



**TOWN OF DURHAM**  
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***Town Planner Recommendations***  
**DURHAM PLANNING BOARD**  
**Wednesday, June 11, 2014**

VIII. **Public Hearing - 8 Mathes Terrace and 15 Madbury Road – Student Housing Development.** Site plan and conditional use for redevelopment of two lots for a three-story mixed-use student housing development for 64 occupants with commercial space and garage parking. BAA Realty Acquisitions, LLC and EZT Holdings, LLC, c/o attorney Christopher Mulligan, applicant; BAA Realty Acquisitions, LLC and Theodore Finnegan, owners; Michael Sievert, MJS Engineering, engineer; Robin Wunderlich, building designer. Tax Map 2, Lots 12-5 and 12-6. Central Business Zoning District.

- I recommend the board continue its discussion of the project, including any new information, and continue the public hearing to June 25.

The board had discussed tentatively deciding on the likely direction of the project at this meeting but the board will be meeting with the Town Attorney on June 25 at 6:00 p.m. in a closed session, so it may (or may not) hold off on this discussion until after that session.

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IX. **Public Hearing - 49 Main Street – Pauly’s Pockets.** Site plan for redevelopment of a commercial site with a three-story mixed-use building. Commercial on the first floor with 6 residential apartments on the upper 2 floors with a maximum of 34 beds. Paul Eja, proprietor of Pauly’s Pockets, applicant; Michael Sievert, MJS Engineering, engineer; Clint Forrest, building designer. Tax Map 5, Lot 1-2. Central Business Zoning District.

- The project was accepted as complete on May 21. I recommend discussion and keeping the public hearing open. I can prepare a matrix of the various issues for the June 25 meeting. A site walk is scheduled for 6:00 p.m. on June 11, right before the Planning Board meeting.

There are various items that the board may discuss:

- Architecture
- Design of the park
- Operation of the park, in terms of contributions toward construction, use of the plaza, maintenance, and the nature of the easement with Mill Plaza.

- Utilities, including the sewer extension down Main Street
  - Stormwater management plan
  - Floor plans
  - Property management
  - Construction schedule and plans (complicated by objective of keeping both businesses in operation during construction)
  - Energy conservation plans
  - Strategy for handling any parking demand, as there will be no parking on site.
  - Solid waste
  - Loading
  - Lighting
  - Signage
  - Landscaping
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X. **90 Bennett Road – Thompson Inn.** Amendment to approved site plan for new parking lot and driveway for 10-room inn. Stephen and Lori Lamb, applicant; Rokeh Consulting, Site Designer. Tax Map 14, Lot 34-1. Rural Zoning District.

➤ I recommend discussion and setting the public hearing for June 25.

The Planning Board held a site walk on May 30. The circulation and parking plan seems to be workable. There appear to be a few items to finalize:

- Grading and drainage
  - Ensuring there will be some (minimal is needed) vegetative buffer within the 5 feet next to the parking area
  - Well/septic
  - Details about the tent if it will be a structure
  - Boundary line adjustment
  - Is use of porous pavement for the parking area appropriate?
  - Applicability of the NH Shoreland Protection Statute (from the Lamprey River)
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XI. **257 Newmarket Road – Two New 3-Unit Buildings.** Design Review (preliminary) application for construction of two multi-dwelling buildings with three two-bedroom units each. The site contains an existing student housing building. A variance was granted in 2009 for the additional units. Christopher Meyer and Edward Marquardt, Seacoast OPM of Durham, applicants. Nick

Isaak, Isaak Design, Architect. Tax Map 18, Lot 3-2. Rural Zoning District.  
Recommended action: Table application to allow applicant to revise design pursuant to site walk discussion.

- I recommend the application be tabled to give the applicant an opportunity to change the layout of the 2 buildings and the parking lot. This was discussed at the site walk. I don't think any further discussion at this point would be fruitful pending a revised plan. The applicant could submit another preliminary plan or a formal plan at their option.

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XII. **ORLI and MUDOR Zoning Amendment – Single Family.** Town Council-initiated amendment to allow single family residential in the Office Research Light Industrial (ORLI) and Multi-Unit Dwelling Office Research (MUDOR) districts as a conditional use. It had been a conditional use but was made not permitted as part of a larger recent set of amendments to these districts.

- I recommend setting a public hearing for June 25.

On Monday, June 2, the Town Council initiated a zoning amendment to allow single family residential use in the ORLI and MUDOR districts by conditional use. Recall that single family had been allowed in these districts by conditional use but it was changed to a not permitted use as part of the broader recent amendments pertaining to ORLI and MUDOR. Town Council thought it appropriate to bring back single family as a conditional use, as there had been testimony from various citizens during the recent amendments that single family, at a minimum, should be retained, since removing all residential uses could make it difficult to develop property. In zoning districts that are not clearly oriented strictly toward commercial or industrial uses, it is reasonable to allow single family residences.

If single family residential is allowed back into these two districts there would be a fair amount of protection under zoning for a single family subdivision:

- 1) The minimum lot size for single family is 40,000 square feet in MUDOR and 150,000 square feet in ORLI
- 2) All residential subdivisions in the MUDOR and ORLI districts must be conservation subdivisions (except for exempt subdivisions); and
- 3) Single family would be allowed by conditional use (not permitted by right)

ORLI is the more sensitive district with the prominent open fields along Mast Road. Any potential residential subdivision in ORLI would need to be carefully executed, with houses set back from the road, at the edge of in the woods to reduce visibility.

XIII. **Other Business**