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Town Planner Recommendations
DURHAM PLANNING BOARD
Wednesday, September 10, 2014

- VII. **Historic Resources Master Plan Chapter** – presentation of draft chapter by Nicole Benjamin-Ma and Rita Walsh, preservation planners with Vanasse Hangen Brustlin, Inc. of Watertown, MA. Recommended action: Set public hearing for October 8, 2014.
- I recommend that the board discuss the draft and set a public hearing for October 8, 2014

Please note the following:

- 1) The draft was prepared by the Historic District Commission working with our consultants, Nicole Benjamin-Ma and Rita Walsh, of Vanasse Hangen Brustlin.
- 2) Nicole (and possibly Rita) will be at the September 10 meeting to present the draft to the Planning Board.
- 3) The HDC voted to endorse the draft on August 7. Subsequently, the Master Plan Advisory Committee voted to endorse the draft on September 4 with one change. The language under 4. a. for the Neighborhood Heritage District on page 28 (Also, see the description on page 21) should be reworded as follows:

Neighborhood Heritage Districts – Durham is home to several architecturally and historically distinctive neighborhoods dating from the early and mid-20th century. As described earlier in this document and in the appendix, Neighborhood Heritage Districts can be effective to protect such neighborhoods against incompatible changes, where creation of a more restrictive historic district would not be suitable to the character of the neighborhood nor acceptable to the residents. If the community observes threats to such neighborhoods in the future, use of this tool could be explored.

- 4) Several changes were made in the draft endorsed by the MPAC after the HDC endorsed it. Those changes consisted of: a) incorporating comments, as appropriate, from Nancy Sandberg, President of the Durham Historical Association (DHA) and Dick Lord, member of the DHA; b) incorporating several comments by the MPAC; c) adding pointers to other chapters; and d) making a number of minor formatting and wordsmithing changes.

- 5) As is the practice, I will forward the updated draft endorsed by the MPAC to the Historic District Commission Chair. The HDC and/or individual members of the HDC will have an opportunity to present any comments to the Planning Board now, if there are any changes by the MPAC that they disagree with or if there are any other items they would like changed.
 - 6) There are still a few more changes to make: a) We will add a map of the Durham Historic District (There is a placeholder for this on page 8); b) We hope to secure a copy of a painting from the Boston Museum of Fine Arts that shows Durham's General Sullivan with George Washington (There is a half page placeholder on page 13); c) Appendix V should be eliminated as there are no additional maps to include; d) Appendix XIII with state laws needs to be added; and e) Appendix XIV explaining the difference among National Register, Historic Districts, and Neighborhood Heritage Districts will be added.
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VIII. **13 Longmarsh Road – Kelly Cullen**. Modification to approved two-lot subdivision to allow overhead utilities to cross Longmarsh Road to reach one new utility pole. Kelly Cullen (applicant); Adam Fogg, Atlantic Survey (surveyor). Tax Map 15, Lot 23-0, Residence B Zoning District. *Recommended action*: Final action

- The application has been withdrawn. She sold both lots so it will be up to the new owner whether to bury the lines under Longmarsh Road or apply for a modification.
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IX. **Public Hearing - ORLI and MUDOR Proposed Zoning Amendments**. Zoning amendments, initiated by the Durham Town Council on August 4, 2014, to change the Table of Uses under Section 175-53 Use Standards, as follows:

- A. **Conference center**. Change from Conditional Use to Not Permitted in the ORLI and MUDOR Districts
- B. **Convenience store with gasoline sales**. Change from Conditional Use to Not Permitted in the ORLI District

- I recommend an affirmative recommendation on both items. See the enclosed write-ups from Town Council.

If both amendments are adopted, a conference center would still be permitted by right or by conditional use in all five core commercial zones and in the Office Research (OR) and Durham Business Park (DBP) zones. A convenience store with gasoline sales would be permitted (by right) only in the Courthouse District, along "Gasoline Alley."

- X. ***Public Hearing – Thompson Inn - 90 Bennett Road.*** Amendment to approved site plan for new parking lot and driveway and conversion of barn for function hall for 10-room inn. Stephen and Lori Lamb, applicant; Rokeh Consulting, Site Designer. Tax Map 14, Lot 34-1. Rural Zoning District. *Recommended action:* Final action if all is in order.

➤ See separate write up.

- XI. ***Public Hearing - Edgewood Road and Emerson Road Subdivision.*** Subdivision & Boundary Line Adjustment for 4-lot subdivision. Jack Farrell, applicant. County Line Holding, LLC and Mark Marong 1991 Trust, owners. David Vincent, surveyor. Map 1, Lot 15-0. *Recommended action:* Discussion and continue public hearing to September 17, 2014.

➤ See separate write up.

- XII. ***Public Hearing - Foss Farm Road Water Tank Wireless Facility.*** Amendment to approved Personal Wireless Services Facility constructed on the Town of Durham's Foss Farm Road Water Tank. The application is to add 3 antennas, 3 radioheads, and 3 cables to the tank and to add a cabinet on the ground. Sprint Spectrum, c/o Dave Ford, applicant. The land is owned by UNH. The water tower is owned by the Town of Durham. Tax Map 6, Lot 1-18. Residence B Zoning District. *Recommended action:* Final action

➤ See separate write up.

- XIII. ***Public Hearing - Architectural Regulations.*** Discussion of Town of Durham's Architectural Regulations, Section 9.16 of the Durham Site Plan Review Regulations. The Architectural Regulations require that a public hearing be held within 18 months of adoption of the regulations to evaluate their effectiveness. *Recommended action.* Incorporate appropriate changes and set public hearing for October 8, 2014.

➤ If the board wishes to make any changes, once it is clear what the changes are another public hearing will be needed for an amendment to incorporate those into the Site Plan Regulations.

We have discussed three possible changes:

- 1) *Architect.* An architect could be required based on project size, project type, project location, or project zoning district. I would suggest requiring an architect for projects over a certain size, such as 3,000 square feet of new or altered space. The person would be required to be licensed to practice architecture in New Hampshire. This would be a change made to the following existing subsection.

E) Process

...2) Designer. There is no requirement for drawings to be prepared by an architect or architectural designer (unless otherwise required by state law), but use of an architect or architectural designer is strongly encouraged, especially for larger projects and for new construction. In most cases, this will significantly facilitate the review and approval process.

- 2) Design Committee. The Planning Board could establish a design committee (like it did for the Madbury Commons project). It would appoint a specific number of citizens. The committee would have advisory powers only to submit its comments on a proposed design to the Planning Board. The applicant would be encouraged (but not required) to meet with the committee. All meetings of the committee would be public meetings. The committee would review architectural design primarily but it could also share its comments on other aesthetic design elements such as street furniture.

The committee could also be established under E) Process. If the board thinks this is a good idea, how many people should serve? How long should the terms be? Should there be any particular qualifications other than a demonstrated interest in architectural design?

- 3) Appendix. Given the size of the Architectural Standards it would be helpful to move them to an appendix of the Site Plan Regulations and include a note in the body of the Site Plan Regulations referring to the standards. The standards would remain fully applicable, but it would make the Site Plan Regulations less cumbersome for those parties who do not need to see the standards, but wish to review only other parts of the regulations.