, Burnham, and Thompson, rather than on Chesley Drive.

of  
The Faculty Neighborhood enjoys its proximity to the campus and plaza, but we also suffer from it by way of downtown noise, lights, smells, traffic, and debris from the plaza. Most of the streets in the development have small lots without much privacy from the street or from each other. It may be difficult for those who live in some other areas of town and have the benefit of space, green buffer zones, and quiet to realize how much this neighborhood relies on the small wooded, wetland buffer that provides some protection from the "commercial core." Most of the residents use the path through the woods that starts at Faculty Road and Thompson Lane and winds to the bridge over College Brook to meet the Chesley foot path. Indeed, many here feel that the Chesley cul-de-sac is what creates the "pocket" that defines this as a neighborhood, rather than simply a series of crowded house lots adjacent to the campus and plaza.

Chesley Drive is also used as a key pedestrian route to the Mill Pond area. And given the town's hunger for downtown parks, we should also keep in mind that Margery Milne's lot (which she willed to the town) begins at the mouth of Chesley Drive. This is a stunning 2-acre lot fronting on College Brook, the Oyster River, and the Mill Pond. In the future, even more than now, Chesley Drive will be seen as the town's pedestrian gateway to the Greater Mill Pond Park. **(See enclosed map.)**

For all these reasons, residents of the Faculty Neighborhood and many residents from other parts of town will fight for preservation of this area.

It would be a shame for the Master Plan process to get bogged down in a renewal of this debate. And it would be sad if the Steering Committee puts this neighborhood through months of stress and ambiguity once again by suggesting "further study" of this issue. Instead, I hope that the Steering Committee recommends protecting the Faculty-Chesley woods and wetland and the pedestrian nature of this area. Many towns have come to regret the destruction of areas such as this, and it would be a pity for Durham to repeat those mistakes.

Best regards,





COPY

Sept. 1993

TOWN OF DURHAM  
15 NEWMARKET ROAD  
DURHAM, NH 03824-2898  
Tel: 603/868-5571  
Fax: 603/868-5572

September 27, 1993

(Received Sept. 30<sup>th</sup>, 1993  
just 4 days before hearing  
date!)

Dear Faculty Development/Red Tower Area Resident:

I am writing to request your feedback and input into a proposal being considered by the Town Council. The concept of extending Chesley Drive to connect to the Mill Road Plaza shopping center is being reviewed by the Town Council. Prior to making any decision as to whether or not to move forward with the extension, The Council invites your comments and suggestions in writing or at a public hearing scheduled for **MONDAY, OCTOBER 4, 1993 AT 7:00 P.M. IN THE MULTIPURPOSE ROOM OF THE OYSTER RIVER ELEMENTARY SCHOOL.**

The concept of extending Chesley Drive to connect to the Mill Road Plaza has been studied and discussed for a number of years. During the development of the recent traffic and parking plan prepared for the Town and the University of New Hampshire by the consulting firm of Vanasse, Hangen, Brustlin, Inc., the concept of the extension was again reviewed for its merit as one element of a program to reduce traffic and parking problems within the downtown area. It was the conclusion of VHB that the extension not be recommended at this time due to the potential environmental and neighborhood impacts compared with the potential reduction in the traffic on Main Street.

During their review of the recommendations of the VHB plan, the Town Council directed the Town staff to investigate further the potential environmental impacts and construction costs of a Chesley Drive extension. The staff prepared preliminary cost estimates and conducted preliminary research as to what the potential environmental impacts might be. Based on this research, it appeared that the environmental impacts would be relatively minor and able to be mitigated. The staff also prepared cost estimates for a full scale extension, including sidewalks, Mill Pond Road/Chesley Drive improvements, improvements to the existing Chesley Drive and drainage improvements. In addition, the staff was asked to prepare a cost estimate for a phased project, whereby a temporary connection would be made and monitored over a time period. If it was deemed that the connection was beneficial, it would be implemented in a permanent manner. If not, it would be removed.

The Town Council is interested in your thoughts and views on this topic. While we realize that this topic has come up on several occasions in the past, the Town is interested in making a final determination as to whether or not the project should go forward. The

(Signed by LARRY WOODS,  
TOWN ADMINISTRATOR)

Letter to Faculty Develop./Red Tower Residents  
Re: Proposed Chesley Drive Connector Road  
September 27, 1993 - Page 2

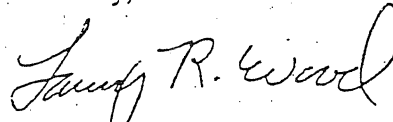
Council believes that the proposed extension could provide benefits to the overall traffic flow pattern within the Town, but does not want to implement a solution that will unduly impact any of our neighborhoods in an adverse manner.

We hope you can make the meeting on October 4, 1993. If not, or as a supplement to any verbal comments, please feel free to respond in writing to the Town Administrator's Office by October 15, 1993. All written correspondence will be forwarded to the Town Council.

Should you have questions or like additional information, please contact Rob Houseman, Director of Planning and Zoning, Skip Grady, Director of Public Works, or me. We welcome the opportunity to talk with you.

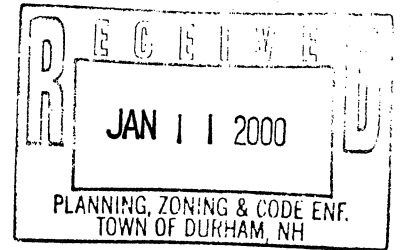
Thank you for your interest.

Sincerely,



Larry R. Wood  
Town Administrator

January 7, 2000



To the Planning Board, Durham, NH or  
To Whom it May Concern

I have been a resident of Durham for 30 years, living on Burnham Avenue for the entire time. I have had 4 children graduate from Oyster River High School. None of them ever rode a school bus. I say all this because I believe I am reasonably qualified to offer my opinion on a subject which may come before this body. On the whole I believe the Master Plan, a result of hard work, is very good, but one thing bothers me. I understand there is still some mention of Chesley Drive being made into a through street with the possibility of commercial building alongside College Brook.

The houses in the Faculty and Red Tower areas are home to a great number of children. A stop sign was installed at the intersection of Faculty Road and Thompson Lane to ensure the safety of the children who cross the street there to continue through the path in the woods, across the bridge over College Brook and on to school via the Chesley footpath. This is the shortest way to school - children will find the shortest way - and in my mind the safest. Chesley is also the safest way to get from the Church Hill Apartments to the shopping center, and many residents there must walk as many are without automobiles. I can see no good reason to put these two age groups in harm's way for anyone's monetary gain.

My second and even greater concern: the idea of having a shopping center's traffic - or even a percentage of it - emptying onto Mill Pond Road in the middle of an S-curve is insane. There is a constant stream of traffic at both rush hours as almost half the world comes to and from UNH through the Newmarket Road - Faculty Road corridor daily as it is. You think it is difficult getting out onto Mill Road; try getting off Mill Pond or onto it at 4 p.m. or 8 a.m.

Third but equally distressing is the idea of building along College Brook. There should be in place a protection of green spaces and water already. How can you consider putting up commercial buildings backing this area to say nothing of the abutters, who moved there in good faith. To do this in order to line anyone's pocket is unconscionable. I would like to strongly suggest that this whole idea be permanently shelved.

Sincerely,

*Leta H. Flather*

Leta H. Flather  
7 Burnham Ave  
Durham, NH 03924  
603-868-5178



P E T I T I O N

To the Durham Master Plan Steering Committee, Durham Town Council, and Durham Planning Board:

We, the undersigned property owners on and alongside FACULTY ROAD in Durham, are distressed to hear that our claimed interests are being invoked by the Downtown and Commercial Core Subcommittee of the Master Plan in a renewed discussion of making Chesley Drive a through street into the Mill Road Plaza. We have not been consulted by this subcommittee, and our views are being misrepresented.

Although the traffic on Faculty Road might be slightly reduced as a result of an extension of Chesley Drive, we are strongly opposed to making Chesley Drive a through street for cars.

We, along with the other residents of the larger Faculty Neighborhood use and cherish the quiet foot paths that run between Faculty Road, the Chesley foot path, and the rear of the plaza. Chesley Drive is a key pedestrian link to the Mill Pond. It is also a key part of the Faculty Development walking/biking passive recreation loop that connects the Faculty/Chesley woods paths, the Mill Pond, Smith Chapel Reservation, the Oyster River Park (and then back again through Garden Lane, Faculty Road, the foot paths, and on and on). Indeed, the Chesley cul de sac is one of the key features that defines this whole area as a "neighborhood" and that makes it a pleasant place to walk, rollerblade, and bicycle.

The Chesley cul de sac provides a safe and beautiful path for walking to shopping, the post office, and the middle and high schools. The woods and wetland around College Brook and the foot paths are places that offer interaction with neighbors and quiet contemplation and appreciation of birds and other wildlife. These would be destroyed by making Chesley a through street, resulting in a decrease in property values and in quality of life for the entire Faculty Neighborhood. Further, the entire town would lose a safe pedestrian pathway from Mill Road, the plaza, and Main Street (via the Grange) to the Mill Pond park.

We urge you to drop consideration of this destructive plan and to recognize the history of strong community opposition to this idea whenever it has come up in the past. Indeed, we hope the Master Plan will explicitly recommend protecting the entire College Brook Greenway, including the Chesley cul de sac.

<u>SIGNATURE</u>	<u>NAME</u>	<u>ADDRESS</u>
<i>Martin A. Lee</i>	MARTIN A. LEE	17 FACULTY
<i>Lyman Mower</i>	Lyman Mower	11 Faculty Rd
<i>Karen Mower</i>	KAREN MOWER	11 Faculty Rd.
<i>MARYSE MCCONNELL</i>	Maryse McConnell	9 FACULTY RD.
<i>Michael P. McConnell</i>	MICHAEL P. MCCONNELL	9 FACULTY Rd.
<i>Timothy J. Tregea</i>	Timothy J. Tregea	14 Faculty Rd.
<i>Diane P. Tregea</i>	Diane P. Tregea	14 Faculty Rd.
<i>Edith Jones</i>	EDITH B. JONES	22 FACULTY RD.
<i>Belle Arnold</i>	Belle Arnold	29 Faculty Rd.
<i>Wm Arnold</i>	Wm. ARNOLD	"
<i>Jonas Zoller</i>	Jonas Zoller	29 Faculty Rd
<i>Cynthia J. Zoller</i>	Cynthia Zoller	29 Faculty Rd
<i>Eric J. Lund</i>	Eric J. Lund	31 Faculty Rd.

36 yr resident

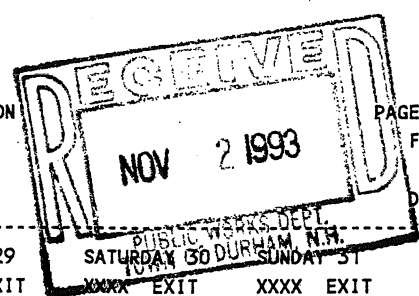
F. D. Ely	F. D. Ely	25 Faculty Rd.
Margery Milne	Margery Milne	One Garden Lane
Joleen R. Hanson	Joleen R. Hanson	23 Faculty Rd.
Roy E. Hanson	Roy E. Hanson	23 Faculty Rd.
Vincent Dawson	Vincent Dawson	19 Faculty Rd.
Jocelyn Knightly	Jocelyn Knightly	20 Faculty Rd.
Bruce D. Hing	Bruce Dehning	12 Faculty Rd.
K. DeS	Katerina Dehning	12 Faculty Rd.
R. Alberto Casas	Aileen R. Casas	15 Faculty Rd.
Alice Kavanagh	Alice Kavanagh	1 Burnham Ave
Charles E. Clark	Charles E. Clark	2 Thompson Lane
Colleen Kendall-Piel	Colleen Kendall-Piel	34 Mill Pond Rd.
Barbara Jean O'Brien	Barbara Jean O'Brien	27 Faculty
Frank C. Bridges III	Frank C. Bridges III	27 Faculty Rd.
Russell Knightly	Russell Knightly	20 Faculty Rd.
Ann Barbarits	Ann BARBARITS	2 BURNHAM AVE.
Don Barbarits	DON BARBARITS	2 BURNHAM AVE
Roger C. Kennedy	Roger Kennedy	18 Faculty Road
Florence Clayton Falson	Florence Clayton Falson	36 Mill Pond Rd
Bernadette Komonchak	Bernadette Komonchak	1 Thompson Lane
Carl-Henry Piel	CARL-HENRY PIEL	34 MILL POND RD

NO BUILD/BUILD ANALYSIS - CHESLEY DRIVE					
Cursory Qualitative Traffic Analysis					
		2-way	1-way (in)	1-way (out)	Emerg. ent.
A	Rte 108/Mill Pnd Rd				
1	N B, before	NC	NC	NC	NC
2	N B, left turn, Mill Pnd	I*	I*	NC	NC
2	S B, right turn, Mill Pond	I*	I*	NC	NC
1	S B, after	NC	NC	I*	NC
B	Rte 108/ Main St				
1	N B, before	R	R	I*	NC
2	N B, left turn onto Main	R	R	NC	NC
3	N B, after	NC	NC	NC	NC
3	S B, before	NC	NC	NC	NC
2	S B, right turn, Main st	R	R	NC	NC
1	S B, after	I	I	NC	NC
C	Main St/Madbury Rd				
1	W B, before	R	R	NC	NC
2	E B, straight thru	R	NC	R	NC
3	E B, left turn, Madbury	R	NC	R	NC
D	Madbury/Pette Brook				
1	N B, thru	NC	NC	NC	NC
2	N b, left turn, Pette Brook	R	R	NC	NC
E	Pette Brook/Main St				
1	W B, right turn, Main St	NC	NC	NC	NC
2	W B, left turn, Main St	R	R	NC	NC
F	Main St/ Mill Rd				
1	E B, before	R	R	NC	NC
2	E B, right turn, Mill Rd	R*	R*	NC	NC
3	E B, after	R	R	NC	NC



SITE CODE : 72133900  
 LOCATION : Mill Plaza Entrance  
 CITY/TOWN : Durham  
 NODE A/B : Mill/Mill Plaza

STRAFFORD REGIONAL PLANNING COMMISSION



PAGE: 1  
 FILE: SRPC#600  
 DATE: 10/25/93

TIME BEGIN	MONDAY 25		TUESDAY 26		WEDNESDAY 27		THURSDAY 28		FRIDAY 29		SATURDAY 30 DURHAM, N.H.		SUNDAY 31		WEEK AVERAGE	
	XXXX	EXIT	XXXX	EXIT	XXXX	EXIT	XXXX	EXIT	XXXX	EXIT	XXXX	EXIT	XXXX	EXIT	XXXX	EXIT
12:00 AM	*	*	0	22	0	32	0	31	0	30	0	0	0	0	0	19
1:00	*	*	0	10	0	15	0	11	0	33	0	0	0	0	0	11
2:00	*	*	0	0	0	1	0	3	0	11	0	0	0	0	0	2
3:00	*	*	0	3	0	2	0	6	0	3	0	0	0	0	0	2
4:00	*	*	0	9	0	5	0	8	0	9	0	0	0	0	0	5
5:00	*	*	0	4	0	9	0	5	0	17	0	0	0	0	0	5
6:00	*	*	0	26	0	65	0	64	0	21	0	0	0	0	0	29
7:00	*	*	0	133	0	211	0	294	0	143	0	0	0	0	0	130
8:00	*	*	0	316	0	305	0	303	0	328	0	0	0	0	0	208
9:00	*	*	0	378	0	367	0	448	0	499	0	0	0	0	0	282
10:00	*	*	0	386	0	412	0	445	0	202	0	0	0	0	0	240
11:00	*	*	0	466	9	454	0	523	0	0	0	0	0	0	1	240
12:00 PM	*	*	0	497	0	490	0	608	0	0	0	0	0	0	0	265
1:00	*	*	0	448	0	418	0	435	0	0	0	0	0	0	0	216
2:00	*	*	0	423	0	400	0	461	0	0	0	0	0	0	0	214
3:00	0	414	0	516	0	437	0	479	0	0	0	0	0	0	0	263
4:00	0	553	0	575	0	590	0	581	0	0	0	0	0	0	0	328
5:00	0	512	0	485	0	446	0	527	0	0	0	0	0	0	0	281
6:00	0	399	0	385	0	408	0	396	0	0	0	0	0	0	0	226
7:00	0	258	0	259	0	306	0	310	0	0	0	0	0	0	0	161
8:00	0	172	0	187	0	148	0	216	0	0	0	0	0	0	0	103
9:00	0	80	0	89	0	92	0	80	0	0	0	0	0	0	0	48
10:00	0	36	0	51	0	57	0	57	0	0	0	0	0	0	0	28
11:00	0	26	0	35	0	42	0	31	0	0	0	0	0	0	0	19
TOTALS	0	2450	0	5703	9	5712	0	6322	0	1296	0	0	0	0	1	3325

COMBINED TOTALS

12:00 AM	*	22	32	31	30	0	0	19
1:00	*	10	15	11	33	0	0	11
2:00	*	0	1	3	11	0	0	2
3:00	*	3	2	6	3	0	0	2
4:00	*	9	5	8	9	0	0	5
5:00	*	4	9	5	17	0	0	5
6:00	*	26	65	64	21	0	0	29
7:00	*	133	211	294	143	0	0	130
8:00	*	316	305	303	328	0	0	208
9:00	*	378	367	448	499	0	0	282
10:00	*	386	412	445	202	0	0	240
11:00	*	466	463	523	0	0	0	241
12:00 PM	*	497	490	608	0	0	0	265
1:00	*	448	418	435	0	0	0	216
2:00	*	423	400	461	0	0	0	214
3:00	414	516	437	479	0	0	0	263
4:00	553	575	590	581	0	0	0	328
5:00	512	485	446	527	0	0	0	281
6:00	399	385	408	396	0	0	0	226
7:00	258	259	306	310	0	0	0	161
8:00	172	187	148	216	0	0	0	103
9:00	80	89	92	80	0	0	0	48
10:00	36	51	57	57	0	0	0	28
11:00	26	35	42	31	0	0	0	19
TOTALS	2450	5703	5721	6322	1296	0	0	3325

SITE CODE : 72133900  
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STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 1  
 FILE: SRPC#600  
 DATE: 10/25/93

TIME BEGIN	MONDAY-25 :		XXXX		EXIT		COMBINED		TUESDAY-26 :		XXXX		EXIT		COMBINED	
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12:15	*	*	*	*	*	*			0	0	4	142	4	142		
12:30	*	*	*	*	*	*			0	0	8	101	8	101		
12:45	*	*	*	*	*	*			0	0	1	108	1	108		
1:00	*	*	*	*	*	*			0	0	5	93	5	93		
1:15	*	*	*	*	*	*			0	0	3	118	3	118		
1:30	*	*	*	*	*	*			0	0	2	119	2	119		
1:45	*	*	*	*	*	*			0	0	0	118	0	118		
2:00	*	*	*	*	*	*			0	0	0	88	0	88		
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2:30	*	0	*	34	*	34			0	0	0	101	0	101		
2:45	*	0	*	107	*	107			0	0	0	121	0	121		
3:00	*	0	*	95	*	95			0	0	1	118	1	118		
3:15	*	0	*	94	*	94			0	0	0	131	0	131		
3:30	*	0	*	121	*	121			0	0	0	140	0	140		
3:45	*	0	*	104	*	104			0	0	2	127	2	127		
4:00	*	0	*	110	*	110			0	0	0	142	0	142		
4:15	*	0	*	161	*	161			0	0	2	118	2	118		
4:30	*	0	*	137	*	137			0	0	0	143	0	143		
4:45	*	0	*	145	*	145			0	0	7	172	7	172		
5:00	*	0	*	129	*	129			0	0	1	110	1	110		
5:15	*	0	*	114	*	114			0	0	0	129	0	129		
5:30	*	0	*	141	*	141			0	0	1	126	1	126		
5:45	*	0	*	128	*	128			0	0	2	120	2	120		
6:00	*	0	*	99	*	99			0	0	3	126	3	126		
6:15	*	0	*	131	*	131			0	0	6	91	6	91		
6:30	*	0	*	97	*	97			0	0	6	85	6	85		
6:45	*	0	*	72	*	72			0	0	11	83	11	83		
7:00	*	0	*	86	*	86			0	0	24	63	24	63		
7:15	*	0	*	68	*	68			0	0	26	58	26	58		
7:30	*	0	*	50	*	50			0	0	35	83	35	83		
7:45	*	0	*	54	*	54			0	0	48	55	48	55		
8:00	*	0	*	58	*	58			0	0	76	51	76	51		
8:15	*	0	*	36	*	36			0	0	69	47	69	47		
8:30	*	0	*	43	*	43			0	0	70	43	70	43		
8:45	*	0	*	35	*	35			0	0	101	46	101	46		
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9:15	*	0	*	20	*	20			0	0	93	13	93	13		
9:30	*	0	*	14	*	14			0	0	94	18	94	18		
9:45	*	0	*	20	*	20			0	0	120	18	120	18		
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10:30	*	0	*	8	*	8			0	0	114	4	114	4		
10:45	*	0	*	8	*	8			0	0	98	18	98	18		
11:00	*	0	*	4	*	4			0	0	127	8	127	8		
11:15	*	0	*	11	*	11			0	0	131	11	131	11		
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11:45	*	0	*	4	*	4			0	0	99	2	99	2		
TOTALS	*	0	*	2591	*	2591			0	0	1753	3950	1753	3950		
DAY TOTALS	*		*	2591	*	2591			*		5703		5703			
% TOTAL	*	0	*	%100.0	*	%100.0			0	0	%100.0	%100.0	%100.0	%100.0		
PEAK HOUR	*	*	*	4:15	*	4:15			*	*	10:30	4:00	10:30	4:00		
VOLUME	*	*	*	572	*	572			*	*	470	575	470	575		
P.H.F.	*	*	*	0.89	*	0.89			*	*	0.90	0.84	0.90	0.84		

SITE CODE : 72133900  
 LOCATION : Mill Plaza Entrance  
 CITY/TOWN : Durham  
 NODE A/B : Mill/Mill Plaza

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 2  
 FILE: SRPC#600

DATE: 10/27/93

TIME BEGIN	WEDNESDAY-27 : XXXX		EXIT		COMBINED		THURSDAY-28 : XXXX		EXIT		COMBINED	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
12:00	0	0	9	119	9	119	0	0	8	159	8	159
12:15	0	0	8	141	8	141	0	0	5	147	5	147
12:30	0	0	10	131	10	131	0	0	13	156	13	156
12:45	0	0	5	99	5	99	0	0	5	146	5	146
1:00	0	0	7	89	7	89	0	0	8	80	8	80
1:15	0	0	8	110	8	110	0	0	3	112	3	112
1:30	0	0	0	111	0	111	0	0	0	112	0	112
1:45	0	0	0	108	0	108	0	0	0	131	0	131
2:00	0	0	1	95	1	95	0	0	2	123	2	123
2:15	0	0	0	112	0	112	0	0	1	109	1	109
2:30	0	0	0	70	0	70	0	0	0	128	0	128
2:45	0	0	0	123	0	123	0	0	0	101	0	101
3:00	0	0	0	94	0	94	0	0	2	121	2	121
3:15	0	0	0	101	0	101	0	0	0	115	0	115
3:30	0	0	0	119	0	119	0	0	2	127	2	127
3:45	0	0	2	123	2	123	0	0	2	116	2	116
4:00	0	0	0	117	0	117	0	0	0	150	0	150
4:15	0	0	2	163	2	163	0	0	2	131	2	131
4:30	0	0	0	136	0	136	0	0	5	151	5	151
4:45	0	0	3	174	3	174	0	0	1	149	1	149
5:00	0	0	1	137	1	137	0	0	1	149	1	149
5:15	0	0	2	105	2	105	0	0	0	147	0	147
5:30	0	0	2	91	2	91	0	0	0	109	0	109
5:45	0	0	4	113	4	113	0	0	4	122	4	122
6:00	0	0	6	108	6	108	0	0	5	101	5	101
6:15	0	0	14	106	14	106	0	0	5	122	5	122
6:30	0	0	15	95	15	95	0	0	24	91	24	91
6:45	0	0	30	99	30	99	0	0	30	82	30	82
7:00	0	0	38	112	38	112	0	0	61	92	61	92
7:15	0	0	42	60	42	60	0	0	61	65	61	65
7:30	0	0	69	73	69	73	0	0	77	86	77	86
7:45	0	0	62	61	62	61	0	0	95	67	95	67
8:00	0	0	77	44	77	44	0	0	78	51	78	51
8:15	0	0	75	29	75	29	0	0	72	59	72	59
8:30	0	0	49	43	49	43	0	0	82	48	82	48
8:45	0	0	104	32	104	32	0	0	71	58	71	58
9:00	0	0	109	17	109	17	0	0	101	20	101	20
9:15	0	0	87	25	87	25	0	0	109	25	109	25
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9:45	0	0	99	27	99	27	0	0	118	20	118	20
10:00	0	0	111	15	111	15	0	0	98	20	98	20
10:15	0	0	91	11	91	11	0	0	93	20	93	20
10:30	0	0	89	18	89	18	0	0	121	9	121	9
10:45	0	0	121	13	121	13	0	0	133	8	133	8
11:00	0	0	111	10	111	10	0	0	136	10	136	10
11:15	9	0	111	10	120	10	0	0	127	6	127	6
11:30	0	0	113	18	113	18	0	0	119	10	119	10
11:45	0	0	119	4	119	4	0	0	141	5	141	5
TOTALS	9	0	1878	3834	1887	3834	0	0	2141	4181	2141	4181
DAY TOTALS	9		5712		5721		*		6322		6322	
% TOTAL	0.5	0	99.5	%100.0			0	0	%100.0	%100.0		

PEAK HOUR	*	*	10:45	4:15	10:45	4:15	*	*	11:00	12:00	11:00	12:00
VOLUME	*	*	456	610	465	610	*	*	523	608	523	608
P.H.F.	*	*	0.94	0.88	0.96	0.88	*	*	0.93	0.96	0.93	0.96

SITE CODE : 72133900

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 3

LOCATION : Mill Plaza Entrance

FILE: SRPC#600

CITY/TOWN : Durham

NODE A/B : Mill/Mill Plaza

DATE: 10/29/93

TIME BEGIN	FRIDAY-29 :		EXIT		COMBINED		SATURDAY-30 :		EXIT		COMBINED	
	XXXX AM	PM	AM	PM	AM	PM	XXXX AM	PM	AM	PM	AM	PM
12:00	0	0	8	0	8	0	0	0	0	0	0	0
12:15	0	0	9	0	9	0	0	0	0	0	0	0
12:30	0	0	8	0	8	0	0	0	0	0	0	0
12:45	0	0	5	0	5	0	0	0	0	0	0	0
1:00	0	0	8	0	8	0	0	0	0	0	0	0
1:15	0	0	8	0	8	0	0	0	0	0	0	0
1:30	0	0	9	0	9	0	0	0	0	0	0	0
1:45	0	0	8	0	8	0	0	0	0	0	0	0
2:00	0	0	9	0	9	0	0	0	0	0	0	0
2:15	0	0	2	0	2	0	0	0	0	0	0	0
2:30	0	0	0	0	0	0	0	0	0	0	0	0
2:45	0	0	0	0	0	0	0	0	0	0	0	0
3:00	0	0	0	0	0	0	0	0	0	0	0	0
3:15	0	0	0	0	0	0	0	0	0	0	0	0
3:30	0	0	2	0	2	0	0	0	0	0	0	0
3:45	0	0	1	0	1	0	0	0	0	0	0	0
4:00	0	0	0	0	0	0	0	0	0	0	0	0
4:15	0	0	2	0	2	0	0	0	0	0	0	0
4:30	0	0	2	0	2	0	0	0	0	0	0	0
4:45	0	0	5	0	5	0	0	0	0	0	0	0
5:00	0	0	7	0	7	0	0	0	0	0	0	0
5:15	0	0	1	0	1	0	0	0	0	0	0	0
5:30	0	0	0	0	0	0	0	0	0	0	0	0
5:45	0	0	9	0	9	0	0	0	0	0	0	0
6:00	0	0	3	0	3	0	0	0	0	0	0	0
6:15	0	0	4	0	4	0	0	0	0	0	0	0
6:30	0	0	8	0	8	0	0	0	0	0	0	0
6:45	0	0	6	0	6	0	0	0	0	0	0	0
7:00	0	0	31	0	31	0	0	0	0	0	0	0
7:15	0	0	36	0	36	0	0	0	0	0	0	0
7:30	0	0	40	0	40	0	0	0	0	0	0	0
7:45	0	0	36	0	36	0	0	0	0	0	0	0
8:00	0	0	69	0	69	0	0	0	0	0	0	0
8:15	0	0	60	0	60	0	0	0	0	0	0	0
8:30	0	0	79	0	79	0	0	0	0	0	0	0
8:45	0	0	120	0	120	0	0	0	0	0	0	0
9:00	0	0	140	0	140	0	0	0	0	0	0	0
9:15	0	0	114	0	114	0	0	0	0	0	0	0
9:30	0	0	116	0	116	0	0	0	0	0	0	0
9:45	0	0	129	0	129	0	0	0	0	0	0	0
10:00	0	0	119	0	119	0	0	0	0	0	0	0
10:15	0	0	83	0	83	0	0	0	0	0	0	0
10:30	0	0	0	0	0	0	0	0	0	0	0	0
10:45	0	0	0	0	0	0	0	0	0	0	0	0
11:00	0	0	0	0	0	0	0	0	0	0	0	0
11:15	0	0	0	0	0	0	0	0	0	0	0	0
11:30	0	0	0	0	0	0	0	0	0	0	0	0
11:45	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	0	0	1296	0	1296	0	0	0	0	0	0	0
DAILY TOTALS	*		1296		1296		*		*		*	
TOTAL	0	0	%100.0	0			0	0	0	0		

WAK HOUR	*	*	9:00	*	9:00	*	*	*	*	*	*	*
VOLUME	*	*	499	*	499	*	*	*	*	*	*	*
H.F.	*	*	0.89	*	0.89	*	*	*	*	*	*	*



SITE CODE : 72133902

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 1

LOCATION : Mill Rd W of Mill Plaza entran

FILE: SRPC#601

CITY/TOWN : Durham

NODE A/B : Main/Faculty

DATE: 10/25/93

TIME BEGIN	MONDAY 25		TUESDAY 26		WEDNESDAY 27		THURSDAY 28		FRIDAY 29		SATURDAY 30		SUNDAY 31		WEEK AVERAGE	
	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-
12:00 AM	*	*	56	38	44	36	43	45	64	71	0	0	0	0	34	31
1:00	*	*	26	23	20	19	19	27	33	48	0	0	0	0	16	19
2:00	*	*	10	9	4	2	13	8	15	15	0	0	0	0	7	5
3:00	*	*	6	5	5	1	8	7	8	8	0	0	0	0	4	3
4:00	*	*	2	3	4	2	5	7	3	9	0	0	0	0	2	3
5:00	*	*	22	15	22	11	21	6	28	15	0	0	0	0	15	7
6:00	*	*	59	36	73	40	73	31	51	48	0	0	0	0	42	25
7:00	*	*	297	220	290	228	285	227	277	208	0	0	0	0	191	147
8:00	*	*	233	242	261	234	267	232	265	245	0	0	0	0	171	158
9:00	*	*	270	229	291	252	299	272	309	233	0	0	0	0	194	164
10:00	*	*	217	211	252	241	296	247	194	151	0	0	0	0	159	141
11:00	*	*	317	203	290	219	307	224	0	1	0	0	0	0	152	107
12:00 PM	*	*	319	242	341	298	352	272	0	0	0	0	0	0	168	135
1:00	*	*	300	269	339	273	284	264	0	0	0	0	0	0	153	134
2:00	*	*	298	257	318	302	345	261	0	0	0	0	0	0	160	136
3:00	351	281	393	352	382	346	389	353	0	0	0	0	0	0	216	190
4:00	415	346	438	324	453	352	416	338	0	0	0	0	0	0	246	194
5:00	383	342	432	407	433	322	473	404	0	0	0	0	0	0	245	210
6:00	326	311	345	312	400	318	387	287	0	0	0	0	0	0	208	175
7:00	257	203	250	209	277	219	263	229	0	0	0	0	0	0	149	122
8:00	238	179	263	196	216	165	265	183	0	0	0	0	0	0	140	103
9:00	212	158	207	163	184	150	173	175	0	0	0	0	0	0	110	92
10:00	135	104	121	96	124	124	108	109	0	0	0	0	0	0	69	61
11:00	82	74	75	60	85	80	78	93	0	0	0	0	0	0	45	43
TOTALS	2399	1998	4956	4121	5108	4234	5169	4301	1247	1052	0	0	0	0	2896	2405

COMBINED TOTALS

12:00 AM	*	94	80	88	135	0	0	65
1:00	*	49	39	46	81	0	0	35
2:00	*	19	6	21	30	0	0	12
3:00	*	11	6	15	16	0	0	7
4:00	*	5	6	12	12	0	0	5
5:00	*	37	33	27	43	0	0	22
6:00	*	95	113	104	99	0	0	67
7:00	*	517	518	512	485	0	0	338
8:00	*	475	495	499	510	0	0	329
9:00	*	499	543	571	542	0	0	358
10:00	*	428	493	543	345	0	0	300
11:00	*	520	509	531	1	0	0	259
12:00 PM	*	561	639	624	0	0	0	303
1:00	*	569	612	548	0	0	0	287
2:00	*	555	620	606	0	0	0	296
3:00	632	745	728	742	0	0	0	406
4:00	761	762	805	754	0	0	0	440
5:00	725	839	755	877	0	0	0	455
6:00	637	657	718	674	0	0	0	383
7:00	460	459	496	492	0	0	0	271
8:00	417	459	381	448	0	0	0	243
9:00	370	370	334	348	0	0	0	202
10:00	239	217	248	217	0	0	0	130
11:00	156	135	165	171	0	0	0	88
TOTALS	4397	9077	9342	9470	2299	0	0	5301

TIME BEGIN	MONDAY-25 :				TUESDAY-26 :							
	-EB-		-WB-		COMBINED		-EB-		-WB-		COMBINED	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
12:00	*	*	*	*	*	*	20	76	8	59	28	135
12:15	*	*	*	*	*	*	14	74	12	68	26	142
12:30	*	*	*	*	*	*	14	108	10	63	24	171
12:45	*	*	*	*	*	*	8	61	8	52	16	113
1:00	*	*	*	*	*	*	7	76	5	59	12	135
1:15	*	*	*	*	*	*	8	65	5	56	13	121
1:30	*	*	*	*	*	*	6	72	5	66	14	138
1:45	*	*	*	*	*	*	5	87	5	88	10	175
2:00	*	*	*	*	*	*	5	99	6	80	11	179
2:15	*	*	*	*	*	*	4	71	0	53	4	124
2:30	*	28	*	28	*	56	1	71	1	61	2	132
2:45	*	79	*	74	*	153	0	57	2	63	2	120
3:00	*	78	*	71	*	149	1	78	2	76	3	154
3:15	*	86	*	69	*	155	1	110	2	101	3	211
3:30	*	90	*	61	*	151	3	125	1	92	4	217
3:45	*	97	*	80	*	177	1	80	0	83	1	163
4:00	*	94	*	76	*	170	0	96	0	82	0	178
4:15	*	96	*	83	*	179	2	92	0	77	2	169
4:30	*	123	*	94	*	217	0	125	2	71	2	196
4:45	*	102	*	93	*	195	0	125	1	94	1	219
5:00	*	89	*	67	*	156	2	131	3	91	5	222
5:15	*	105	*	93	*	198	3	99	1	101	4	200
5:30	*	83	*	89	*	172	7	102	4	107	11	209
5:45	*	106	*	93	*	199	10	100	7	108	17	208
6:00	*	107	*	91	*	198	9	82	2	91	11	173
6:15	*	71	*	73	*	144	10	66	8	63	18	129
6:30	*	68	*	69	*	137	13	93	14	65	27	158
6:45	*	80	*	78	*	158	27	104	12	93	39	197
7:00	*	96	*	56	*	152	50	88	20	66	70	154
7:15	*	54	*	57	*	111	66	61	41	40	107	101
7:30	*	56	*	48	*	104	78	56	66	41	144	97
7:45	*	51	*	42	*	93	103	45	93	62	196	107
8:00	*	53	*	41	*	94	65	82	67	67	132	149
8:15	*	80	*	49	*	129	58	51	52	39	110	90
8:30	*	53	*	41	*	94	57	68	62	42	119	110
8:45	*	52	*	48	*	100	53	62	61	48	114	110
9:00	*	78	*	47	*	125	65	61	62	43	127	104
9:15	*	56	*	37	*	93	61	52	55	37	116	89
9:30	*	46	*	37	*	83	79	59	57	42	136	101
9:45	*	32	*	37	*	69	65	35	55	41	120	76
10:00	*	40	*	27	*	67	45	36	34	29	79	65
10:15	*	36	*	31	*	67	60	31	57	20	117	51
10:30	*	33	*	16	*	49	54	26	53	28	107	54
10:45	*	26	*	30	*	56	58	28	67	19	125	47
11:00	*	22	*	22	*	44	100	19	65	17	165	36
11:15	*	25	*	15	*	40	65	25	41	20	106	45
11:30	*	22	*	26	*	48	68	20	41	11	109	31
11:45	*	13	*	11	*	24	84	11	56	12	140	23
TOTALS	*	2506	*	2100	*	4606	1515	3441	1234	2887	2749	6328
DAY TOTALS		2506		2100		4606		4956		4121		9077
% TOTAL	*	54.4	*	45.6			55.1	54.4	44.9	45.6		
PEAK HOUR	*	4:30	*	5:15	*	5:15	11:00	4:30	7:30	5:00	7:30	4:45
VOLUME	*	419	*	366	*	767	317	480	278	407	582	850
A.H.F.	*	0.85	*	0.98	*	0.96	0.79	0.92	0.75	0.94	0.74	0.96

SITE CODE : 72133902

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 2

LOCATION : Mill Rd W of Mill Plaza entran

FILE: SRPC#601

CITY/TOWN : Durham

NODE A/B : Main/Faculty

DATE: 10/27/93

TIME BEGIN	WEDNESDAY-27 : -EB-		-WB-		COMBINED		THURSDAY-28 : -EB-		-WB-		COMBINED	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
12:00	12	124	10	74	22	198	16	85	15	70	31	155
12:15	9	57	8	65	17	122	7	81	15	70	22	151
12:30	13	76	9	61	22	137	9	113	12	60	21	173
12:45	10	84	9	98	19	182	11	73	3	72	14	145
1:00	8	113	8	71	16	184	6	59	11	58	17	117
1:15	4	61	3	62	7	123	3	66	5	62	8	128
1:30	6	77	5	63	11	140	6	75	7	56	13	131
1:45	2	88	3	77	5	165	4	84	4	88	8	172
2:00	1	100	0	67	1	167	6	101	3	80	9	181
2:15	0	73	0	55	0	128	4	90	2	60	6	150
2:30	2	63	0	73	2	136	2	78	1	57	3	135
2:45	1	82	2	107	3	189	1	76	2	64	3	140
3:00	2	108	1	82	3	190	3	72	3	64	6	136
3:15	1	100	0	94	1	194	2	96	0	99	2	195
3:30	2	88	0	79	2	167	3	121	3	112	6	233
3:45	0	86	0	91	0	177	0	100	1	78	1	178
4:00	1	107	0	89	1	196	0	78	2	80	2	158
4:15	1	118	0	89	1	207	3	105	1	77	4	182
4:30	0	113	0	89	0	202	0	109	2	86	2	195
4:45	2	115	2	85	4	200	2	124	2	95	4	219
5:00	2	112	2	71	4	183	2	158	1	93	3	251
5:15	4	101	2	76	6	177	0	102	1	94	1	196
5:30	9	112	1	88	10	200	11	103	0	115	11	218
5:45	7	108	6	87	13	195	8	110	4	102	12	212
6:00	11	111	4	78	15	189	8	90	3	72	11	162
6:15	13	107	6	80	19	187	14	89	6	69	20	158
6:30	19	104	14	67	33	171	23	101	13	78	36	179
6:45	30	78	16	93	46	171	28	107	9	68	37	175
7:00	44	70	19	69	63	139	38	89	17	73	55	162
7:15	67	56	39	45	106	101	69	68	31	60	100	128
7:30	78	76	76	51	154	127	70	59	70	46	140	105
7:45	101	75	94	54	195	129	108	47	109	50	217	97
8:00	64	59	49	39	113	98	81	64	81	39	162	103
8:15	51	40	56	40	107	80	53	53	40	50	93	103
8:30	62	59	51	33	113	92	63	78	56	41	119	119
8:45	84	58	78	53	162	111	70	70	55	53	125	123
9:00	104	73	84	45	188	118	68	49	68	50	136	99
9:15	58	44	48	38	106	82	75	37	75	41	150	78
9:30	50	36	44	33	94	69	91	47	81	33	172	80
9:45	79	31	76	34	155	65	65	40	48	51	113	91
10:00	88	34	63	39	151	73	55	39	45	30	100	69
10:15	61	34	62	23	123	57	55	26	55	37	110	63
10:30	49	34	50	27	99	61	98	24	58	19	156	43
10:45	54	22	66	35	120	57	88	19	89	23	177	42
11:00	85	26	52	23	137	49	92	27	57	23	149	50
11:15	58	21	55	18	113	39	68	17	47	32	115	49
11:30	67	18	59	20	126	38	74	16	56	17	130	33
11:45	80	20	53	19	133	39	73	18	64	21	137	39
TOTALS	1556	3552	1285	2949	2841	6501	1636	3533	1333	2968	2969	6501
DAY TOTALS	5108		4234		9342		5169		4301		9470	
PER HOUR TOTAL	54.8	54.6	45.2	45.4			55.1	54.3	44.9	45.7		
PEAK HOUR	7:15	4:15	7:30	2:45	8:15	4:00	10:30	4:15	7:30	5:00	7:15	4:45
VOLUME	310	458	275	362	570	805	346	496	300	404	619	884
P.H.F.	0.77	0.97	0.73	0.85	0.76	0.97	0.88	0.78	0.69	0.88	0.71	0.88

SITE CODE : 72133902

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 3

LOCATION : Mill Rd W of Mill Plaza entran

FILE: SRPC#601

CITY/TOWN : Durham

NODE A/B : Main/Faculty

DATE: 10/29/93

TIME BEGIN	FRIDAY-29 :		-WB-		COMBINED		SATURDAY-30 :		-WB-		COMBINED	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
12:00	11	0	24	0	35	0	0	0	0	0	0	0
12:15	18	0	18	0	36	0	0	0	0	0	0	0
12:30	16	0	14	0	30	0	0	0	0	0	0	0
12:45	19	0	15	0	34	0	0	0	0	0	0	0
1:00	10	0	10	0	20	0	0	0	0	0	0	0
1:15	8	0	13	0	21	0	0	0	0	0	0	0
1:30	8	0	17	0	25	0	0	0	0	0	0	0
1:45	7	0	8	0	15	0	0	0	0	0	0	0
2:00	4	0	5	0	9	0	0	0	0	0	0	0
2:15	8	0	5	0	13	0	0	0	0	0	0	0
2:30	2	0	1	0	3	0	0	0	0	0	0	0
2:45	1	0	4	0	5	0	0	0	0	0	0	0
3:00	2	0	4	0	6	0	0	0	0	0	0	0
3:15	2	0	2	0	4	0	0	0	0	0	0	0
3:30	4	0	2	0	6	0	0	0	0	0	0	0
3:45	0	0	0	0	0	0	0	0	0	0	0	0
4:00	0	0	1	0	1	0	0	0	0	0	0	0
4:15	1	0	1	0	2	0	0	0	0	0	0	0
4:30	1	0	5	0	6	0	0	0	0	0	0	0
4:45	1	0	2	0	3	0	0	0	0	0	0	0
5:00	1	0	3	0	4	0	0	0	0	0	0	0
5:15	6	0	3	0	9	0	0	0	0	0	0	0
5:30	6	0	3	0	9	0	0	0	0	0	0	0
5:45	15	0	6	0	21	0	0	0	0	0	0	0
6:00	10	0	2	0	12	0	0	0	0	0	0	0
6:15	13	0	8	0	21	0	0	0	0	0	0	0
6:30	12	0	24	0	36	0	0	0	0	0	0	0
6:45	16	0	14	0	30	0	0	0	0	0	0	0
7:00	42	0	18	0	60	0	0	0	0	0	0	0
7:15	56	0	40	0	96	0	0	0	0	0	0	0
7:30	79	0	66	0	145	0	0	0	0	0	0	0
7:45	100	0	84	0	184	0	0	0	0	0	0	0
8:00	60	0	55	0	115	0	0	0	0	0	0	0
8:15	51	0	44	0	95	0	0	0	0	0	0	0
8:30	72	0	68	0	140	0	0	0	0	0	0	0
8:45	82	0	78	0	160	0	0	0	0	0	0	0
9:00	104	0	74	0	178	0	0	0	0	0	0	0
9:15	65	0	55	0	120	0	0	0	0	0	0	0
9:30	52	0	42	0	94	0	0	0	0	0	0	0
9:45	88	0	62	0	150	0	0	0	0	0	0	0
10:00	85	0	64	0	149	0	0	0	0	0	0	0
10:15	69	0	61	0	130	0	0	0	0	0	0	0
10:30	40	0	26	0	66	0	0	0	0	0	0	0
10:45	0	0	0	0	0	0	0	0	0	0	0	0
11:00	0	0	0	0	0	0	0	0	0	0	0	0
11:15	0	0	0	0	0	0	0	0	0	0	0	0
11:30	0	0	1	0	1	0	0	0	0	0	0	0
11:45	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	1247	0	1052	0	2299	0	0	0	0	0	0	0
DAY TOTALS	1247		1052		2299		*	*	*	*	*	*
% TOTAL	54.2	0	45.8	0			0	0	0	0		
PEAK HOUR	8:30	*	8:30	*	8:30	*	*	*	*	*	*	*
VOLUME	323	*	275	*	598	*	*	*	*	*	*	*
P.H.F.	0.78	*	0.88	*	0.84	*	*	*	*	*	*	*

SITE CODE : 72133904

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 1

LOCATION : Mill Rd W of Faculty Rd.

FILE: SRPC#600

CITY/TOWN : Durham

MODE A/B : Faculty/Lee T/L

DATE: 10/25/93

TIME BEGIN	MONDAY 25		TUESDAY 26		WEDNESDAY 27		THURSDAY 28		FRIDAY 29		SATURDAY 30		SUNDAY 31		WEEK AVERAGE	
	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-	-EB-	-WB-
12:00 AM	*	*	59	36	39	35	46	43	60	59	0	0	0	0	34	28
1:00	*	*	26	20	22	15	19	23	36	49	0	0	0	0	17	17
2:00	*	*	13	10	3	4	16	9	16	16	0	0	0	0	8	6
3:00	*	*	5	4	6	1	9	8	7	9	0	0	0	0	4	3
4:00	*	*	3	2	4	2	3	6	4	6	0	0	0	0	2	2
5:00	*	*	15	12	16	10	19	10	19	12	0	0	0	0	11	7
6:00	*	*	39	35	40	38	56	30	42	43	0	0	0	0	29	24
7:00	*	*	193	281	182	299	154	280	166	251	0	0	0	0	115	185
8:00	*	*	182	318	176	300	219	311	210	311	0	0	0	0	131	206
9:00	*	*	216	262	247	284	246	305	239	271	0	0	0	0	158	187
10:00	*	*	169	202	205	247	206	234	223	228	0	0	0	0	133	151
11:00	*	*	249	231	232	227	263	237	1	0	0	0	0	0	124	115
12:00 PM	*	*	274	253	291	307	287	278	0	0	0	0	0	0	142	139
1:00	*	*	227	263	274	267	210	282	0	0	0	0	0	0	118	135
2:00	276	280	266	268	291	294	289	273	0	0	0	0	0	0	160	159
3:00	300	282	315	351	324	364	335	348	0	0	0	0	0	0	182	192
4:00	374	345	375	333	409	358	350	332	0	0	0	0	0	0	215	195
5:00	337	335	417	394	361	341	440	420	0	0	0	0	0	0	222	212
6:00	277	320	280	330	349	330	338	313	0	0	0	0	0	0	177	184
7:00	236	233	250	236	261	243	262	231	0	0	0	0	0	0	144	134
8:00	227	158	239	186	214	184	247	175	0	0	0	0	0	0	132	100
9:00	218	157	226	161	187	165	179	176	0	0	0	0	0	0	115	94
10:00	135	116	120	99	115	113	113	114	0	0	0	0	0	0	69	63
11:00	80	76	77	60	75	81	68	89	0	0	0	0	0	0	42	43
TOTALS	2460	2302	4235	4347	4323	4509	4374	4527	1023	1255	0	0	0	0	2484	2581

COMBINED TOTALS

12:00 AM	*	95	74	89	119	0	0	62
1:00	*	46	37	42	85	0	0	34
2:00	*	23	7	25	32	0	0	14
3:00	*	9	7	17	16	0	0	7
4:00	*	5	6	9	10	0	0	4
5:00	*	27	26	29	31	0	0	18
6:00	*	74	78	86	85	0	0	53
7:00	*	474	481	434	417	0	0	300
8:00	*	500	476	530	521	0	0	337
9:00	*	478	531	551	510	0	0	345
10:00	*	371	452	440	451	0	0	284
11:00	*	480	459	500	1	0	0	239
12:00 PM	*	527	598	565	0	0	0	281
1:00	*	490	541	492	0	0	0	253
2:00	556	534	585	562	0	0	0	319
3:00	582	666	688	683	0	0	0	374
4:00	719	708	767	682	0	0	0	410
5:00	672	811	702	860	0	0	0	434
6:00	597	610	679	651	0	0	0	361
7:00	469	486	504	493	0	0	0	278
8:00	385	425	398	422	0	0	0	232
9:00	375	387	352	355	0	0	0	209
10:00	251	219	228	227	0	0	0	132
11:00	156	137	156	157	0	0	0	85
TOTALS	4762	8582	8832	8901	2278	0	0	5065

SITE CODE : 72133904

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 1

LOCATION : Mill Rd W of Faculty Rd.

FILE: SRPC#600

CITY/TOWN : Durham

MODE A/B : Faculty/Lee T/L

DATE: 10/25/93

TIME BEGIN	MONDAY-25 :		-EB-		-WB-		COMBINED		TUESDAY-26 :		-EB-		-WB-		COMBINED	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
12:00	*	*	*	*	*	*	*	*	20	73	10	54	30	127		
12:15	*	*	*	*	*	*	*	*	16	52	5	67	21	119		
12:30	*	*	*	*	*	*	*	*	13	88	14	58	27	146		
12:45	*	*	*	*	*	*	*	*	10	61	7	74	17	135		
1:00	*	*	*	*	*	*	*	*	9	55	6	59	15	114		
1:15	*	*	*	*	*	*	*	*	6	52	6	57	12	109		
1:30	*	*	*	*	*	*	*	*	7	57	5	63	12	120		
1:45	*	*	*	*	*	*	*	*	4	63	3	84	7	147		
2:00	*	99	*	89	*	188			6	95	3	110	9	205		
2:15	*	48	*	50	*	98			6	60	4	52	10	112		
2:30	*	74	*	68	*	142			1	64	1	55	2	119		
2:45	*	55	*	73	*	128			0	47	2	51	2	98		
3:00	*	72	*	74	*	146			1	61	1	85	2	146		
3:15	*	68	*	69	*	137			1	67	1	85	2	152		
3:30	*	78	*	65	*	143			2	114	2	108	4	222		
3:45	*	82	*	74	*	156			1	73	0	73	1	146		
4:00	*	86	*	93	*	179			1	85	0	82	1	167		
4:15	*	74	*	74	*	148			2	79	0	87	2	166		
4:30	*	112	*	78	*	190			0	108	1	69	1	177		
4:45	*	102	*	100	*	202			0	103	1	95	1	198		
5:00	*	84	*	67	*	151			1	135	2	82	3	217		
5:15	*	78	*	88	*	166			2	98	1	94	3	192		
5:30	*	90	*	105	*	195			2	83	3	105	5	188		
5:45	*	85	*	75	*	160			10	101	6	113	16	214		
6:00	*	103	*	111	*	214			7	71	6	114	13	185		
6:15	*	54	*	80	*	134			7	55	2	63	9	118		
6:30	*	56	*	70	*	126			11	81	8	69	19	150		
6:45	*	64	*	59	*	123			14	73	19	84	33	157		
7:00	*	85	*	81	*	166			32	98	15	92	47	190		
7:15	*	49	*	51	*	100			53	55	41	47	94	102		
7:30	*	69	*	57	*	126			56	51	77	51	133	102		
7:45	*	33	*	44	*	77			52	46	148	46	200	92		
8:00	*	45	*	38	*	83			55	60	99	63	154	123		
8:15	*	71	*	45	*	116			42	69	65	40	107	109		
8:30	*	68	*	41	*	109			36	54	66	43	102	97		
8:45	*	43	*	34	*	77			49	56	88	40	137	96		
9:00	*	71	*	58	*	129			39	69	74	46	113	115		
9:15	*	54	*	25	*	79			55	52	67	41	122	93		
9:30	*	58	*	38	*	96			64	63	64	36	128	99		
9:45	*	35	*	36	*	71			58	42	57	38	115	80		
10:00	*	40	*	37	*	77			36	36	31	31	67	67		
10:15	*	35	*	39	*	74			41	27	50	26	91	53		
10:30	*	36	*	18	*	54			45	22	53	22	98	44		
10:45	*	24	*	22	*	46			47	35	68	20	115	55		
11:00	*	21	*	20	*	41			81	21	81	16	162	37		
11:15	*	22	*	21	*	43			65	20	54	19	119	39		
11:30	*	26	*	23	*	49			53	24	36	17	89	41		
11:45	*	11	*	12	*	23			50	12	60	8	110	20		
TOTALS	*	2460	*	2302	*	4762			1169	3066	1413	2934	2582	6000		
DAY TOTALS		2460		2302		4762			4235		4347		8582			
% TOTAL	*	51.7	*	48.3					45.3	51.1	54.7	48.9				
PEAK HOUR	*	4:30	*	5:15	*	5:15			11:00	4:30	7:30	5:15	7:30	5:00		
VOLUME	*	376	*	379	*	735			249	444	389	426	594	811		
P.H.F.	*	0.84	*	0.85	*	0.86			0.77	0.82	0.66	0.93	0.74	0.93		

SITE CODE : 72133904

STRAFFORD REGIONAL PLANNING COMMISSION

PAGE: 2

LOCATION : Mill Rd W of Faculty Rd.

FILE: SRPC#600

CITY/TOWN : Durham

NODE A/B : Faculty/Lee T/L

DATE: 10/27/93

TIME BEGIN	WEDNESDAY-27 : -EB-		-WB-		COMBINED		THURSDAY-28 : -EB-		-WB-		COMBINED	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
12:00	11	109	10	76	21	185	13	73	11	70	24	143
12:15	8	72	9	56	17	128	18	60	12	72	30	132
12:30	13	58	8	66	21	124	5	94	10	64	15	158
12:45	7	52	8	109	15	161	10	60	10	72	20	132
1:00	8	95	6	87	14	182	5	42	6	64	11	106
1:15	5	59	4	58	9	117	7	55	5	67	12	122
1:30	6	51	3	59	9	110	2	56	7	65	9	121
1:45	3	69	2	63	5	132	5	57	5	86	10	143
2:00	1	94	2	83	3	177	8	94	3	98	11	192
2:15	0	64	0	62	0	126	4	79	3	60	7	139
2:30	1	68	0	67	1	135	2	59	1	53	3	112
2:45	1	65	2	82	3	147	2	57	2	62	4	119
3:00	3	92	0	99	3	191	4	58	2	55	6	113
3:15	1	73	1	81	2	154	3	62	2	89	5	151
3:30	2	88	0	84	2	172	2	130	2	121	4	251
3:45	0	71	0	100	0	171	0	85	2	83	2	168
4:00	1	89	0	88	1	177	0	70	0	94	0	164
4:15	1	103	0	80	1	183	3	77	3	76	6	153
4:30	0	98	0	103	0	201	0	98	1	72	1	170
4:45	2	119	2	87	4	206	0	105	2	90	2	195
5:00	1	86	0	83	1	169	2	154	1	111	3	265
5:15	1	79	2	82	3	161	0	110	3	88	1	198
5:30	7	111	3	100	10	211	5	87	3	120	8	207
5:45	7	85	5	76	12	161	12	89	5	101	17	190
6:00	5	123	6	105	11	228	5	99	4	84	9	183
6:15	9	69	3	69	12	138	11	73	4	86	15	159
6:30	10	86	10	79	20	165	17	96	10	71	27	167
6:45	16	71	19	77	35	148	23	70	12	72	35	142
7:00	29	76	18	97	47	173	19	102	23	81	42	183
7:15	47	42	39	46	86	88	31	70	37	53	68	123
7:30	47	79	79	54	126	133	63	46	76	55	139	101
7:45	59	64	163	46	222	110	41	44	144	42	185	86
8:00	51	59	84	58	135	117	72	58	118	38	190	96
8:15	35	31	72	41	107	72	50	51	61	45	111	96
8:30	36	68	51	37	87	105	41	75	63	44	104	119
8:45	54	56	93	48	147	104	56	63	69	48	125	111
9:00	98	62	106	44	204	106	48	71	73	50	121	121
9:15	53	59	54	47	107	106	70	36	78	48	148	84
9:30	35	34	52	35	87	69	66	35	91	32	157	67
9:45	61	32	72	39	133	71	62	37	63	46	125	83
10:00	76	29	66	38	142	67	44	39	56	36	100	75
10:15	58	27	61	23	119	50	43	28	57	30	100	58
10:30	37	32	57	27	94	59	54	25	44	24	98	49
10:45	34	27	63	25	97	52	65	21	77	24	142	45
11:00	77	15	61	26	138	41	81	15	84	22	165	37
11:15	47	22	44	20	91	42	68	20	47	28	115	48
11:30	49	19	56	19	105	38	62	22	50	18	112	40
11:45	59	19	66	16	125	35	52	11	56	21	108	32
TOTALS	1172	3151	1462	3047	2634	6198	1256	3118	1496	3031	2752	6149
DAY TOTALS	4323		4509		8832		4374		4527		8901	
% TOTAL	44.5	50.8	55.5	49.2			45.6	50.7	54.4	49.3		
PEAK HOUR	9:00	4:00	7:30	3:45	7:30	4:00	10:45	4:30	7:30	5:00	7:30	4:45
VOLUME	247	409	398	371	590	767	276	467	399	420	625	865
P.H.F.	0.63	0.86	0.61	0.90	0.66	0.93	0.85	0.76	0.69	0.88	0.82	0.82







DEPARTMENT OF PUBLIC WORKS  
TOWN OF DURHAM  
13-15 NEWMARKET ROAD  
DURHAM, N.H. 03824-2898  
603/868-5578 603/868-5005

July 30, 1991

Walter Cheney  
Cheney East Corporation  
76 Exeter Street  
Newmarket NH 03857

Dear Walter:

Included in my May 17, 1991 letter to Amos Blanchard, which was in response to your driveway permit application to Lot 06-03-19, was the request for:

"4) Appropriate legal opinion/documentation will be required regarding utilization of what appears to be public right of way for a private drive."

That information has not been received, therefore, we have researched the Town's records reference access to Lot 06-03-19 from Chesley Drive and conclude the current status to be as follows.

- (1) There is a deeded 50 foot wide R.O.W., 223 feet long, on the easterly side of Lot 06-03-19 ". . . to be used in common with others and to be dedicated as a public right of way . . ." (E. Olivia Warfield to Hanbro, Inc., Book 966, page 94, June 25, 1975 Strafford County Registry).
- (2) Title to the 50 foot R.O.W. for existing Chesley Drive and its "future extension" within the Red Tower Development was transferred by quitclaim deed to the Town of Durham January 29, 1960. (Red Tower Development Corp. to Town of Durham, Book 714, page 279, Strafford County Registry).
- (3) Lot 06-03-19 has no frontage on an existing Town road as Chesley Drive now ends 100+ feet southerly of the lot's nearest boundary and the 50 R.O.W. described in (1) above.
- (4) Lot 06-03-19 is in the RA zone. Current zoning requires lots in the RA zone to have a minimum lot frontage of 100 feet (see Section 1-13.8 and page 4-6). A sketch of the area is attached for clarity.

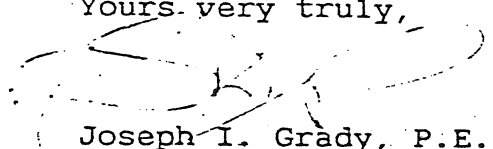
CONCLUSIONS:

- (1) There appears to be no legal access, deeded or otherwise, to Lot 06-03-19 from Chesley Drive.
- (2) The options for legal access from Chesley Drive include:
  - a) Receiving a variance or an exemption from the frontage requirements.
  - b) Receiving Town approval to extend Chesley Drive (to Town specifications or some modification thereof) to satisfy frontage requirements.
  - c) Some approved combination of a) and/or b) above.

Based on the foregoing, this office must deny your application for driveway permit until the legal access to the lot is gained.

If you have additional information or questions, please call.

Yours very truly,



Joseph I. Grady, P.E.  
Public Works Director

JIG:gej

cc: R. Freedman  
T. Perry  
B. Steffen  
D. Langley  
Files

QUITCLAIM DEED

We, Samuel A. Tamposi and Edward N. Lehoullier of Nashua, County of Hillsborough and State of New Hampshire, for consideration paid, grant to the Town of Durham, New Hampshire, with QUITCLAIM covenants,

A certain tract or parcel of land situate in Durham, County of Strafford and State of New Hampshire and bounded and described as follows:

Beginning on the southerly side of Mill Road in Durham at the north-westerly corner of a certain private right of way leading from said Mill Road into the Durham Shopping Plaza, and running thence S 31° 08' E a distance of 664.01 feet to a point; thence turning and running S 8° 17' E a distance of 138 feet to a point; thence turning and running S 33° 17' E a distance of 50 feet, more or less, to a stone wall which forms the boundary line of land of Grantors herein conveyed and the "Red Tower Development", so-called; thence turning and running S 40° W by the stone wall forming said boundary line a distance of 50 feet, more or less, to a point; thence turning and running in a generally northwesterly direction on the reciprocal course of the first three bounds mentioned herein, 50 feet distant from and parallel to said first three bounds mentioned herein to the southerly side of Mill Road; thence turning and running northeasterly along the southerly side of Mill Road a distance of 50 feet to the point of beginning.

Meaning and intending hereby to convey a strip of land 50 feet in width extending from Mill Road, and encompassing in part the present private right of way serving the Durham Shopping Plaza, said strip running in a generally southerly or southeasterly direction from Mill Road to the southerly side of said premises and adjoining the property of the "Red Tower Development", so-called, for the purpose of Grantee constructing a public street over the above-conveyed premises to connect with Chesley Drive, so-called, and to allow for motor vehicle traffic between Mill Road and Route 108 in said Durham.

This deed is granted upon the express condition that the Town of Durham shall, within two years from date hereof, vote at a Town meeting under appropriate article contained in the warrant for this purpose, to construct a public street over the above-described premises connecting with Chesley Drive for the purpose of allowing vehicular traffic to use said public street for access between Mill Road and Route 108; and provided that, having so voted to construct a public street within two years from date of this deed, that said public street is actually constructed and completed within five years from date of this deed. And in the event the Town of Durham either fails to vote to construct a public street over the above-described premises within two years from date hereof, or having so voted fails to complete the construction of said public street within five years from date hereof, then the condition of this deed having been broken, the same shall be null and void and of no effect, and title to the premises herein described shall revert to Grantors herein, their heirs, administrators, successors or assigns.

BK- 948 PGE-015

STRAFFORD COUNTY  
Register of Deeds  
John L. Bolger

The description herein is subject to more precise location upon appropriate engineering surveys and turning radius requirements. Grantors reserve the right to compute the land area contained in the foregoing description for purposes of complying with building and zoning regulations for future development of the Durham Shopping Plaza.

Meaning and intending hereby to convey a portion of the premises acquired by Grantors by deed of Hanbro, Inc., dated October 13, 1967, and recorded in the Strafford County Records at Book 835, Page 232. See also deed of Gerald Q. Nash to Edward N. Lehoullier duly recorded in the Strafford County Registry of Deeds. This is not homestead property.

Witness our hands and seals, this 15<sup>th</sup> day of June, 1974.

Witness:

*Yvette Beante*

*Samuel A. Tamposi*  
Samuel A. Tamposi

*Yvette Beante*

*Edward N. Lehoullier*  
Edward N. Lehoullier

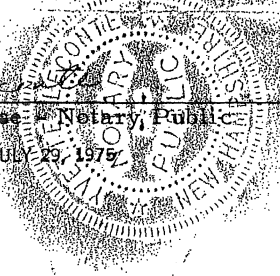
THE STATE OF NEW HAMPSHIRE  
*Hillsborough Cty, ss.*

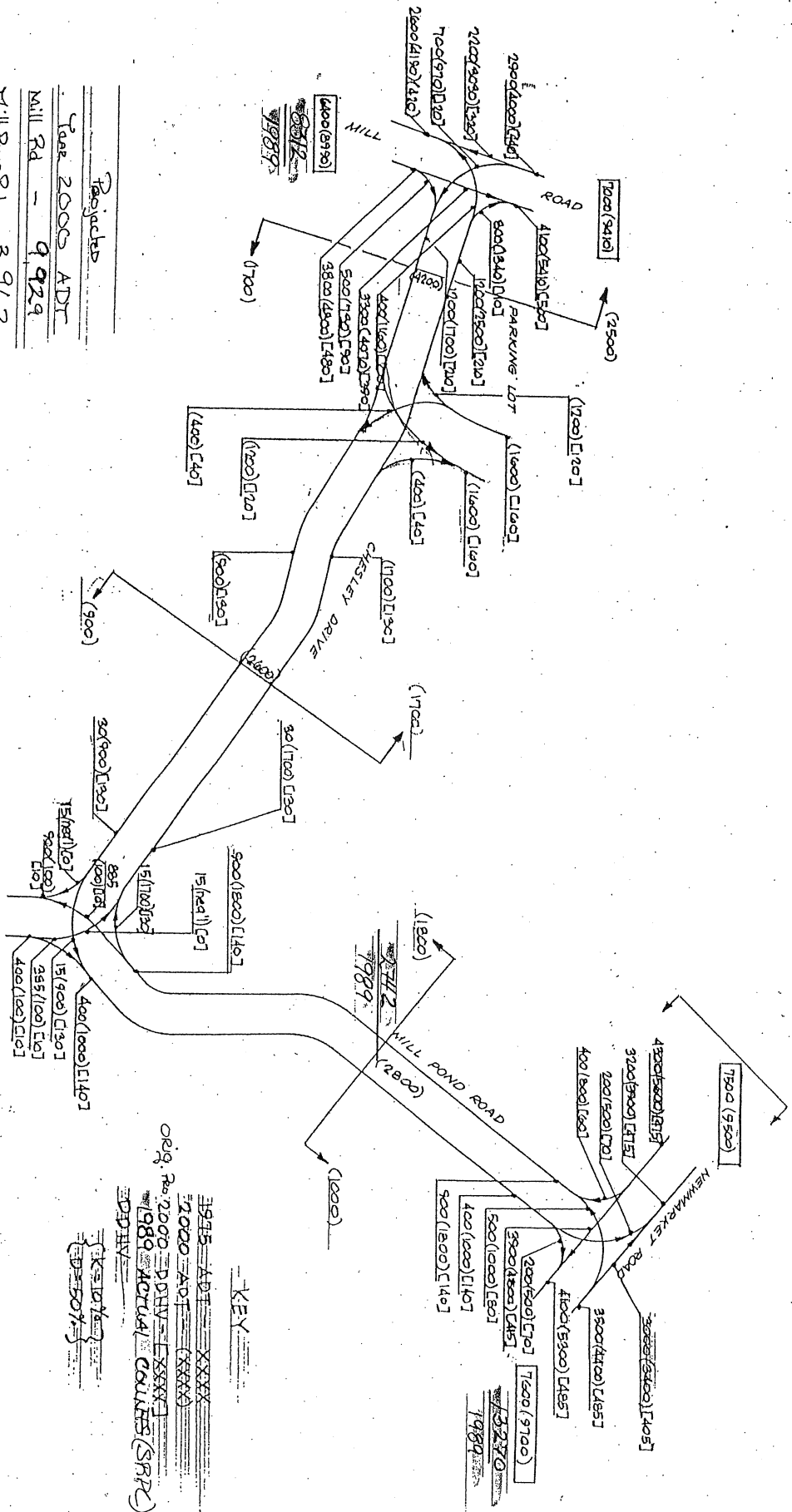
June 15, 1974

Samuel A. Tamposi and Edward N. Lehoullier personally appeared and acknowledged the foregoing instrument to be their voluntary act and deed. Before me, YVETTE BEANTE

BK- 948 PGE-016

*Yvette Beante*  
~~Justice of the Peace~~ Notary, Public  
MY COMMISSION EXPIRES JULY 29, 1975





Projected  
 Year 2000 ADT  
 Mill Rd - 9,929  
 Mill Pond Rd - 3,962  
 Route 108 - 18,067

Chestley Drive - (3,900) \* Based on existing traffic growth  
 As a Thru Rd  
 Durham Planning Dept.

1995 ADT XXXXX  
 2000 ADT (XXXX)  
 Orig. Plan 2000 ADT (XXXX)  
 1989 Actual Counts (SRPC)

KEY

PRIORITY I

TOWN OF DURHAM  
 STAFFORD COUNTY - NEW HAMPSHIRE  
 TRAFFIC FLOW DIAGRAM  
 EXISTING PEAK HOUR  
 HANITOU ENGINEERING ASSOCIATES  
 CONSULTANTS  
 DURHAM, NH  
 NOV. 1995

MINUTES  
DURHAM PLANNING BOARD

May 29, 1979

7:30 pm

PRESENT: Dick Tappan, Owen Durgin, Stephen Roberts, Rebecca Frost

ABSENT: Peter Handy, Kim Sprague, Gail Ulrich

OTHERS PRESENT: Diane Flint, George Crombie

MINUTES OF MAY 17, 1979

The minutes of May 17, 1979 were read and corrected. Rebecca Frost moved to accept the minutes as revised, seconded by Stephen Roberts. Minutes approved.

PUBLIC HEARING MINUTES

The minutes of the Reorganized Church of Latter Day Saints were read and corrected. Rebecca Frost moved to accept the minutes as revised, seconded by Stephen Roberts. Minutes approved.

The minutes of the Broderick public hearing were read and corrected. Rebecca Frost moved to accept the minutes as revised, seconded by Owen Durgin. Minutes approved.

The minutes of the Amaroosa public hearing were read and corrected. Rebecca Frost moved to accept the minutes as revised, seconded by Owen Durgin. Minutes approved.

ALIAPOULIOS SUBDIVISION

Owen Durgin commented that the Selectmen said that if a developer wishes to extend water at his expense and according to Town specs, the Selectmen would not disagree. The Selectmen will not require the extension of water for the Aliapoulios subdivision. The Fire Department would like to have the water line extended for the Aliapoulios Subdivision. Diane Flint read a letter from the Fire Department stating the reasons for requesting the extension of water. If the water line is extended, George Crombie recommends that a 12" line be required. Since the Planning Board needs more time to obtain more facts for the subdivision, Dick Tappan will write a letter requesting an extension of time for acting on the subdivision. Dick Tappan stated that he was concerned with the Board using prematurity. If the Board decides to deny the subdivision because of prematurity, the Selectmen would not need to extend the time for action and the developer's time would not be wasted. Stephen Roberts said there are not enough facts listed for the subdivision and too many questions about the subdivision left unanswered. The Board discussed prematurity and how it relates to this subdivision. Stephen Roberts stated that the Board needs to look at all the facts because there are many subdivisions pending and more coming each month. George Crombie stated he hoped concrete data will be used for each subdivision and that the Comprehensive Plan will provide concrete data.

LEHOULLIER PARKING PLAN

The underwriter for Mr. Lehoullier was not satisfied with the letter the Planning Board sent concerning the parking requirements for the Durham Plaza. The bank would like an approved plan with the number of spaces required and approved marked on the plan. Diane Flint worked up a number for the actual employees at the Plaza and projected the number for the unoccupied space based on the type of businesses located there at present. She arrived at a figure of 341 parking spaces.

The spaces must be drawn ten (10) feet by twenty (20) feet with twenty-four (24) foot aisles between the parking rows.

Utilization of the Residential A (RA) Zone for parking is preferable for the Town and abutters to parking on the hill behind the new building. In order to accommodate 370 spaces in front of both buildings, a variance must be obtained for those spaces located in the RA Zone. While the Planning Board will require only 75 percent of 370 spaces (277) to be paved during initial construction, space must be available for 370 parking spaces. The difference between 277 and 370 parking spaces (107) must be suitably landscaped.

Additional spaces will be required to be paved as needed when businesses apply for occupancy.

If the hill is utilized for parking those spaces shall be designated as employee parking only.

The Planning Board will review each initial and future occupancy permit to determine the parking requirements. As required by the Zoning Ordinance, any future change in use will require a site review.

3. A raised barrier paved to a width of six (6) feet for pedestrian and bicycle traffic will be constructed from Mill Road to the Chesley Drive property line. Any change in the slope between the walkway and the brook will be consistent with roadway design practices of the Town.

On the shopping center side of this barrier all the water from the paved areas will be collected into catch basins with culverts leading to the brook. Sufficient rip-rapping will be required to prevent erosion of the banking where the culverts enter the brook.

Roof drainage must be collected as it comes off the roof into catch basins connected into the underground drainage system.

A site plan or separate drainage plan will show culvert and manhole sizes as well as paving specifications.

4. An eight-inch water line will be constructed from the existing six-inch line through to connect with the water line now in Chesley Drive. The Town will pay for the water pipe and fittings for this line only. Beyond the developer's property lines, the Town will be responsible for designating the location of the line, providing all necessary rights-of-way, easements and permits in a timely fashion for construction by the developer. One hydrant must be installed as directed by the Fire Department.

Write Easement ~

TOWN OF DURHAM, NEW HAMPSHIRE - PLANNING BOARD

APPLICATION FOR SITE REVIEW

Date of Submittal: March 1, 1977 Date Rec'd by Clerk \_\_\_\_\_

Name of Developer/Builder Edward Lehoullier and Samuel A. Tamposi

Address P.O. Box 416, Nashua, New Hampshire 03060

Owner(s) of Record Edward N. Lehoullier and Samuel A. Tamposi

Address P.O. Box 416, Nashua, New Hampshire 03060

Name & Addresses (including street & no.) of Abutters & Across Street

Owners: Se Attached List

\_\_\_\_\_  
(continue on back, if necessary)

Area of land 464,685 SF Proposed area of buildings 24,000 SF (expansion)

If land to be utilized is part of larger parcel, what area remains \_\_\_\_\_  
SF  
155,500

Zoning District containing parcel of land to be developed Building construction in BA Zone

Proposed Use Commercial, Retail and Personal Service

Type of Utility: Sewer Yes Storm Drains Yes Water Yes Fire Hydrant Distance 350'  
(approx.)

Maximum number of Residents (beds) None

Name & Address of engineering, surveyor, architect or designer:

Robert Denny McAuliffe, Engineers/Planners, One Gateway Center  
Newton, MA 02158

Signature of Applicant *Edward N. Lehoullier*

Edward N. Lehoullier

TO BE COMPLETED BY PLANNING BOARD

Date Received 1 March 1977 Date of Hearing, if any 20 April 1977

Date of on-site inspection Several

Accept  Reject \_\_\_\_\_ Date 18 May 1977

Conditions: See attached list

Rebecca B. Frost, Chairman



APPLICATION FOR SITE REVIEW

LIST OF ABUTTERS AND ACROSS STREET OWNERS

NAME

ADDRESS

ABUTTERS:

Matthew Cutter	RFD York Lane Newmarket, NH 03857
George K. Kyreages	P.O. Box 111 York Harbor, Maine 03911
Scammell Grange #122	c/o Henry Davis, 14 Bay View Rd. Durham, NH
Ernest Cutter	Newmarket Rd., Durham, NH 03824
John J. McCann, Jr.	19A Main St., Durham, N.H.
Nicholas & Beatrice Gegas	102 Stark Ave., Dover, NH
Melville Nielson	8 Chesley Drive Durham, NH
Dwight and Elizabeth Ladd	7 Chesley Drive Durham, N.H.
Walter W. Cheney	Cheney Enterprises 24 Park Court Durham, NH
Charles O. and Roberta Slaby	17 Faculty Rd. Durham, NH
Alberto and Constance Casas	15 Faculty Rd. Durham, NH
Lyman and Karen Mower	11 Faculty Rd. Durham, NH

ACROSS STREET OWNER:

University of New Hampshire	Durham, New Hampshire 03824
-----------------------------	-----------------------------

SITE REVIEW FOR: Robert Denny McAuliffe

PARCEL NO.: 0501001

OWNER OR AGENT: Tamposi & Lehouillier

Your application for site review has been approved by the Planning Board, with conditions, if any, listed below. You must now apply for a building permit. The granting of this approval does not preclude the need for such a permit.

Building permit forms may be obtained at the Town offices, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Sincerely,

*Rebecca B. Frost*

Durham Planning Board

Conditions:

1. A site plan must be drawn to scale & contain all the required information.
2. The parking spaces required for the existing building will be 205. This
3. number is computed on the basis of one space per 250 square feet plus one
4. space per employee on the premises at the peak hour of business. Spaces
5. for the proposed expansion are required to be 96 customer parking spaces,
6. one space per 250 square feet of floor space, plus 69 employee parking spaces.
7. This latter figure has been calculated on the basis of one employee per 350 square
8. feet, which is the average in retail space in the Town of Durham at the present
9. time. The total number of spaces which must be shown on the map is 370 spaces for
10. both the existing building and the proposed use.

The spaces must be drawn ten (10) feet by twenty (20) feet with twenty-four (24) foot aisles between the parking rows.

Utilization of the Residential A (RA) Zone for parking is preferable for the Town and abutters to parking on the hill behind the new building. In order to accomodate 370 spaces in front of both buildings, a variance must be obtained for those spaces located in the RA Zone. While the Planning Board will require only 75 percent of 370 spaces (277) to be paved during initial construction, space must be available for 370 parking spaces. The difference between 277 and 370 parking spaces (107) must be suitably landscaped.

Additional spaces will be required to be paved as needed when businesses apply for occupancy.

If the hill is utilized for parking those spaces shall be designated as employee parking only.

The Planning Board will review each initial and future occupancy permit to determine the parking requirements. As required by the Zoning Ordinance, any future change in use will require a site review.

3. A raised barrier paved to a width of six (6) feet for pedestrian and bicycle traffic will be constructed from Mill Road to the Chesley Drive property line. Any change in the slope between the walkway and the brook will be consistent with roadway design practices of the Town.

On the shopping center side of this barrier all the water from the paved areas will be collected into catch basins with culverts leading to the brook. Sufficient rip-rapping will be required to prevent erosion of the banking where the culverts enter the brook.

Roof drainage must be collected as it comes off the roof into catch basins connected into the underground drainage system.

A site plan or separate drainage plan will show culvert and manhole sizes as well as paving specifications.

4. An eight-inch water line will be constructed from the existing six-inch line through to connect with the water line now in Chesley Drive. The Town will pay for the water pipe and fittings for this line only. Beyond the developer's property lines, the Town will be responsible for designating the location of the line, providing all necessary rights-of-way, easements and permits in a timely fashion for construction by the developer. One hydrant must be installed as directed by the Fire Department.

5. The sewer system will be constructed as shown on the original plan submitted with the application. Attention must be paid to the accessibility of the existing sewer manholes.
6. There will be three lanes of traffic at the entrance to the shopping center. A twenty (20) foot lane for incoming traffic will be separated by an island from two (2) twelve (12) foot lanes for exiting traffic. The throat will be designed and built by the Town under the Urban Roads Program for construction in 1977. The three lanes shall be striped within the parking lot for a distance of 150 feet.
7. The landscaping plan must show a mix of high trees and low shrubs along Mill Road and down the middle of every other row of parking throughout the project. The width of each planting strip shall permit enough greenery to be consistent with the Town's overall landscaping plans. The developer will prepare planting strips, curb and excavate them. The actual plants, to be agreed upon by the Town and the developer, will be purchased by the Town at the expense of the developer. Installation will be carried out by the Town. The Town will maintain the planting throughout the development in the future. The developer will be responsible for all other maintenance of the grounds, i.e., plowing, sweeping, litter pickup and patching the pavement. The planted areas must be continually curbed to prevent vehicle damage to trees and shrubs.
8. Lighting must be shown for all areas, and it is recommended that the level of lighting not exceed that on Main Street and that the fixtures conform to the new ones on Main Street. Lamps must be hooded to direct light onto the parking area and to prevent the light from disturbing adjacent residential areas. If possible the lights should be dimmed after all stores have closed.
9. Trash containers must be shown for all stores at the rear of the building.
10. Loading bays must be delineated on the plan at the rear of each store.
11. The location of the proposed building must allow for a fifty (50) foot right-of-way plus two (2) thirty (30) foot loading roads between the two buildings. This area may be used for parking until such time as the Town determines the need for additional access.
12. The Planning Board recommends that brick work be done on the southerly wall, similar to what is shown on the front and northerly side of the proposed building.
13. Final plans must have the approval of the Planning Board, Superintendent of Public Works, and any other pertinent local, state or Federal agency prior to the issuance of a building permit.

14. A bond of sufficient size to accomplish all of the above conditions shall be posted as determined by the Superintendent of Public Works. The bond may be released as portions of the work have been completed and inspected by the Town.

15. Any further development of this property will require a site review by the Planning Board.

REPLY TO  
501 CENTRAL AVENUE  
 DOVER, N. H. 03820

REPLY TO  
 66 SO. MAIN STREET  
ROCHESTER, N. H. 03867

LAW OFFICES OF  
CALDERWOOD & OUELLETTE  
PROF. ASSN.

WALTER A. CALDERWOOD  
RAYMOND R. OUELLETTE  
STANLEY J. MULLANEY  
DENNIS L. HALLISEY

JOSEPH G. CARLETON, JR.  
STEPHEN J. DIBBLE

February 1, 1974

CONNECTING  
BOTH LOCATIONS  
AREA CODE  
803  
742-1300

Mr. Glen Gerhard, Chairman  
Planning Board  
Durham, NH 03824

Dear Mr. Gerhard:

Re: Durham Shopping Plaza  
Mill Road, Durham, NH

On behalf of the owners of Durham Shopping Plaza, Samuel Tamposi and Edward Lehoullier of Nashua, New Hampshire, we wish to reply to that portion of your letter of December 10, 1973 addressed to Mr. John D. Herrick of Hannaford Brother, Portland, Maine.

The owners agree to the dedication of land for Chesley Drive extension. Whether this is by some agreement of commitment or by actual deed is subject to your wishes and we would appreciate being advised how you wish to complete the dedication.

There are certain factors which the owners would like to have incorporated or recognized as part of this dedication, and that is that the actual construction of Chesley Drive extension be at the expense of the Town of Durham since the developers, in their overall plans, did not contemplate any such street or extension of a street for their purposes. Also, if the street is not completed at the expense of the Town of Durham within a reasonable time, say three years, the commitment of dedication should expire, or if the dedication is by formal deed, the deed should contain a right of reverter in three years if the street is not completed.

Lastly, the owners would request that the Planning Board give consideration that if such dedication is made under mutually agreeable circumstances, that the land area requirements not be reduced by the lot of land being dedicated or conveyed for street purposes in similar fashion that the land area requirements were not altered or diminished by the amount of easement area dedicated for beautification purposes near the intersection of Main Street and Mill Road.

We would be glad to meet with you at your convenience to review these questions. Your cooperation in advising would be appreciated.

Yours truly,

  
Raymond R. Ouellette

PLANNING BOARD FILE

# Town of DURHAM

NEW HAMPSHIRE



AREA CODE 603  
866-5571

December 10, 1973

Mr. John D. Herrick  
Manager Store Engineering  
Hannaford Brothers Co.  
54 Hannaford Street  
South Portland, Maine 04106

Re: Mill Road Shopping Center

Dear Sir:

The Planning Board has reviewed your proposal for an addition to the present Mill Road Shopping Center and has established the following criteria as conditions for acceptance:

1. Dedication of Chesley Drive extension to the Town of Durham as a right-of-way. The following references necessitate this request:

- A. "The site review committee shall be guided by specifications of the subdivision regulations." (section 3.2 non-residential site review regulations)
- B. Site review regulation - 10.33 (purposes of review), (c) "safety and adequacy of traffic circulation to and at the site and of parking on the site."
- C. Subdivision regulation - 3.4, guaranty of performance, (c) "tendering the deeds required. At the time of filing a performance bond the subdivider shall tender to the Town of Durham suitable deeds of all land in streets, highways, easements, sidewalks, parks or other public lands not specifically reserved by him."

Since your submittals have indicated the proposed extension of Chesley Drive, we conclude that this land was not reserved for any other purpose.

2. Construction Detail Requirements:

- A. Provisions for additional drop inlet drainage to intercept water flow across the entrance to the parking lot.
- B. Tie roof drains to existing 8" drain line. If the 8" line is inadequate, an additional line should be installed.

Mr. John D. Herrick

-2-

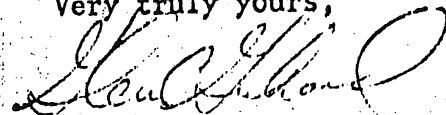
December 10, 1973

- C. Correction of problems involving the proposed inadequate distance between the rear roof overhang and the proposed semi-circumferential sidewalk. The installation of a partially sunken sidewalk, retaining wall/planter, steps, and necessary drop inlet drainage would solve the proposed problems of inadequate roof overhang clearance and drainage.

3. Bond Issuance:

- A. Approval must be received from the Fire Inspector prior to performance bond issuance.
- B. Bonding shall be in two (2) parts for a total of \$25,000.
- (1) \$20,000 - exterior building treatment. This amount will be released upon approval of the occupancy permit by the Building Inspector.
- (2) \$5,000 - Upon completion of:
- a. All exterior work relating to landscaping, storm drainage, sidewalks, etc.
- b. Plantings to conform to requirements set by the Town of Durham.

Very truly yours,



Glen Gerhard, Chairman  
Planning Board



DURHAM PLANNING BOARD  
December 19, 1973

The Chairman, Mr. Gerhard, opened the meeting at 7:50 p.m. Members present were: Borrer, Frost, Cochrane and Durgin. Mr. Rankin was present.

The minutes were approved as corrected.

The Board discussed their official stand on the Refinery proposed for Durham Point. Mr. Gerhard felt that it was inappropriate for the Chairman or any member of the Board to take any public stand. Mrs. Borrer felt that she is bound to uphold the present ordinances and the comprehensive plan, both of which prohibit industry in the rural zone. The full Board has had no information from Olympic and only Mr. Gerhard and Mr. Durgin were invited to the reception held in Bedford on the 19th. If Olympic comes in with a zoning change it will go to the Board of Selectmen and then to the Planning Board for public hearings.

Refinery

Mr. Rankin raised the question of charging for the book of zoning ordinances. Mrs. Frost moved that "\$2.50 be charged for non-residents and non-taxpayers". Mrs. Borrer seconded and the motion passed.

Brown Swan  
book

Two changes have been made to the proposed budget. Mr. Durgin added a figure for compensation for Board members of \$300 apiece. The Board felt that selectmen should not be paid twice, but that the Chairman and the Secretary should receive 50% more than regular members. The Board also felt that the fee for secretarial help should be raised to \$1,000. Mrs. Borrer moved that the budget be "\$11,300 for 12 months and \$15,700 for 18 months." Mrs. Frost seconded and the motion passed.

Budget

Changes to the site review application were discussed. Mr. Rankin reported that council has warned that no changes be made that could be aimed at the refinery. However, the Board can adopt National Codes. Mr. Gerhard said that Mr. Fred Hockraith has already offered to come to the Board to discuss the National Pipe Line code.

Site Review  
application

Mrs. Frost moved that the Board "approve the site review application from Allied Engineering Inc. of Gorham, Maine, for a brick building as presented to the Planning Board 11/28/73, subject to the conditions laid out in a letter to Mr. Herrick dated 12/10/73 signed by Glen Gerhard, Chairman" (letter attached). Mr. Cochrane seconded and the motion passed. Mrs. Borrer will contact Mr. Herrick either by letter or telephone.

Shop n Save

Acting Chairman Gerhard called the meeting to order at 7:40 p.m. Other members present were O. Durgin, M. Neuhoff, and R. Borrer

The Planning Board reviewed the application of Allied Engineering, Inc., of Gorham Maine, for a site review for the building of a new supermarket within the Durham Shopping Plaza on property owned by Tamposi and Lehoullier of Nashua, New Hampshire. This property is located on Mill Road and includes the corner at Main Street.

Findings of Fact:

1. The size of the parking spaces in the developed parking lot is legal (9' X 18') under the Zoning Ordinances in force at the time of original approval of the site.
2. Deducting all questionable parking spaces (located in the RA zone), 193 parking spaces exist. The total required for customer parking for both the existing and proposed structures is 183 ( 5.5 X 33.2/ 1,000 square feet gross area ).
3. Fifteen (15) employee parking spaces are proposed to the rear of the proposed new supermarket structure.
4. Not more than 1,000square feet of additional gross space may be added to the existing and proposed buildings without providing more customer and related employee parking.
5. Since 1968 there has been observed an increased incidence of silting in the College Brook between Mill Road and Mill Pond Road.
6. The land lying east of the College Brook and south of the present paved area has been without vegetative cover since mid 1971.
7. The landscaping plan approved along Mill Road in 1968 was developed but has been indifferently maintained.
8. The landscaping plan approved in 1968 for shrubs and trees along the east bank of the College Brook was never completed.
9. Walkways running southerly from Mill Road to the Plaza buildings, also in the 1968 approved plan, have not been constructed.
10. In a letter to the land owners of record 3 November, 1968, the Durham Planning Board stated that "prior to any development of the property to the south of the developed area, a site review plan showing the location of all buildings, streets, sidewalks, parking spaces and landscaping will be required."

3. Projected Parking needs of unutilized commercial space.

The employee/square footage ratio as based on actual tenancy is 1 employee/527 square feet of commercial space. The parking needs of the remaining 7,600 square feet presently vacant in the two shopping centers can be determined by applying this ratio.

Old Building

Vacant space:	1,200 square feet	
	1 space per 250 square feet	5
	1 space per 527 square feet as required for employees	<u>2</u>
		7

New Building

	6,400 square feet	
	1 space per 250 square feet	26
	1 space per 527 square feet as required for employees	<u>12</u>
		38
Total parking for unutilized space		45

Summary

Parking requirements for Total Complex		
1.	Existing Old	194
2.	Existing New	102
3.	Unutilized Space	<u>45</u>

As built plan should indicate a total of 341 spaces.

1979

2.

PARKING REQUIREMENTS

LEHOULLIER AND TAMPOSI SHOPPING CENTER

1.	Old Shopping Center	205
	( minus Uppercut )	<u>11</u>
		194
2.	Uses in new buildings	103
	Wellwood Co.	
	8,000 sq. ft. @ 1 space/250	32
	12 employees @ 1 space/empl.	<u>12</u>
		44
	Dover Federal Savings Bank	
	2,000 sq. Ft. @ 1 space/250	8
	4 employees @ 1 space/empl.	<u>4</u>
		12
	Louise's Sport Shop	
	2400 sq. ft. @ 1 space/250	10
	3 employees @ 1 space/empl.	<u>3</u>
		13
	Carolyn's Closet	
	2800 sq. ft. @ 1 space/250	11
	3 employees @ 1 space/empl.	<u>3</u>
		14
	Tom Crosley Real Estate	
	1,000 sq. ft. @ 1 space/250	4
	4 employees @ 1 space/empl.	<u>4</u>
		8
	Uppercut	
	1200 Sq. Ft. @ 1 space/ 250	5
	7 employees @ 1 space/ empl.	<u>7</u>
		12
	Total	103

Received by PB

2 April 1975

TREUF

B

Proposed Language on Plan

Approved by the Planning Board of the Town of Durham, New Hampshire, on the conditions that (1) the Town of Durham builds a street across the strip of land 50 feet in width shown on this plan in accordance with the provisions of the deed from Samuel A. Tamposi and Edward N. Lehoullier to the Town of Durham dated June 15, 1974 and recorded in Strafford County Registry of Deeds Book 948 Page 15, and (2) the Town of Durham accepts said street as a public street after it has been constructed. In the event that the title to said strip of land reverts to Samuel A. Tamposi and Edward N. Lehoullier as provided in the aforementioned deed, then this approval shall not be construed as a dedication of said strip of land as a public street or way. In the event that a street constructed over said strip of land is accepted by the Town of Durham, at that time the Durham Planning Board shall ~~approve~~ <sup>cannot</sup> the subdivision of the land now owned by Samuel A. Tamposi and Edward N. Lehoullier into two parcels, one parcel on the westerly side of said 50 foot strip of land, and one parcel on the easterly side of said 50 foot strip of land\*, which subdivision will result from the construction of said street across said 50 foot strip of land. The approval of this plan shall not prevent a future adjustment of the boundaries of said 50 foot strip of land which may become necessary when the proposed street is actually laid out, as provided for in the aforementioned deed. If such an adjustment of boundaries shall become necessary, the Durham Planning Board shall approve a plan showing said adjusted boundaries at that time.

(which shall be subject to ~~approval~~  
then existing zoning Town ordinances)

subject to site review approval

Dec. 19, 1973

11/7/73

B

APPLICATION FOR STATE REVIEW

Date of Submittal: November 7, 1973 Date Rec'd by Clerk: \_\_\_\_\_

Name of Developer/Builder Hannaford Bros. Co. Address 54 Hannaford Street  
So. Portland, Maine 04106

Owner(s) of Record Samuel A. Tamposi and Edward N. LeHoullier

Address Nashua, New Hampshire 03060

Name & Addresses (including street & no) of Abutters & Across Street Owners:

Isabella Smart

John O'Neil

George K. Kyreages

Grange (continue on back if necessary)

Area of land 11,928 sq. ft. Proposed area of buildings 11,928 sq. ft.

If land to be utilized is part of larger parcel what area remains 12.61 acres

Zoning District containing parcel of land to be developed Business A

Proposed use Supermarket and rental store

Type of utility: Sewer Existing Storm Drains Existing

Water Existing Fire Hydrant (distance) Existing

Maximum number of Residents (beds) N/A

Name & Address of engineering, surveyor, architect or designer: Allied Engineering, Inc.  
381 Main Street, Gorham, Maine 04038

Signature of Applicant Hannaford Bros Co.  
by [Signature]  
TO BE COMPLETED BY PLANNING BOARD

Date Received 7/Nov. 1973

Date of on-site inspection 12/Nov. 1973

Date of hearing, if any 28/Nov. 1973

Accept  Reject \_\_\_\_\_ Date 19/Dec-1973

Conditions: to the conditions in attached letter  
dated 10/December 1973

Rae Borror, Sec'y  
Durham Planning Board

11/5

**Hannaford  
Retail Services**

Hannaford Bros. Co.  
P.O. Box 1000  
Portland, Maine 04104  
Tel. 207 | 767-2111

RECEIVED

NOV 5 1973

November 2, 1973

TOWN OF DURHAM, N.H.

Mr. Glen C. Gerhad, Chairman  
Durham Planning Board  
Durham, New Hampshire 03824

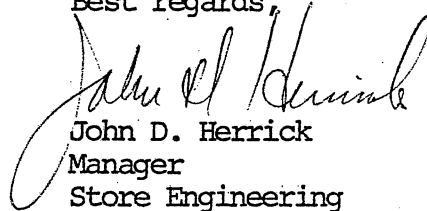
Re: Durham Shop 'n Save

Dear Mr. Gerhad:

Thank you very much for your thoughts and those of the Planning Board regarding the proposed building expansion of the Durham Shop 'n Save. We are proceeding with the preparation of our materials for presentation to the Board prior to your November 7, 1973, meeting. We will also draft an elevation showing a brick face with colonial style windows as you suggested. We don't feel this treatment goes well with the split ribbed block and will therefore omit them from that plan.

Thank you again for your assistance and advice to us in preparing our application to the Board. We appreciate your help and hope we can together come up with a design which will be a credit to downtown Durham and to Shop 'n Save. If you have any further questions or comments, please feel free to write or call.

Best regards,

  
John D. Herrick  
Manager  
Store Engineering

JDH:lst



Acting Chairman Gerhard called the meeting to order at 7:40 p.m. Other members present were O. Durgin, M. Neuhoff, and R. Borrer

The Planning Board reviewed the application of Allied Engineering, Inc., of Gorham Maine, for a site review for the building of a new supermarket within the Durham Shopping Plaza on property owned by Tamposi and Lehoullier of Nashua, New Hampshire. This property is located on Mill Road and includes the corner at Main Street.

Findings of Fact:

1. The size of the parking spaces in the developed parking lot is legal (9' X 18') under the Zoning Ordinances in force at the time of original approval of the site.
2. Deducting all questionable parking spaces (located in the RA zone), 193 parking spaces exist. The total required for customer parking for both the existing and proposed structures is 183 ( 5.5 X 33.2/ 1,000 square feet gross area ).
3. Fifteen (15) employee parking spaces are proposed to the rear of the proposed new supermarket structure.
4. Not more than 1,000square feet of additional gross space may be added to the existing and proposed buildings without providing more customer and related employee parking.
5. Since 1968 there has been observed an increased incidence of silting in the College Brook between Mill Road and Mill Pond Road.
6. The land lying east of the College Brook and south of the present paved area has been without vegetative cover since mid 1971.
7. The landscaping plan approved along Mill Road in 1968 was developed but has been indifferently maintained.
8. The landscaping plan approved in 1968 for shrubs and trees along the east bank of the College Brook was never completed.
9. Walkways running southerly from Mill Road to the Plaza buildings, also in the 1968 approved plan, have not been constructed.
10. In a letter to the land owners of record 3 November, 1968, the Durham Planning Board stated that "prior to any development of the property to the south of the developed area, a site review plan showing the location of all buildings, streets, sidewalks, parking spaces and landscaping will be required."



11. The plan dated 19 March 1973 prepared by John M Benson identified only as SITE 1:40 Dover Associates is the overall plan within which a plan "Site Plan proposed supermarket Durham, N.H. scale one inch equals 40 feet" dated by the Durham Planning Board 19 March 1973 is being considered.

12. The property is served by town sewer and water.

13. There has been insufficient maintenance of the existing traveled way particularly at the intersection of the parking lot and Mill Road.

The motion to approve plans submitted by Allied Engineering, Inc. for a new building on the Durham Shopping Plaza, within the context of a plan prepared by John Benson, for the full development of the southerly half of the area subject to the following conditions was made by Durgin, seconded by Neuhoff and was unanimously passed.

Conditions of Approval:

1. The developer shall dedicate to the town of Durham a 50 foot right of way from Mill Road to the southerly property boundary connecting to the existing Chesley Drive right of way.

2. The developer shall complete a 32 foot wide curb to curb street curbed on both margins from Mill Road to the southerly edge of the proposed new employee parking lot with construction specifications as outlined in the Durham subdivision regulations. This street shall be congruent with the dedicated right of way.

3. There shall be not more than three (3) curb cuts giving access to the parking areas from the dedicated road none of which shall be closer than 160 feet to Mill Road.

4. The developer shall provide plans for drainage, public utilities, and all construction improvements for the entire developed site acceptable to the Durham Planning Board.

5. The developer shall remove the existing piles of excavated material.

6. The developer shall provide plans for the provision of ground cover on currently denuded areas south and east of the developed area acceptable to the Durham Planning Board. Such plans shall include specifications not less than those outlined in Standard Specifications for Road and Bridge Construction, State of New Hampshire, Department of Public Works and Highways, 1969.

7. The developer shall submit plans for maintenance of both the developed and undeveloped portions of the site acceptable to the Durham Planning Board and Durham Board of Selectmen.

8. The developer shall either rip-rap or sod the easterly bank of the College Brook where it passes through the property.

9. The developer shall construct walkways on the northeasterly portion of the property connecting the existing buildings with Main Street and Mill Road.

10. The developer shall complete landscaping for the northeast corner of the property in conjunction with the Durham Tree Warden and Public Works Department. This shall include visual screening or landscaping of the now blank northerly wall of the existing building.

11. The developer shall provide visual screening such as Scotch Pine hedge shown on Allied Engineering, Inc.'s plan along the southerly edge of the parking lot of the proposed new building.

12. Following approval of the plans required in items one through eleven of the Durham Planning Board conditions of approval sufficient bond shall be posted to insure complete implementation of said plans.

13. All Durham Planning Board conditions of approval shall have been completed before an occupancy permit will be issued.



Rae Borrer, Secretary  
Durham Planning Board

3/6/73



# Town of DURHAM

NEW HAMPSHIRE

AREA CODE 603  
866-5571

Planning Board  
March 6, 1973

Mr. Edward Lehoullier  
Box 416  
Nashua, N.H. 03060

Dear Mr. Lehoullier:

In response to Mr. Oullette's letter of March 2, the Planning Board will be glad to meet with you and Mr. Oullette on March 12, 1973. We will meet at the new town offices at 13 Newmarket Road at 8:00 p.m.

The basic points the Board would like to discuss with you are:

- 1.) the completion of all prior conditions as shown on the site review plans;
- 2.) the application to the state Dredge and Fill Board for permission to relocate the brook and for the correction of any existing problems;
- 3.) a plan "showing the location of all buildings, streets, sidewalks, parking spaces and landscaping" as required in a letter to you from the Board on November 3, 1968;
- 4.) the location of all required parking spaces in the BA zone (some are now shown in the RA zone);
- 5.) erosion preventive measures to prevent any further damage to the Mill Pond; and
- 6.) the location of the connection to Chesley Drive with a road running from Mill Road to the existing Chesley Drive built to town specifications for collector streets.

As I mentioned to you on the telephone, the Board must take some action on your site review by March 19, 1973. We trust the above points can be satisfactorily resolved before then.

Sincerely yours,

Rebecca B. W. Frost, Chm.  
Durham Planning Board

cc Raymond R. Oullette  
Calderwood and Oullette  
501 Central Avenue  
Dover, N.H. 03820

RBWF/rrb



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
JOHN O. MORTON BUILDING      CONCORD, N.H.      03301

ROBERT H. WHITAKER  
COMMISSIONER

March 2, 1973

Rebecca B. W. Frost  
Chairman, Planning Board  
Town Office  
Durham, New Hampshire 03824

Dear Ms. Frost:

Replying to your February 23 letter regarding the proposed supermarket in the Shopping Plaza off Mill Road, we offer the following comment.

It would be advantageous to have more than one street providing access to the potential development acreage. An additional east-west street, such as Chesley Drive extended to Mill Road, would allow alternate routes for traffic using the area and divert many vehicles from Faculty Road and Main Street. Using some published references, we estimate the 14,700 sq. ft. supermarket could generate  $\pm 400$  trips per day, which would be using approach routes from several directions.

We would agree on the possible need for a third access via the Grange property, depending on the staging of future intensive development in the area under study. This may be of secondary importance at this time, because of the substantial investment needed and possible confusion at Main Street during implementation of the proposed one-way couplet.

During our recent visit we did not review the entrance from Mill Road into the shopping center; however, its location appears suitable as it is back from the Main Street intersection as far as present property ownership allows.

We would be interested to know of the results as your planning continues.

Very truly yours,

Frank B. Lindh, Jr.  
Traffic Engineer

*RMA*  
Robert M. Alexander  
Municipal Traffic Operations Engineer

RMA:lm1  
c.c. H. LeClair

Dwight R. Ladd  
7 Chesley Drive  
Durham, New Hampshire 03824

20 February 1973

Mrs. Rebecca Frost  
Chairman, Planning Board  
Durham, N.H.

Dear Becky:

May I refer to you two points in connection with the shopping center expansion? (One I forgot to mention last night. The other didn't occur to me until later.)

According to Henry LeClair, the boundary between the commercial and residential zoning districts is defined on the ground by the southernmost edge of the southernmost parking spaces. The actual paved parking lot, of course, extends a good deal beyond that point. Therefore, unless the law holds that a driveway into a commercial establishment is not commercial, it occurs to me that an improper use may already be involved. More to the point, as I read the charts presented last evening, I believe that the southern wall of the proposed building would fall exactly on the zoning boundary. Is this proper? And if that is proper, there is still the matter of parking or access area along the south side of the building.

A second, related matter is perhaps more consequential. During last night's meeting, the spokesman for Allied Engineering was always careful to identify the southern strip of the parking lot as "Chesley Drive." I know that the extension of Chesley Drive is somewhat controversial and subject to a good deal of mind-changing. However, a decision to extend it should come only as a result of careful and deliberate decision by the town. My concern is that if the developer continues to extend what he calls Chesley Drive ever nearer to its present end, we will one day find that it has been extended without a decision to do so ever having been made by the town. Furthermore, if the street is extended, it can be done in a way that will minimize damage to the landscape. If the developers extend "their Chesley Drive" that may no longer be possible.

My first point is perhaps somewhat trivial - undoubtedly the usual situation of a developer trying to squeeze a little more return out of an investment - though it does bear on the drainage problem. The second point, it seems to me, does go to the heart of the planning process.

Sincerely,

*Dwight*

11/3/68

3 November 1968

Mr. Edward Lehoullier  
Tasposi, Nash and Lehoullier  
Nashua, New Hampshire

Dear Mr. Lehoullier:

At a special meeting held November 2, 1968, the Planning Board voted to approve your Site Review Plan (Dated Oct. '68 - File No. 73-52A) with the exception of seventeen parking spaces, more or less, located in the northwest corner of the property falling within the Class II and Class I Residential Districts. Since neither private nor commercial parking lots are permitted uses in these districts, the Board must withhold approval of the use proposed for this area unless the Zoning Board of Adjustment finds cause to grant a variance allowing same. If you have any questions or wish to meet with the Board to discuss possible alternative solutions to the problem, a meeting can be arranged promptly.

It was also the wish of the Board to inform you that prior to any development of the property to the south of the developed area, a Site Review Plan showing the location of all buildings, streets, sidewalks, parking spaces and landscaping will be required.

The Board is most appreciative of your cooperation in supplying the information requested for the current Site Review. It promises, with the proposed landscaping, to blend well with the character of the Town.

Yours sincerely,

(Mrs.) Maryanna Hatch  
Secretary  
Planning Board  
Town of Durham

cc. Selectmen  
Zoning Board of Adjustment

10/28/68

SAMUEL A. TAMPOSI  
REALTOR  
DANIEL WEBSTER HIGHWAY SOUTH  
NASHUA, NEW HAMPSHIRE  
03060

INDUSTRIAL  
COMMERCIAL  
AND  
RESIDENTIAL  
DEVELOPER

TELEPHONE  
AREA CODE  
603  
OFFICE 888-2291  
RES. 883-5374

October 28, 1968

Mr. Alden Winn, Chairman  
Durham Planning Board  
Town Hall  
Durham, New Hampshire

Dear Mr. Winn:

We hereby submit, for your approval, a final plot plan, after giving consideration to your suggestions and comments contained in your letter of June 10, 1968.

You will note that our plot plan shows that we have eliminated the proposed vehicular entrance and exit from Mill Road in the area near the front of the buildings. We would like to construct a fifteen foot wide sidewalk from Mill Road to the super market and use the center five feet for planters, as shown on one of the landscaping plans drawn by Walter Lang, a landscape architect, and submitted herewith.

We would like to make it clear that we are not proposing any roads or streets on the property at this time. However, we will react to any definite proposals made by the Town of Durham at that time.

Please note that we have moved the building fifteen feet westerly, so as to provide adequate off-street loading at the rear of the buildings, as suggested in your letter of June 10, 1968. A small addition was also made by Manaford Bros. to the rear of their building to house the trash and other unsightly items en route to disposal areas. We are agreeable to the relocation of the sewer easement as shown on a plan submitted to us by Mr. Robert Gillis, providing that you release the existing easement you now have through our property as an exchange and also providing the new easement does not conflict with our grade plans.

10/28/68

Mr. Alden Winn

-2-

October 28, 1968

We have provided for a ten foot strip along Mill Road and an area along the existing brook as green areas and we will landscape these areas with plantings, as detailed in our landscaping plans as submitted. We do not plan any tree plantings in the parking lot area. You will note that the plantings along Mill Road and the center of the wide sidewalk leading in from Mill Road will assure that the parking lot will be well screened from both Main Street and Mill Road. Hannaford is also planning some foundation plantings in the front of their store.

You will note that the north side of the super market does not provide brick or shrubbery, for it is designated as a future building expansion site which, in all probability, will have front shops facing Mill Road. These fronts will be landscaped as shown on our plan and will certainly look attractive as a dominating downtown area.

We understand that approval of this site plan does not constitute approval of our remaining land on the south side of our private drive leading to the so-called Grange Hall.

If there are any questions as to the types of plantings proposed, please contact Mr. Walter Lang in Nashua, New Hampshire, area code 603-882-6962 or at his home, 603-882-7262.

Yours truly,

TAMPOSI-NASH-LEHOULLIER

*Edward N. Lehoullier*  
Edward N. Lehoullier

ENL:sb

Enclosures:

- 2 sets of landscape sketch
- 2 site plans



RECEIVED APR - 5 1994



DEPARTMENT OF PLANNING & ZONING  
TOWN OF DURHAM  
15 NEWMARKET ROAD  
DURHAM, N.H. 03824-2898  
603/868-5578 603/868-5005  
Fax: 603/868-5572

April 4, 1994

Walter Cheney  
The Cheney Companies  
76 Exeter Street  
Newmarket, New Hampshire 03857

Re: LOT 06-03-19, KNOWN AS THE OSGOOD LOT

Dear Walter,

I have concluded my research on the aforementioned lot with regard to its developability and have concluded:

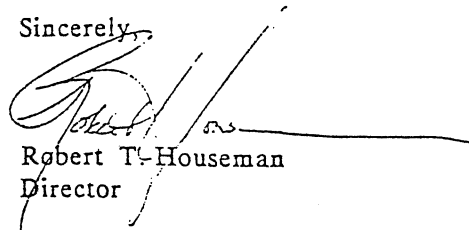
- ◆The Town cannot issue a building permit for this lot because the lot is not in compliance with RSA 674:41, a: which requires all building lots to have frontage on a class V highway.
- ◆The Town assesses this lot at \$10,800. This assessment includes a significant reduction in value because it lacks street frontage (the Chesley Drive layout is only a paper street at this location) and because of the wetlands on the lot. The lot assessment is consistent with other "paper" subdivision lots in the Town of Durham.

Also, attached for your information is a copy of a letter from Joseph Grady to you, dated July 30, 1991. The information contained in this letter is still current and may provide you with some assistance in resolving the developability of this lot.

Please be advised that RSA 674:41,II provides you with an opportunity to appeal this decision whenever the enforcement of RSA 674:41 entails practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building or structure to be related to existing or proposed streets.

I regret taking so long in responding to your request on the aforementioned lot. I hope this letter provides you with some assistance. Please call Janet Glazier for an application to the ZBA if you wish to pursue an appeal of this decision.

Sincerely,



Robert T. Houseman  
Director

Attachments

cc: D. Andrade  
D. Langley



DEPARTMENT OF PUBLIC WORKS  
TOWN OF DURHAM  
13-15 NEWMARKET ROAD  
DURHAM, N.H. 03824-2898  
603/868-5578 603/868-5005

July 30, 1991

Walter Cheney  
Cheney East Corporation  
76 Exeter Street  
Newmarket NH 03857

Dear Walter:

Included in my May 17, 1991 letter to Amos Blanchard, which was in response to your driveway permit application to Lot 06-03-19, was the request for:

- "4) Appropriate legal opinion/documentation will be required regarding utilization of what appears to be public right of way for a private drive."

That information has not been received, therefore, we have researched the Town's records reference access to Lot 06-03-19 from Chesley Drive and conclude the current status to be as follows.

- (1) There is a deeded 50 foot wide R.O.W., 223 feet long, on the easterly side of Lot 06-03-19 ". . . to be used in common with others and to be dedicated as a public right of way . . ." (E. Olivia Warfield to Hanbro, Inc., Book 966, page 94, June 25, 1975 Strafford County-Registry).
- (2) Title to the 50 foot R.O.W. for existing Chesley Drive and its "future extension" within the Red Tower Development was transferred by quitclaim deed to the Town of Durham January 29, 1960. (Red Tower Development Corp. to Town of Durham, Book 714, page 279, Strafford County Registry).
- (3) Lot 06-03-19 has no frontage on an existing Town road as Chesley Drive now ends 100+ feet southerly of the lot's nearest boundary and the 50 R.O.W. described in (1) above.
- (4) Lot 06-03-19 is in the RA zone. Current zoning requires lots in the RA zone to have a minimum lot frontage of 100 feet (see Section 1-13.8 and page 4-6). A sketch of the area is attached for clarity.

CONCLUSIONS:

- (1) There appears to be no legal access, deeded or otherwise, to Lot 06-03-19 from Chesley Drive.
- (2) The options for legal access from Chesley Drive include:
  - a) Receiving a variance or an exemption from the frontage requirements.
  - b) Receiving Town approval to extend Chesley Drive (to Town specifications or some modification thereof) to satisfy frontage requirements.
  - c) Some approved combination of a) and/or b) above.

Based on the foregoing, this office must deny your application for driveway permit until the legal access to the lot is gained.

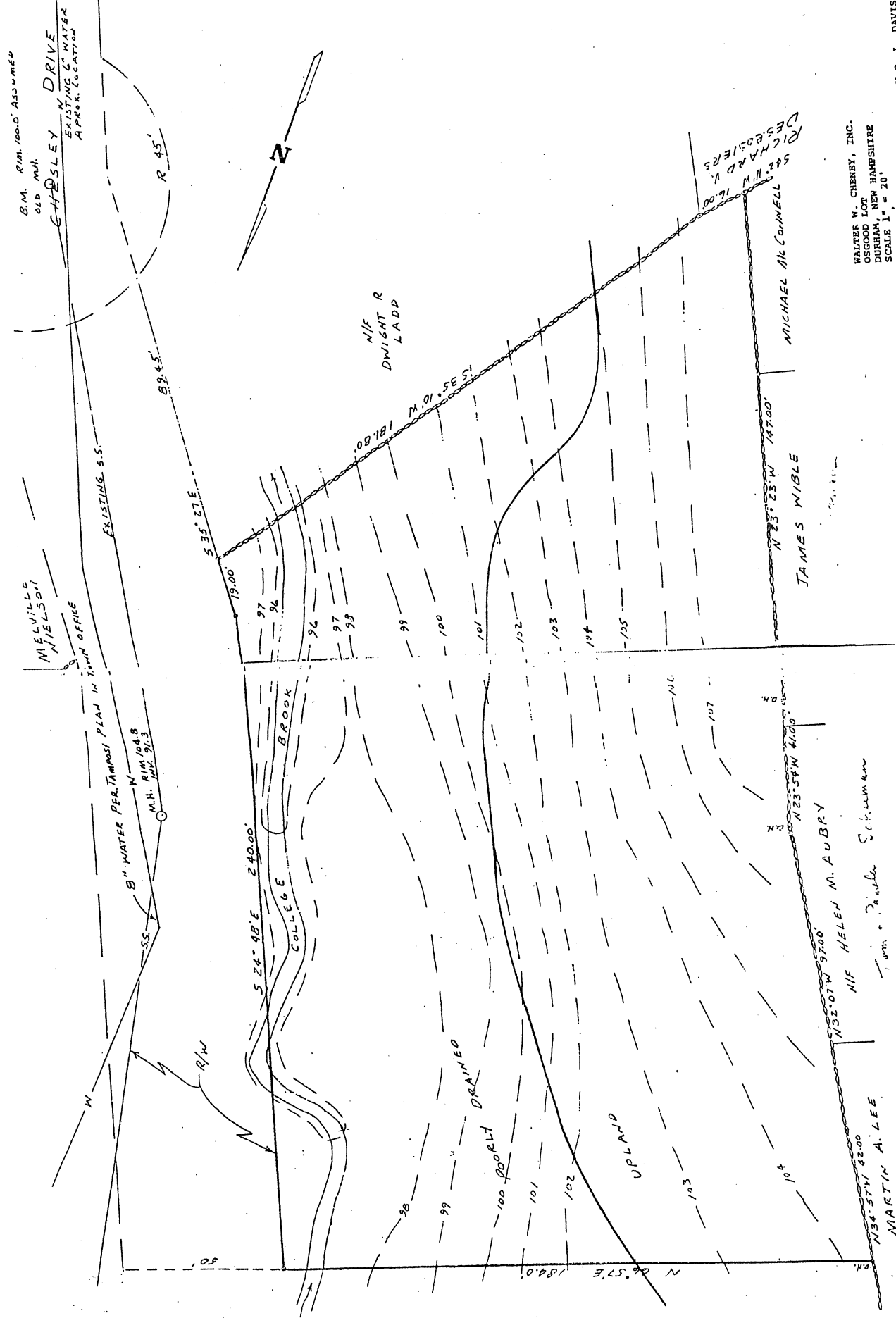
If you have additional information or questions, please call.

Yours very truly,

Joseph I. Grady, P.E.  
Public Works Director

JIG:gej

cc: R. Freedman  
T. Perry  
B. Steffen  
D. Langley  
Files



Colonial Durham Associates

WALTER W. CHENEY, INC.  
 OSGOOD LOT  
 DURHAM, NEW HAMPSHIRE  
 SCALE 1" = 20'

COPIED MAY 1990 FROM PLAN BY G. L. DAVIS  
 AND ASSOCIATES. "WALTER W. CHENEY SITE PLAN"  
 OSGOOD LOT, DURHAM, N.H. FILE NO. 117-715  
 DATED JANUARY 1979

Walter W. Cheney Defined  
 by Deed Dated May 1990

B.M. RIM 100.0' ASSUMED  
 62.0' M.H.  
 CHOSLEY DRIVE  
 EXISTING 6" WATER  
 APPROX. LOCATION

MEVILLE  
 NIELSON  
 PLAN IN TOWN OFFICE

8" WATER PER TAMMISI PLAN IN TOWN OFFICE  
 M.H. RIM 104.8  
 M.H. MAX 91.3

NIF  
 DWIGHT R  
 LADD

MICHAEL AL CONNELL  
 JAMES WIBLE

NIF HELEN M. AUBRY

Mrs. Paula Schuman

MARTIN A. LEE

UPLAND

100 POORLY DRAINED

COLLEGE BROOK

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LOCAL LAND USE PLANNING

674:41

ANNOTATIONS UNDER FORMER RSA 36:25

1. Cited

Cited in In re Estate of Sayewich (1980) 120 NH 237, 413 A2d 581.

674:41 Erection of Buildings on Streets; Appeals.

I. From and after the time when a planning board shall expressly have been granted the authority to approve or disapprove plats by a municipality, as described in RSA 674:35, no building shall be erected on any lot within any part of the municipality nor shall a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is proposed to be placed:

(a) Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class V or better highway prior to that time; or

(b) Corresponds in its location and lines with:

(1) A street shown on the official map; or

(2) A street on a subdivision plat approved by the planning board; or

(3) A street on a street plat made by and adopted by the planning board; or

(4) A street located and accepted by the local legislative body of the municipality, after submission to the planning board, and, in case of the planning board's disapproval, by the favorable vote required in RSA 674:40; or

(c) Is a class VI highway, provided that:

(1) The local governing body after review and comment by the planning board has voted to authorize the issuance of building permits for the erection of buildings on said class VI highway or a portion thereof; and

(2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and

(3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds.

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations, in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body, or to a board of appeals, whichever is appropriate, in accordance with RSA 677, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or the local legislative body, or the board of appeals for permission to erect the building. In passing on such appeal or

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body, or to a board of appeals, whichever is appropriate, in accordance with RSA 674:14 and 15, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or the local legislative body, or the board of appeals for permission to erect the building. In passing on such appeal or application the board of adjustment, local legislative body, or board of appeals may make any reasonable exception and shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit or erection of the building would not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based, and if erection of the building or issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality. Any such decision made in this connection by a board of adjustment, local legislative body, or by a board of appeals pursuant to this section and RSA 674:14 and 15 shall be in writing, together with the reasons for the decision, and shall be subject to review in the manner described in RSA 677. [Amended 1988, 131:2, eff. June 19, 1988.]

III. This section shall supersede any inconsistent local ordinance, code or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. [Added 1988, 131:3, eff. June 19, 1988.]

IV. In addition to the requirements for the erection of buildings in paragraph I and notwithstanding the exceptions provided in paragraph II, the planning board for a county in which there are located unincorporated towns or unorganized places shall require every building which is erected on leased land located within an unincorporated town or unorganized place to have a building permit. A building permit shall be required under this paragraph regardless of the proximity of the building to any street or highway. The county shall, by resolution, authorize the planning board to issue building permits under this paragraph. [Added 1989, 266:20, eff. July 1, 1989.]

#### HISTORY

Amendments—1988. Paragraph II: Substituted "RSA 674:14 and 15" for "RSA 677" following "in accordance with" in the first sentence and preceding "shall be in writing" in the fourth sentence and made other minor stylistic changes.

Paragraph III: Added.

—1989. Paragraph IV: Added.

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Rob Houseman  
to ZBA  
(ZBA denied appeal  
9/94)

## ZONING BOARD OF ADJUSTMENT COMMUNICATION

INITIATED BY: THE CHENEY COMPANIES

PROPOSED ACTION: Appeal of an Administrative Decision by Robert T. Houseman, Director of Planning, Zoning and Code Enforcement, dated April 4, 1994 relative to the request for a building permit on the "Osgood" lot off Chesley Drive

PRESENTED BY: THE CHENEY COMPANIES

### DESCRIPTION:

THE "OSGOOD" LOT, CREATED IN 1968 AS PART OF A GREATER SUBDIVISION (PLANS ON FILE), HAD THE FOLLOWING RESTRICTION IMPOSED ON THE PARCEL:

*"Approval granted subject to the condition that no building be done on the property retained by the Osgoods until a proper road extending from Chesley Drive is provided for access to the lot, and water and sewer services brought to the lot line."*

RSA 674:41, enclosed, addresses an applicant's right to request relief from this type of hardship.

### ADMINISTRATIVE APPEAL:

The Zoning Board of Adjustment has the power to hear and decide an appeal if it is alleged that there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of any zoning ordinance. In exercising this power, the Board has all the powers of the administrative official from whom the appeal is taken, but no more.

In other words, the Board can grant or deny the relief requested of the administrative official or modify the relief granted or denied by the official, but it cannot grant a Variance from the terms of the ordinance when it has only been asked to grant an Administrative Appeal. In an Administrative Appeal situation, the Board is essentially putting itself in the place of the administrative official.

(over)

Page 2

RECOMMENDATIONS:

- ◆HOLD A PUBLIC HEARING AND SCHEDULE A SITEWALK
- ◆SEEK LEGAL GUIDANCE ON HOW BINDING THE CONDITION OF APPROVAL IS ON THE ORIGINAL SUBDIVISION
- ◆CONTINUE DELIBERATION ON THIS MATTER AFTER THE SITEWALK AND FEEDBACK FROM THE TOWN ATTORNEY



Durham Town Council  
January 10, 1994  
5

Parks and Recreation Committee: Kraus **MOVED**. Duncan **SECONDED** the motion to accept Diane Freedman and Richard Dewing as regular members of the Parks & Recreation Committee. This motion was **APPROVED** unanimously.

Planning Board: Grant **MOVED**, Kraus **SECONDED** the motion to reappoint Calvin Hosmer, George Rief and Peter Smith as regular members. This motion was **APPROVED** by a vote of 5-1 with Grant, Cline, Vogelmann, Duncan and Kraus voting in favor and Hovey opposed.

Strafford Regional Planning Commission: Duncan **MOVED**, Kraus **SECONDED** the motion to reappoint Ted McNitt. This motion was **APPROVED** unanimously.

Zoning Board of Adjustment: Duncan **MOVED**, Kraus **SECONDED** the motion to reappoint John Farrell as a regular member and to appoint Robert Doty and Robert Cotter as alternate members. This motion was **APPROVED** unanimously.

#### V. B. CONSIDERATION OF CHESLEY DRIVE EXTENSION

Town Administrator Wood stated that the Town had updated traffic counts and conducted analysis of existing information regarding the Chesley Drive extension proposal.

Rob Houseman, Director of Planning and Zoning explained that traffic surveys were conducted to try to isolate traffic flows using Faculty Road and determine their corridor of travel (i.e. determine whether or not those vehicles traveling west on Faculty Road were turning north or south, heading towards the Plaza or heading out of Town on Mill Road. He stated that there was no "origin of destination" survey done with these traffic surveys. Houseman stated that it was determined that 3/4 of the total volume were traveling westbound, towards Mill Road which led to an increase of 900 vehicles south of Faculty Drive, this would increase traffic going away from the Plaza. He stated that the peak hour flow was 4:00 p.m. to 6:00/7:00 p.m. and that this indicated commuter traffic traveling home. Houseman stated that this information indicates that if Chesley Drive extension was acted upon there would not be a significant increase of traffic on Mill Pond and Faculty Road. He did state however, that signalizing of Route 108 would add an unknown factor.

Hovey stated his concern that the traffic survey from VHB did not give an option on what would happen if Route 108 intersection was signalized.

Grant asked if the Town had received legal opinions on the liabilities of the Town opening up a public street to a parking lot, and also expressed his concern that Chesley Drive would be used as a through street. Town Administrator Wood stated that a

legal opinion had not been obtained on this issue, but stated that having a parking lot open onto a public road occurs frequently without any liabilities associated. He also noted that there had been several options discussed to discourage the use of Chesley Drive as a through street. Grant stated that he felt these options would not discourage the use of Chesley Drive as a through street. He inquired as to the background of the estimate of the 2500 vehicle count if the Chesley Drive is extended, when the current count on Chesley Drive is stated at 70. Skip Grady, Public Works Director responded that the Hamilton Engineering Associates conducted a study in 1975. As part of their traffic projections they estimated that if Chesley Drive was opened they could anticipate up to 2500 cars per day, this was total use (including through use and parking lot use).

Grant asked if an opinion from the Planning Board had been requested. Town Administrator Wood stated that no formal opinion from the Planning Board had been received. Grant asked that the Planning Board's position be requested in future situations.

Kraus noted that there were 251 documented responses from residents, of which 80 favored the Chesley Drive extension and 171 opposed the extension, or 68% opposing the proposal. He thanked the residents for their input and response. Chairman Healy agreed, stating that he felt hearing the residents input made the issues clearer.

Vogelmann stated that she felt a signal at Route 108 intersection may increase people trying to avoid the light, possibly using Chesley Drive. She asked Director of Planning and Zoning Rob Houseman if there was any research done on the numbers that would be associated with a scenario of this type. Houseman responded that to obtain that kind of information an "origin and destination" survey would need to be conducted, which did not occur.

Hovey stated that he intended to vote no on this proposal because he felt this was not a good expenditure of Town funds. He also stated that he felt the Route 108 intersection light would cause problems.

Kraus stated that he also intended to vote no on this proposal. He said that public concern on this issue was a factor in his decision and thanked the Town staff for the work they did on the traffic flow.

Duncan indicated that he also would vote no on this proposal. He felt there had never been any demonstrated benefit to this proposal.

Vogelmann stated that she would vote no on this issue and also thanked the Town staff for the information provided which helped her in making her final decision. She did state that she was concerned this issue would come up again in the future.

Chairman Healy stated that he was given the opportunity to vote he would vote against it. He felt the neighborhood in question was not designed to handle the increased traffic and

Durham Town Council  
January 10, 1994  
7

noted that VHB did not recommend the extension. Chairman Healy stated that he felt the money could be better used for a traffic light at the Mill Road Plaza/Mill Road entrance and another traffic light at Faculty Road/Mill Road intersection to control traffic. Chairman Healy also thanked the Town staff for the work done on this issue.

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Kraus **MOVED** to oppose the Chesley Drive extension proposal. The motion was **SECONDED** by Duncan and **APPROVED** unanimously.

**V. C. RESOLUTION #93-12** AUTHORIZING THE BONDING OF \$500,000 FOR THE PURCHASE OF THE W/D REALTY TRUST PROPERTY.

The Town Council conducted a public hearing on Resolution #93-12 at the December 20, 1993 meeting. This resolution is for the purchase of the W/D Realty Trust property located adjacent to the Wastewater Treatment Plant.

No further discussion occurred on this item.

\*\*\*\*\*

Grant **MOVED** acceptance of Resolution #93-12. This motion was **SECONDED** by Duncan and **APPROVED** unanimously.

**V. D. RESOLUTION #94-01** AUTHORIZING THE ISSUANCE OF \$490,000 IN TAX ANTICIPATION NOTES

Town Administrator Wood explained that the Town has in past years borrowed a lump sum at the start of the year in anticipation of tax revenues which will come at the end of the year. This amount is borrowed and invested, earns interest from the investment and the Town draws down as expenditures occur. One advantage to borrowing one amount as opposed to setting up a line of credit is that an interest rate can be locked in.

Grant asked what the interest rate was that the Town borrowed on last year and if this was bid on competitively. Town Administrator Wood stated that last year the interest rate paid was 2.6%. He also stated that bids are put out and that last year there were approximately 7 bids. Grant asked what the amount was that the Town ended up paying last year after the Town paid interest on the loan, minus the interest earned from the investment. Town Administrator Wood stated that the amount paid by the Town was approximately \$29000.00.

\*\*\*\*\*

Grant **MOVED** to adopt Resolution #94-01 as stated. Duncan **SECONDED** the motion which was **APPROVED** unanimously.

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Jan. 10, 1994

September 1993 – January 1994

**VARIOUS VOTER PETITIONS OPPOSING EXTENSION OF CHESLEY DRIVE  
SUBMITTED TO DURHAM TOWN COUNCIL IN THE MONTHS  
BEFORE THE COUNCIL'S UNANIMOUS VOTE ON JANUARY 10, 1994**

Petition dated September 20, 1993 – signed by 60 voters

Petition dated October 8, 1993 – signed by 12 voters

Petition dated October 15, 1993 – signed by 24 voters

Petition dated October 26, 1993 – signed by 24 voters

Petition dated November 2, 1993 – signed by 100 voters

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**TOTAL : 220 voters**

The "Foster's Daily" newspaper number of petitions as 171 was wrong in its report of the Council's January 10, 1994 Meeting.

Separately, the Town Council received letters from a number of voters expressing opposition to extending Chesley Drive.

Xeroxed copies of all the petitions are in Town Hall files, presumably, and Karen Mower has copies of some.

## Durham councilors vote against extending Chesley Drive to plaza

By GRACE F. MURPHY  
Democrat Staff Writer

DURHAM - A grassroots effort by residents in the Chesley Drive area opposed to an extension of the road may have affected town councilors who voted down the proposed project Monday night.

Councilor John Kraus displayed 251 opinions in letter or petition form from residents concerning the proposal to extend Chesley Drive about 300 feet, or just enough to link it with the Mill Road Plaza.

Of the letters, 171 residents were opposed to the project and 80 were in favor. Chesley Road is currently a dead-end street.

Close to 80 people attended a public hearing on the issue Oct. 8, and many of the same folks addressed the council Monday night during a public comment section of the meet-

ing.

Residents who spoke said they were afraid Chesley Drive would become a shortcut for people avoiding downtown traffic, making the Mill Pond Road park area unsafe.

They said they feared additional traffic would threaten the safety of pedestrians, children, bicyclists and admirers of the Mill Pond swans.

Others said they feared an increase of traffic in their neighborhood would make their property values decrease.

Dan Sumner, who spoke for the board of directors of the Durham Housing Association and residents of the Church Hill Apartments, said many of the residents in the retirement housing off Mill Pond Road opposed the proposal out of safety reasons.

Many of the residents walk to the

Mill Pond Plaza and are afraid of increased traffic, he said.

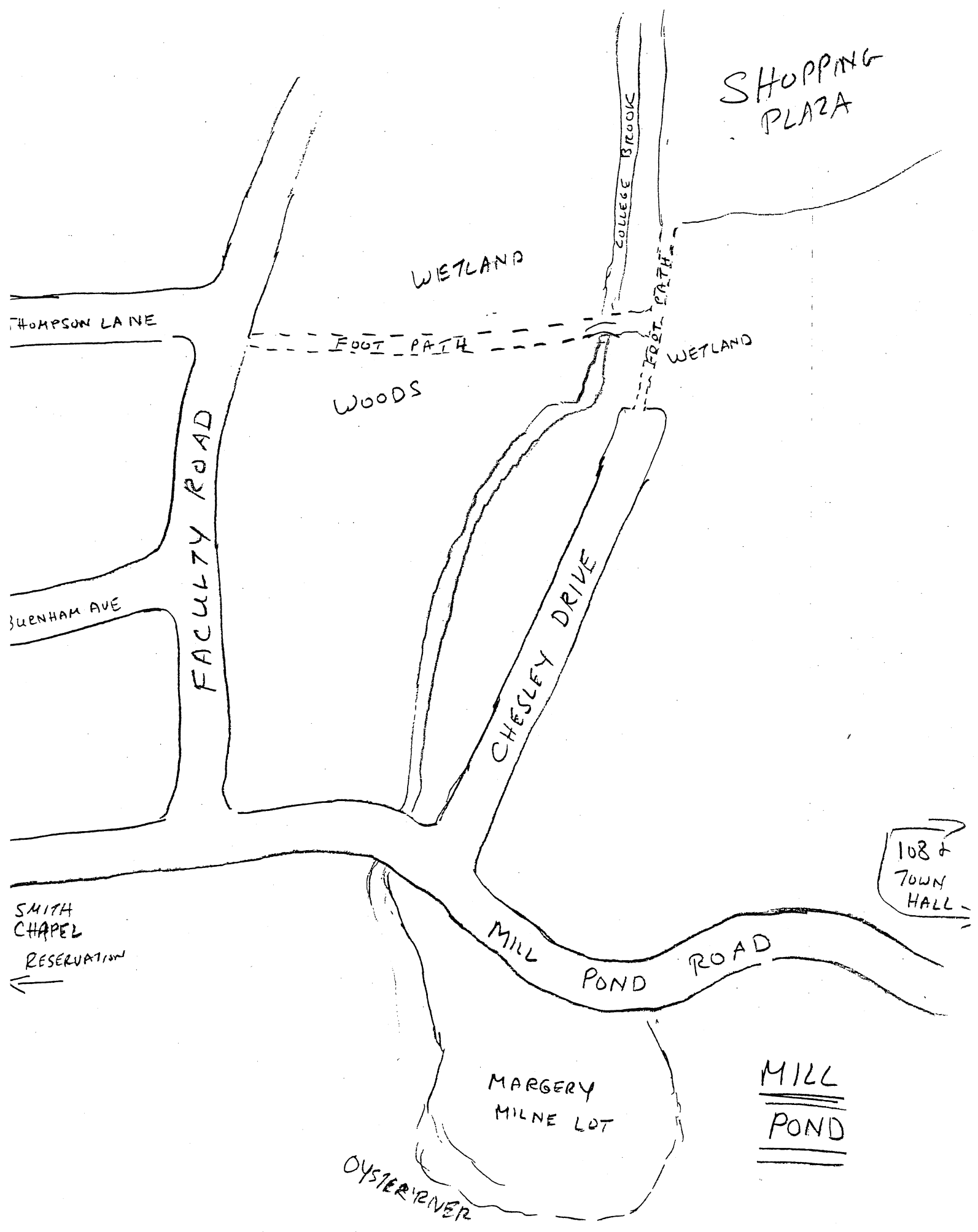
Faculty Road resident Douglas Wheeler said the issue transcended safety.

"I think it's a matter of community," he said. "One thing it would do is make the town more into a city."

The project has appeared on town agendas in the past as town officials consider ways to ease traffic congestion in the downtown.

Resident Bill Hall said he supported the project. Hall said the town has maintained Chesley Drive for at least 30 years and that it was time it be "made available for the entire town."

The council 6-0 against the proposed project. Chairman William J. Healy Jr. did not vote, and councilors Barbara Yates and Ralph Bristol were not at the meeting.



SHOPPING PLAZA

WETLAND

WETLAND

FOOT PATH

WOODS

FACULTY ROAD

CHESLEY DRIVE

MILL POND ROAD

108 & TOWN HALL

MILL  
POND

MARGERY MILNE LOT

OYSTER RIVER

THOMPSON LANE

BUNHAM AVE

SMITH CHAPEL RESERVATION  
←

COPY

DURHAM HOUSING ASSOCIATION

October 15, 1993

Mr. Larry Wood  
Town Administrator  
Town Offices  
Durham, NH 03824

Re: Chesley Drive Extension

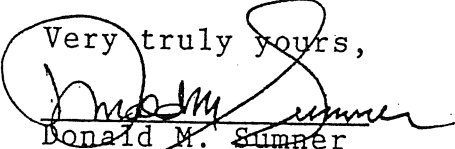
Dear Larry:

A poll of the tenants in the Church Hill Apartments was taken to determine their opinion on the extension of Chesley Drive to the Mill Road Shopping Center as set forth in your September 27th letter to the residents of Faculty Development and Red Tower areas and as discussed at the public hearing held on October 4th. Of the thirty-six units, 28 were opposed to the proposal; four were in favor and four had no opinion either way.

The Board of Directors of the Association have directed me to convey these results to you and to also go on record in opposition to the proposal.

Among the tenants and the Directors, several specific objections were raised but, primarily, it was one of safety of the tenants who walk to the shopping center using Chesley Drive and the increased traffic that would result if the road were extended.

Very truly yours,

  
Donald M. Sumner  
Board President

cc: Directors  
Building Representatives  
Tom Barstow, Manager

To Zoning Board of Adjustment - September 13, 1994

I'm Karen Mower of Faculty Rd., Durham. I imagine many people here tonight are here out of concern that Mr. Cheney's proposal might lead to renewed attempts to connect Rte. 108 to Mill Rd. via the town park at the Mill Pond and via Chesley Drive and the shopping plaza.

This same proposal has been defeated by Durham voters repeatedly in town meetings and was defeated again by the Town Council on January 10, 1994 when the council voted unanimously against the proposal, in direct response to voters' letters and petitions signed by voters from all over the township. The 220 petition signers (I have copies of the originals) opposition to Chesley's extension fell primarily into 3 categories:

- A) Concern for pedestrian safety of the many children and the many elderly who frequent the Mill Pond nature area.
- B) Concern for traffic safety at the Rte. 108 intersection, the sharp blind hill at the Mill Pond Rd. intersection with Chesley Drive, and the intersection of the shopping plaza exit onto Mill Road by the Brookside townhouses.
- C) Concern for the enormous expense to Durham taxpayers of building another road parallel to Faculty Rd. just 1 block away.

The Town Council in its unanimous vote last January 10, added to the record its hope that future Town Councils would continue to consider this often-defeated issue settled.

Those are general issues. I'd like to briefly address 2 specific issues regarding Mr. Cheney's present appeal from the Zoning Administrator's denial of a building permit for the property he owns between the end of Chesley Drive and the Shopping Plaza.

- 1) The property in question is zoned RA, that is to say it is zoned only for single family residential homes. It is not zoned for multiple housing or any kind of business enterprise, as it lies in a strictly single-family residential area.
- 2) The property in question, like all the properties along the College Brook, is classed as in a Flood Plain on the Federal Government's map of Durham. The College Brook regularly floods the back yards and basements of Chesley Drive homes during snowmelt and during heavy rainstorms. The intersection of Mill Pond Rd. & Chesley had to be closed to traffic in the 1992 hurricane when the College Rook flooded the entire intersection. Any exacerbation of the existing drainage problems of homes in that area, by paving & especially by dredg & fill operations could damage neighbors' property values.

Article 7 in the Durham Zoning Ordinance regarding "Flood Hazard District," includes excavation and paving in the definition of "Development" and defines "flood Plain" and "Flood Prone" as any land area susceptible to inundation by water. The article further specifies that any development in such areas shall be subject to permits from the State Water Resources Board and shall comply with the 1972 Federal Water Pollution Commission's amendments #33 U.S.C. and #1334.



COPY

September 20, 1993  
Durham, N.H.

To:

MEMBERS OF THE DURHAM TOWN COUNCIL  
MEMBERS OF THE DURHAM PLANNING BOARD

60

We the undersigned, homeowners and registered voters, write to you in opposition to the proposal to extend Chesley Drive into the shopping plaza. Each time the same proposal has been advanced in past years, at town meeting, it was always defeated by the voters. Again in 1990, at the public hearings on the draft of the new 1990 zoning ordinance, voters rejected the proposal.

Durham families' concerns about the proposal fall into four categories:  
Flood-Plain Hazards, Traffic Safety, Zoning Aspects, and Taxpayer Costs.

1. FLOOD- PLAIN HAZARDS: College Brook is classed as a "flood-plain" on the Federal Government's survey map of Durham. A copy of the map is in the files of the Durham Town Hall. The College Brook regularly floods the back yards and basements of Chesley Drive homes during snowmelt and during heavy rainstorms. The intersection of Mill Pond Road and Chesley had to be closed to traffic in the 1991 hurricane when the whole intersection was under water from the swollen College Brook. Uncertainty exists as to future effects on that "downstream" area of homes by the University's current construction of a new UNH building on the College Brook "upstream." Any exacerbation of the existing drainage problems of Chesley Drive-Mill Pond Road homeowners conceivably could open the town of Durham to expensive lawsuits.

Article 7 in the 1990 Durham Zoning Ordinance, regarding any "Flood Hazard District", includes excavation and paving in the definition of "Development" and defines "Flood Plain" and "Flood-Prone" as any land area susceptible to inundation by water. The article further specifies that any development in such areas shall be subject to permits from such agencies as the State Water Resources Board and shall comply with the 1972 Federal Water Pollution Commission's amendments #33 U.S.C. and # 1334.

2. TRAFFIC SAFETY: The high, blind hillside of the sharp curve on Mill Pond Road, where Chesley Drive is on one side of the blind hill and the recently-opened Smith Park Lane is on the other side of the blind hill, already makes any driver's left-turn exit from Chesley Drive onto Mill Pond Road exceedingly dangerous. Drivers familiar with exiting from Chesley can attest that a speeding car on the other side of the hill cannot be seen. Across from Chesley, another sharp curve on Mill Pond Road has in itself been the scene of many accidents, clearly evidenced by the frequency with which the wooden guard-rail over the College Brook is smashed by speeding drivers who have failed to make the curve.

Pedestrian use of the Mill Pond-Chesley area is considerable, by elderly residents of the Church Hill apartments and by town children as well as by residents visiting Mill Pond's natural areas.

To add hundreds of cars daily to this blind intersection would seem to be asking for a fatal accident on that curve, either to a pedestrian or to a driver.

COPY

**3. ZONING ASPECTS:** Mill Pond Road and Chesley Drive are currently zoned "Residential A" and are designated as "Collector" streets. To connect Chesley Drive into the shopping plaza would have two damaging effects for the Mill Pond Road-Chesley Drive homeowners:

The door would be opened to re-zone that area as a "Commercial" zone, and Mill Pond Road and Chesley Drive would effectively become "Arterial" streets in forming a continuous loop through the shopping plaza onto Mill Road and "Arterial" Main Street. The proposal raises questions of merchants' and developers' wishes versus the monetary damages done to the Chesley Drive homeowners, many of whom have given generously of their own time and personal talents as past town officials to benefit Durham residents and to shape Durham as an attractive town for families.

**4. TAXPAYER COSTS:** Like other towns in New Hampshire, Durham is financially pressed because of reduced Federal funding to the State, reduced State aid to the towns, and increased numbers of children to educate through homeowner property taxes. Even if Durham were to receive some State aid for extending Chesley Drive, part of the expense would inevitably fall on the Durham taxpayers. Do we really need to subsidize either commercial interests or developer access to the two remaining flood-prone lots along lower College Brook?

The traffic pattern on Mill Road at the entrance/exit to the shopping plaza is congested only at noon hour and at the 4 to 5 p.m. commuter hour. This is hardly a "New York-style" problem, in our opinion, especially as U.N.H. has other exits from campus.

The professional traffic-consultant firm the Town hired last spring to evaluate Durham traffic did not include a Chesley extension in its recommendations for town action.

We hope you will be responsive to our citizen concerns.

Karen Mower  
11 Faculty Rd.  
Durham, N.H.

(signed by 60 registered voter  
homeowners of Durham)

October 15, 1993

To:

THE DURHAM TOWN COUNCIL,  
THE DURHAM PLANNING BOARD,  
and LARRY WOOD, TOWN ADMINISTRATOR

We the undersigned Durham registered voters and property owners OPPOSE a Chesley Drive extension.

We do NOT live in the Faculty-Red Tower developments, but we do have the following concerns:

1. TRAFFIC SAFETY: Speeding is a chronic problem on Mill Pond Road and should not be given an opportunity to expand into Chesley and the shopping plaza. Increased traffic to and from Route 108 could make both the Route 108-Mill Pond Road intersection and the shopping plaza's left-turn exit onto Mill Road into bottlenecks rivaling the Main Street-Mill Road intersection. At present, the left turn onto Mill Road from the Faculty Road stop sign has better visibility and is safer for drivers as well as for pedestrians and cyclists than is the plaza exit.

2. CHILDREN'S SAFETY: Many children living south of Main Street are not bussed to school after 5th grade. They must walk or bicycle, and many of them walk or bicycle via Chesley Drive in order to cross Main Street at Madbury Road. In the judgment of parents, both the shopping plaza exit on Mill Road and the new triple street crossing at the Main Street-Mill Road intersection are too dangerous for children.

We believe the safety of Durham children while walking to school whether via Chesley or via Mill Road, should weigh more heavily with Town Council members than should the wishes of merchants, UNH students seeking to avoid UNH parking lots, or impatient shoppers wishing a faster shortcut than Faculty Road already provides.

3. THE MILL POND: The Mill Pond nature area is a town treasure used by residents from every Durham neighborhood. Town children ice skate there in winter. Town families picnic there. Elderly apartment dwellers walk there daily. Nursery school teachers regularly bring pre-school children there. Increased traffic would reduce safety at this town park.

4. TAXPAYER COSTS: It would be an unnecessary expenditure of taxpayer dollars to build a new road duplicating the function that Faculty Road already serves.

*(petition signed by 24 registered voter homeowners of Durham)*

(COPY)

November 2, 1993

To: Durham Town Council, William Healy Jr., Chairman  
and: Larry Wood, Town Administrator

We the 100 undersigned Durham voters and Property Owners, residing in many different neighborhoods in the Township, OPPOSE the Council's proposal to link Route 108 to Mill Road via Mill Pond and Chesley Drive.

The Mill Pond Park is a treasure for the whole town, not just for a single neighborhood. Concern for Town Residents' pedestrian safety at the Mill Pond Park should supersede concern for routing Plaza shoppers off Main Street onto Mill Pond and Chesley Drive. Children from all over town go to the pond on bicycles and on foot, to picnic, to ice-skate, and to play hockey. Teachers bring classes to the Mill Pond for nature study. Elderly voters in the 6 nearby "Church Hill" & "Brookside" apartment buildings walk at the Mill Pond Park daily. The Town park at "Wagon Hill" is not accessible to residents without cars, but the Mill Pond Park is accessible to young and old alike.

"Quality of Life" is readily available to countryside residents, in terms of green space, but in-town residents must depend on the Town Planning Board and the Town Council to respect in-town voters' legitimate needs for small, safe in-town green spaces. The Master Plan for Durham, commissioned some years back from the Cambridge Planning Group, urged that the College Brook corridor from Mill Road to Mill Pond Road be conserved in its natural state for this purpose as well as for a permanent buffer between Durham's commercial zone and residential zones. Accordingly, repeated efforts by developers to extend Chesley Drive have repeatedly been defeated in Durham town meetings by the voters at large.

Faculty Road already provides campus access for U.N.H. students as an alternative to Main Street and Madbury Road to U.N.H. parking. At a time when the Town Council is considering such major expenditures as a new public works building, a new police department, a new town hall, and mandatory new solid waste disposal land and facility, all of which will increase property owners' tax burdens, it would seem that the proposal to build a road parallel to Faculty Road, one block away, is an unnecessary Council expenditure of taxpayer funds.

*(signed by 100 registered voter  
property owners of Durham)*

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To Durham Town Council - January 10, 1994

My name is Karen Mower. I understand the Council's agenda tonight includes a vote on the Chesley Drive extension proposal. I'd like to make a 2 minute comment if I may.

1. It is my understanding that close to 250 Durham voters have expressed their opposition to the extension proposal in writing, in petitions & in letters to the Council. Such broad opposition reflects the fact the town's voters have defeated the same proposal repeatedly for two decades in planning board hearings and in annual town meetings.
2. Opposition has been based mainly on two factors:
  - a) A continuing desire to minimize traffic safety hazards to the many residents, of all ages and from all neighborhoods of the town, who use the Mill Pond park natural area for recreation, in all seasons of the year.
  - b) The conviction that it would be a costly waste of taxpayer money to build a road parallel to Faculty Road just one block away.
3. Official traffic counts by the town have demonstrated that the majority of cars going up Faculty Rd. are going to the University. To re-route UNH traffic through the shopping plaza would require that traffic to turn left out of the plaza onto Mill Road, further congesting that 3-lane intersection or, alternatively, and to the plaza merchants' detriment, further tempting UNH students to use the plaza parking lot for all-day parking instead of the UNH parking lots.
4. The expense to the taxpayers of the Chesley extension proposal would not be limited to connecting Chesley to the plaza, with attendant wetlands drainage costs. Through access from Chesley to Mill Road would require both obtaining a town easement across the privately-owned shopping plaza property and, for public safety, construction of a curbed road along the edge of the brook, to prevent collisions between cars exiting the parking lanes and the faster moving through traffic.
5. The plaza merchants would also lose by this curbed peripheral road, in two ways:
  - a) They'd lose all the parking spaces they currently enjoy along the edge of the brook, spaces currently filled bumper-to-bumper every noon even during UNH vacation periods by customers of the plaza businesses.
  - b) The merchants would lose, because of the safety curbing of the brook's edge road, the privilege they've enjoyed for 25 year of plowing the whole plaza's winter snows downhill off the asphalt onto the edge of the College Brook, not good for the brook but very convenient for the plaza owners!
6. The professional traffic consultant firm hired by the Council to study Durham traffic last Spring did not recommend extending Chesley Drive.

Thank you for listening.

Karen Mower  
11 Faculty Road  
Durham, NH

The second issue Mr. McNeill spoke to was with regard to the recent reassessment in Durham. He referred to this issue as the "quiet assessment". He said he first became aware of the assessment when there was an article in the newspaper because no one came to his house or visited any of his neighbors. Further, he said he was not aware of any systematic studies being conducted that were in anyway analogous to the reappraisal which occurred prior to this reassessment. Mr. McNeill noted that although the value of properties went down in Durham, there was no explanation on the bill as to how that would affect the actual taxes. He also noted that during the assessment hearings on the tax bills, there were two appraisers from MMC present, but no official representative from the Town was present. Mr. McNeill said he felt the appraisal was statistically flawed, did not contain adequate data or experiences to justify the results, and suggested that the reassessment be re-examined.

David Murphy, Durham Point Road. Mr. Murphy echoed the concerns expressed by Malcolm McNeill regarding the reassessment. He said his taxes have increased approximately \$4,000 due to the assessment. He also questioned the methodology used in the appraisal process, and felt there was inadequate knowledge of the property by the MMC appraisers.

#### PUBLIC HEARING ON THE PROPOSED CHESLEY DRIVE CONNECTOR

Town Administrator Wood summarized the proposal for the audience. Wood said that this project has been discussed for some time. Most recently, when the town and University contracted for a Traffic and Parking Plan, the issue of Chesley Drive was raised, along with other long-term improvement projects. He said that the Vanasse Hangen Brustlin (VHB) recommendation was that the project not go forward because of negative environmental and neighborhood impacts. Wood said that during the review of the VHB Traffic and Parking Plan, Town staff felt that VHB's attention to some of the long-term items was less than thorough, and felt the Chesley Drive project should be studied further to determine what the environmental impacts would be. At Council meetings where the Traffic and Parking Plan was reviewed, the Council directed Town staff to seriously look at Chesley Drive and pursue potential options and review potential impacts.

In terms of environmental impacts, Wood said there would be a minor wetlands application which would need to be completed. He said that in discussions with the State Wetlands Board, they have indicated that the environmental impacts would be relatively minor and did not seem to be a strong impediment to moving forward. He said that the Council had asked for some cost estimates to do the connector and the Town staff prepared two. One was a full project which included the connector, drainage, sidewalks, improvement of site visibility on Mill Pond Road and Chesley Drive. This also included doing the College Brook culvert at the same time if the connector project were to be conducted. The estimated cost would be \$50,000. The second estimate entailed a project which would put in a temporary road to allow the Town to monitor the connector to see what the impacts would be. The estimated cost for the interim approach would be approximately \$6,500.

Town Administrator Wood asked Director of Public Works Skip Grady to break down these two projects for the audience.

Grady pointed to a map showing Chesley Drive as it presently exists and explained what would be involved to make a permanent connector and what would be involved to make a temporary connector road at that location. In order to put in a temporary connector, Grady said everything would remain as it presently is, except the removal of material that might be considered muck, lay down some construction fabric on the ground, place gravel materials over the top and pave it. He said if it turned out that the temporary road was not the thing to do at that point in time, the gravel materials could be removed, the construction fabric could be rolled up, and the area could be reasonably restored.

Using a map indicating Chesley Drive with a permanent connector, Grady explained that if something permanent were to be done, a section of road would be built just like normal streets. The road would be twenty-four feet (24') wide with a four foot (4') shoulder which would accommodate bike travel. He said there would also be a sidewalk on both sides. Grady said that a guardrail and drainage would be necessary. He noted that at the existing Chesley Drive and Mill Pond intersection, the site distance is not very good. He said that part of the project would involve "daylighting" to try and make the site distance better for vehicles coming down Mill Pond Road and vehicles trying to turn out on to Mill Pond Road from Chesley Drive. Grady also suggested that if this project were to be constructed, that it might be wise to consider doing a proposal of improving the culvert crossing on Mill Pond Road at the same time.

Robert Houseman, Director of Planning and Zoning, discussed the traffic flow affects of the proposed project. Houseman distributed a traffic flow diagram to each Council member. He said this diagram was formulated by Hamilton Engineering in 1975 for the original design of the Mill Road Plaza. He explained that he had looked at Hamilton Engineering's projections and added 1989 actual counts at various intersections and roadways, and carried forward to the year 2000 projections.

Referring to Route 108 on the diagram, Houseman noted that the area highlighted in pink was the projected year 2000 traffic indicating 9,700 trips per day on Route 108. He said the 1989 Mill Road traffic counts were 13,270 which far exceeded the projections. Referring to Mill Road on the diagram, Houseman noted that the pink area highlighted projected year 2000 traffic indicating 8,990 trips per day. He said the 1989 actual counts were 8,312 and the Mill Pond Road actual counts for 1989 were 2,742. The actual count for the year 2000 is projected to be 2,800. Houseman said that in looking at the growth rates as a percentage of change over time, and looking at what Chesley Drive would do as a through road versus an access to a parking lot, staff was able to project in-house that as a through road, by the year 2000, Chesley Drive would have daily average traffic of 3,900 trips per day. Houseman said this estimate did not take into consideration the present configuration as put forth this evening as a drive access. He said he would have no ability to calculate volume with regards to a single point drive access. Clarifying this statement, Houseman explained that the concept that was originally put forward in 1975 was a through road that would have run from Mill Pond Road to Mill Road, across what would be the westerly edge of the parking lot. The road was proposed to be constructed as a Town road, similar to the way Faculty Road presently runs, between Mill Pond Road and Mill Road. He said the distinction was that the Town's present proposal acts as driveway cut to the Mall near the Credit Union and the Restaurant on the southwestern corner of the parking lot, thus reducing the actual projected traffic volume because it would be an inconvenience for through traffic to move through that.

Kraus asked Houseman what recognizable street in Town presently had 3,900 trips per day so the Council could gain a better contextual concept of the project. Houseman responded that when the University is out of session, the traffic count on Mill Road is approximately 3,800 trips per day and nearly doubles when the University is in session.

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Chairman Healy opened the public hearing on this issue.

John Beckett, Mill Pond Road. Mr. Beckett asked if there is a proposed right-of-way through the Mill Road Plaza parking lot, and if the Plaza owners presently extend their use of the property over what is a past right-of-way. Houseman responded that the Town had a five-year window to develop that right-of-way which has lapsed. He said there is no present right-of-way for the Town to

develop. He said the parking lot goes to the western limits of the proposed right-of-way as it is presently proposed. Mr. Beckett also asked if there would be the potential for public traffic over private property. Houseman replied that it would create the potential for through traffic over private property.

Karen Mower, 11 Faculty Road. Ms. Mower distributed a petition to the Council from sixty (60) homeowners residing on nine different streets on the Faculty Development side of Main Street expressing opposition to the proposal to extend Chesley Drive into the shopping plaza. Ms. Mower read the petition for the audience. A copy of the petition is on file with the Council packet of this meeting.

John Mulhern, 7 Valentine Hill Road. Mr. Mulhern said he listened to the minor environmental impact of this project, and could not help but think about the nature environmental impact that will be had by the people who actually live in this area. He felt that when there is an alternative of putting in traffic lights to help with high traffic times, and keep it flashing yellow at other times, he felt the connector was a vast overreaction to the problems that the Town would like to solve, but will not go away. He asked the Council not to go forward with the connector road.

Richard Siegart, 13 Mill Road. Mr. Siegart said the entire project looked to him to be a major road through a shopping center which is an added safety problem that should be addressed. Mr. Siegart also felt professional consultants reports should be weighed very heavily.

Hans Heilbronner, 51 Mill Pond Road. Mr. Heilbronner said that at the present time, the park-like area along Mill Pond Road is used by hundreds of people every day for their enjoyment, relaxation and lunch breaks because presently the traffic on that road is small. He said if the connector road is built, the whole recreational area around the Mill Pond Road would be destroyed. Mr. Heilbronner said that with the exception of one house, the people presently living on Chesley Drive are elderly. He said their houses represent the major asset which they possess, and if the connector road is built, the Town would be confiscating a portion of their wealth and their assets. He noted that there were some members of the Council who have often spoken about their concerns for the elderly, and said this would be one time when they could manifest that concern in action. He begged the Council to vote against the connector road.

Melville Neilson, 8 Chesley Drive. Mr. Neilson said he was not personally in favor of extending Chesley Drive. He felt the residents in the Chesley Drive area should have their rights respected. However, these individuals are only part of the entire community, and it was up to the Council who have the overall responsibility to ensure that the entire community is served. Mr. Neilson said there were two issues that concerned him. First, the curb coming from the left of Chesley Drive and the hill makes it impossible to see traffic coming from the left and he felt this problem should be addressed. Second, Mr. Neilson felt the Town should have some kind of control with the Mill Road Plaza owners to control parking in the lot so that through traffic can pass.

John Hale, Chesley Drive. Mr. Hale wondered if the Town had to connect everything with roads and wondered if there was some other way of getting from one place to another. He said there was a beautiful pedestrian connection between downtown and the residential area and felt it should be exploited as it presently is instead of destroying it. He asked what the specific environmental impacts referred to by VHB were which caused them to reject the Chesley Drive proposal. Responding to this question, Town Administrator Wood replied that VHB did not elaborate on the impacts they were referring to. Wood said that the Town's assumption in brief conversations with VHB was that they felt there may be some impacts on the wetland that may be difficult to obtain a permit. Wood said the environmental impact was not VHB's sole reason for recommending against



the project. They also acknowledged neighborhood impacts and felt that the amount of traffic diverted, juxtaposed with some of the environmental impacts, were not worth the investment. Mr. Hale suggested that the impacts referred to by VHB be clarified so the Council will know, in making their decision, what in fact are the environmental impacts. Mr. Hale also felt the Town should know what kind of trade-off would be involved in the mitigation of the wetland area. Mr. Hill read his letter for the audience that was presented to the Town Council. This letter is on file with the Council packet of this meeting.

Vogelmann responded to the environmental concerns of the wetland area on Chesley Drive. She said that as Council representative to the Conservation Commission, she brought this question to the Conservation Commission several meetings prior in anticipation of this issue coming before Council. She said the Conservation Commission would be commenting should the Council decide to move forward with this project. Vogelmann said the consensus of the Conservation Commission was that from a legal standpoint, the wetland concerns would not be prohibitive for going forward with this project, and that mitigation could be possible by increasing the wetland area in the direction of the Church Hill apartments because there is sufficient land there and it could be done. Vogelmann added that this was not to say that the Conservation Commission would advocate the project, only to state that there is no environmental reason for not doing it, should there be other compelling reasons to go forward with the project.

Owen Rogers, 15 Thompson Lane. Mr. Rogers stated his opposition to the project and asked what would be entailed in using "daylighting" as described by Public Works Director Grady in his presentation. Grady replied that in order to accomplish necessary "daylighting" the Town would have to go on to private property. He said the standard site distance could be accomplished doing this. Mr. Rogers asked if this would substantially change the estimates of cost. Grady replied that he did not feel it would change the construction cost.

Michael Tyo, 2 Denbow Road. Mr. Tyo spoke in favor of the project and said he lived in the south section of Town. He said there were many factors of the proposed construction that would affect the people on the south side of Town. Mr. Tyo said that people on the south side of Town who wish to go to the Mill Road Plaza are obliged to drive down Mill Road anyway. The proposed construction would substantially reduce the traffic on Faculty Road of people on the south side of Town who wish to shop in the Plaza.

Don Murray, 39 Mill Pond Road pointed out that there are stop signs on the corner of Faculty Road because cars were screaming around the corner all the time and many accidents occurred there. He felt much of that same hazard would occur on Chesley Drive if the project was approved. He challenged each member of the Council, before voting on this issue, to go down to Chesley Drive, turn around in front of Mel Neilson's house and try to get out. He felt that even if the Town "daylighted" the area, the exit off of Chesley Drive would still be dangerous.

Maryse McConnell, 9 Faculty Road. Ms. McConnell said she had a 9-1/2 year old child and was very aware of the traffic patterns on this road. She felt that there should be a law against having a throughway in a parking lot and would be opposed to the project as such.

Miyoshi Ikawa, 32 Mill Pond Road. Mr. Ikawa expressed how the connector road would directly impact him. He explained that his driveway ends where Mill Pond Road and Chesley Drive meet. He said that if the traffic flow were to increase to 3,900 trips per day, there would be back ups on Chesley Drive which would seriously affect his ability to get in and out of his driveway.

Richard Dewing, 3 Willey Road spoke in favor of the connector project. Mr. Dewing said some people who live on the south side of Town would like an easier way to access the plaza, rather than going around Faculty Drive. He said that when the owners of the marketplace allowed the Town to cut in the Chesley Drive area (some 25 years ago) the Town was told they could have the land if they made the entire Chesley Drive over to Mill Pond Road as a Town road. Mr. Dewing said the Town decided instead to make it a bike path which violated the entire premise. He said that it was not easy to talk to this issue, however, he knew of a number of people where he lived who would like to have access to the plaza through Chesley Drive without hampering the tranquility of the people living on Faculty Road, and if the corner could be made safe.

Karen Mower, 11 Faculty Road said that most people who are in favor of the connector road are people who are too impatient to wait for five cars in front of them at the exit at the parking lot.

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There being no further comments from members of the audience, Chairman Healy closed the public hearing on the proposed Chesley Drive Connector and opened the meeting to Council discussion on this issue.

Hovey said that the letter which was sent out from Town Administrator Wood was sent to residents in the Chesley Drive area, and not residents in other sections of Town. He felt if all sides are not afforded the opportunity to be heard fairly, then perhaps the Council may be moving too quickly on voting this issue.

Kraus agreed that the Council should wait a while before voting on this issue.

Cline felt that the Council should act on this issue, and that the information was effectively distributed. She noted that there have been many issues the Council could have acted on but chose to postpone.

Yates felt the Council had a responsibility to the community to put this issue into perspective and explain to the people why they are looking at this project as an alternative. She said if the Town was not careful, it could lose the downtown businesses. Therefore, if access is not allowed to the businesses to keep them going, they may disappear. Yates said she would like to see the real estate impact explored.

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Council consensus was to place this item on a future agenda for further consideration and action. Information the Council asked to be brought forward at that time: 1) what the impact of real estate would be if there was an increase in traffic at that site; 2) briefing by the Parks and Recreation Committee regarding the recreational impact of this area; 3) alternatives for the blind curve; 4) environmental impact on the area; and 5) response to the legal mitigation issue which was raised.

#### ACTION ON ASSESSMENT UPDATE PROJECT

Town Administrator Wood explained this project using his memorandum to the Town Council dated September 30, 1993. The memorandum is filed with the Council packet of this meeting.

Wood said that based upon his discussions with DRA representatives who audited the process, their conclusions were: 1) the methodology was consistent and that the work done by MMC appeared technically competent and sensible; 2) the sales assessment and analytical process which was used is sound and

CULVERT

N 24° 11' W

*THE FOLLOWING STATEMENT IS NOT  
PART OF THE SURVEYORS WORK:*

Approved by the Planning Board of the Town of Durham, New Hampshire, on the conditions that (1) the Town of Durham builds a street across the strip of land 50 feet in width shown on this plan in accordance with the provisions of the deed from Samuel A. Tamposi and Edward N. Lehoullier to the Town of Durham dated June 15, 1974 and recorded in Strafford County Registry of Deeds Book 948, Page 15, and (2) the Town of Durham accepts said street as a public street after it has been constructed. In the event that the title to said strip of land reverts to Samuel A. Tamposi and Edward N. Lehoullier as provided in the aforementioned deed, then this approval shall not be construed as a dedication of said strip of land as a public street or way. In the event that a street constructed over said strip of land is accepted by the Town of Durham, at that time the Durham Planning Board shall consider the subdivision of the land now owned by Samuel A. Tamposi and Edward N. Lehoullier into two parcels, one parcel on the westerly side of said 50 foot strip of land (which shall be subject to then existing pertinent Town ordinances), and one parcel on the easterly side of said 50 foot strip of land, which subdivision will result from the construction of said street across said 50 foot strip of land. The approval of this plan shall not prevent a future adjustment of the boundaries of said 50 foot strip of land which may become necessary when the proposed street is actually laid out, as provided for in the aforementioned deed. If such an adjustment of boundaries shall become necessary, the Durham Planning Board shall approve a plan showing said adjusted boundaries at that time. This plan is further in conformity with prior site review approval dated December 19, 1973 wherein provision for the aforementioned street was a requirement of the Planning Board.

FROM PLAN DATED APRIL 1, 1975

**MEMORANDUM**

DATE: JANUARY 3, 1993

TO: THE TOWN COUNCIL  
FROM: LARRY WOOD, TOWN ADMINISTRATOR  
SKIP GRADY, DIRECTOR OF PUBLIC WORKS  
ROBERT HOUSEMAN, DIRECTOR OF PLANNING, ZONING, AND CODE ENFORCEMENT

**RE: CHESLEY DRIVE**

The staff has attempted to perform a limited Impact Analysis on a proposed Chesley Drive connector to the plaza in order to assist the Town Council in their review of the concept project. The review is limited to the quantifiable data associated with the No Build/Build (with several options) scenarios. The analysis is incomplete because of the lack of an Origin and Destination Survey for the existing traffic on Mill Pond Road, Faculty Road, and Mill Road and the lack of traffic model projections on Mill Pond Road caused by the signalization of Main Street and Rte 108.

In assessing the impact on Mill Pond Road and Chesley Drive, the Staff used the following information:

- ◆Annual traffic Counts performed by Strafford Regional Planning Commission;
- ◆Specific traffic counts from October 25 to October 31 at Mill Rd. Plaza entrance, Mill Rd. west of Mill Rd. Plaza entrance, and Mill Rd west of Faculty Rd;
- ◆The 1974 site plan of the original shopping center, including the layout of the proposed through road to Chesley Drive;
- ◆The conditions of approval imposed on the 1974 shopping center proposal, including the provision eliminating the through road within two years if the town failed to construct the road;

- ◆Copies of all deeds associated with the shopping center proposal;
- ◆The Hamilton Engineering Associates Traffic Flow Diagram of Existing Peak Hour traffic, dated Nov. 1975, and updated by staff using SRPC traffic volume counts;
- ◆A 1990 flow Diagram compiled using SRPC traffic volume counts;
- ◆Frank Richardson, Wetlands Board Representative, Site Inspection;
- ◆VHB's March 1993 Traffic Improvement Plan; and
- ◆Traffic Operations Study by Bruce Campbell & Associates, November 1969.

Attached please find a road segmentation volume analysis based on the 4 Build scenarios. The analysis attempts to express the development impact of Chesley Dr. on all affected approach corridor intersections. The potential development impact is represented on the spreadsheet by a traffic volume rating of: Increase; Reduction; Or No Change for each intersection. All potential significant changes in traffic volume are highlighted by an asterisk. Using the map accompanying this analysis, you can locate intersections of impact by its identified letter and movement location within the intersection by its identified number. This method allows a full comparison of all build scenarios by intersection.

Also attached are 6 diagrams, 5 layouts of the Chesley Drive and 1 of the Mill Road entrance to the plaza. The diagrams include:

- Chesley Drive - existing conditions (attachment 1);
- One way in (attachment 2);
- One way out (attachment 3);
- Two way travel (attachment 4);
- Emergency entrance (attachment 5), and
- A proposed re-alignment of the Mill Road entrance to
- Mill Road to facilitate proper stacking and turning movements for existing traffic (attachment 6).

Attachment 7 is a straightline diagram representing the most current traffic count for the Mill Rd. Plaza area, including all regular SRPC traffic counts and the special October 1993 counts requested by the planning office. It is impossible to determine the travel destination of these trips without an origin and destination survey.

All supporting documentation is on file in the Planning Office. Please call if you have any questions or comments on the analysis.

## ENVIRONMENTAL REVIEW

### I. INTRODUCTION

The following review is not intended to be a full environmental study of the proposed Chesley Drive connector but does follow the general format and touches on many aspects normally addressed in such a study.

### II. PROJECT LOCATION AND DESCRIPTION

#### A. EXISTING CONDITIONS

- ◆ Plaza has a westerly single entrance/exit off Mill Road.
- ◆ Chesley Drive is a dead-end street in a residential area and abuts easterly end of plaza.

#### B. TRAFFIC IMPACT OF PROJECT

- ◆ Anticipated reduction of in-town traffic.
- ◆ Some reduced traffic load at Route 108/Main Street intersection, increased traffic on Chesley Drive and Mill Pond Road. See other traffic analyses for more detail.
- ◆ There is a danger that the extension could result in through traffic using the extension and the mill Road Plaza parking lot as a through street. This could be mitigated in a number of ways, including erecting physical barriers such as curbing and speed bumps within the Plaza parking lot.

#### C. PROPOSED ACTION

- ◆ Construct 2-way extension on Chesley Drive and connect to east end of plaza parking lot.

#### D. ALTERNATIVES

- ◆ No-Build:

Traffic will continue to increase at and leading to

plaza entrance. Chesley Drive area will remain undisturbed.

- ◆ Construct One Lane Connector to be Opened for Emergency Use Only:

Would provide second access to plaza for emergency usage. Would not address traffic issues and would have minor impact on Chesley Drive area.

- ◆ Construct One Lane Connector and Limit Traffic One-Way; Either In or Out:

Would provide moderate relief for traffic situation and would have significant impact on Chesley Drive area.

- ◆ Construct Second Two-Way or One-Way Access on New Location, e.g. Off Main Street at Grange Building:  
Would offer moderate relief to Mill Road plaza entrance area but require reconstruction of Main Street/Madbury Road intersection, removal/relocation of Grange Hall and do little to address traffic in that area.

### III. OTHER IMPACTS

#### A. AIR QUALITY

It would appear that the project would be classified as a "neutral project" and would not impact regional emissions.

A microscale analysis of carbon monoxide concentrations for Chesley Drive was not performed. It is suggested that an opinion be obtained as to whether it may be advisable.

#### B. NOISE

Elevated noise levels can be anticipated for receptors along Chesley Drive.

No major change in noise levels in other areas is anticipated.

#### C. HAZARDOUS MATERIALS

In the Chesley Drive area there are no known hazardous materials sites or potential for hazardous materials contamination.

#### D. WATER QUALITY

This project would require construction of one 15" cross culvert, 6" underdrain as necessary, placement of stone

for erosion control along College Brook and possible the replacement of twin 24" culverts under Mill Pond Road.

The project would be classified as a minor project and require a Wetlands Board permit.

Construction procedures would be in conformance with NH Wetlands Board requirements.

Surface runoff and other project drainage is not expected to significantly affect existing water quality.

E. FLOOD PLAINS

No significant flood plains would be associated with this project. College Brook is not navigable, therefore, a Army Corps of Engineers permit is not required.

F. WETLANDS, FISH AND WILDLIFE

Coordination with the Wetlands Board through its area representative has been established and the project would be considered minor and not require any wetland mitigation.

Coordination with Fish and Wildlife agencies has not been established. Those agencies would review the project as part of their input through the Wetlands Board permit process.

Recommendations and requirements of the above agencies would be incorporated into the project.

G. ENDANGERED SPECIES/NATURAL COMMUNITIES

Coordination with the NH Natural Heritage Inventory has not been established but is recommended if proposal is advanced.

H. RECREATION AND CONSERVATION

The Parks and Recreation Committee reviewed the proposal and did not believe the extension of Chesley Drive would have undue negative impacts on parks and recreation facilities within the Town (enclosed are copies of the minutes of the Parks and Recreation Committee).



This project is not expected to have a significant long-term impact on recreation and conservation areas in the Town. Construction of connector is not anticipated to impact bicyclist and pedestrians. A paved shoulder and curbed sidewalk would be provided.

College Brook is not included in the Town Shoreland Protection Zone.

I. LAND USE AND TAX BASE

The project area is a residential area and abuts the Central Business District. Chesley Drive and immediate connectors traverse residential neighborhoods. The Town's existing right-of-way will be used to extend the connector

to the plaza parking lot. The westerly end of the parking lot will be modified to connect. Purchase of property is not anticipated.

Access to properties along Chesley Drive will be maintained. Minor disruption is anticipated during construction.

The project's impact on the value of properties adjacent to the project is difficult to evaluate. It is possible that the extension of the road could result in some diminution of value of the properties located on Chesley Drive. However, it is not possible to quantify the impacts, and it is possible that the impact would be mitigated over time.

A parcel owned by the Cheney Companies will gain access by construction of the connector. This would open approximately 1.5 acres of land to development. This land is currently zoned Residence A district.

J. NEIGHBORHOODS

The project will convert a dead end street into a through connector to the plaza. Although division or uprooting of the neighborhood is not anticipated, traffic volumes will be significantly higher. Where current traffic volumes are likely less than 70 vehicles per day, increases to 2500 vehicles per day are projected. This would alter the nature of Chesley Drive. The immediate neighborhood will experience a change in the character of the small green space that currently exists, which is apparently perceived as an asset by a number of residents of the neighborhood. Though provisions would be made for bicycle and pedestrian safety with an extension, many neighborhood residents perceive the loss of the green space to be a negative factor.

K. RELOCATIONS

No homes, businesses, etc. need to be acquired. The mitigation of the blind curve at the northwest corner of Chesley Drive / Mill Pond Road intersection would likely require the acquisition of, at a minimum, a construction easement to work on the land outside the ROW. It is not possible to estimate what cost, if any, there might be for such an easement.

L. LAND ACQUISITION

No land acquisition is required. Construction will be limited to Town's right-of-way and plaza parking lot.

M. CULTURAL RESOURCES

The project lies outside of the Town's Historic District. Coordination with the Durham Historic Association is suggested as it is reported the construction site may have been close to an old backyard. No significant impact on the Town's cultural resources is anticipated.

N. UTILITIES

There is a Town owned 8" water main and an 18" wastewater interceptor in the connector corridor. No interruption of services or line replacement/relocation is anticipated.

O. DISRUPTION DURING CONSTRUCTION

Construction activities will inconvenience residents, motorists and pedestrians in the area. All major construction activities should cease within 4 weeks of beginning. Access to all properties will be maintained.

P. AESTHETICS

Appearance within the construction area will change. Roadway slopes will be loamed and seeded and shrubbery appropriate for the area will be considered. Street lighting will be provided. The project involves replacing an existing 5 foot sidewalk with a two lane roadway with 12 foot travel ways, 4 foot shoulder/bike lane and a 5 foot curbed sidewalk.

Q. ADJACENT WORK TO BE CONSIDERED

Although not reviewed in depth as the proposed connector has been, the following improvements to streets abutting the project are recommended and should be done concurrently:

- (1) Reconstruction of existing Chesley Drive to include:
  - a) Installation of a combination storm and underdrain system;
  - b) Construction of a sidewalk on one side;
  - c) New pavement; and
  - d) Improvement of its intersection with Mill Pond Road.
  
- (2) Replacement of undersized twin 24" culvert at Mill Pond Road / College Brook crossing to include:
  - a) Softening of curve;
  - b) New guardrail; and
  - c) Cleaning of channel upstream and downstream.