

These minutes were approved at the October 14, 2020 meeting.

DURHAM PLANNING BOARD
Wednesday, August 26, 2020
Town Council Chambers 7:00 p.m.
MINUTES

MEMBERS PRESENT: Paul Rasmussen, Chair (in person)
Lorne Parnell, Vice Chair (in person)
Richard Kelley, Secretary (remotely)
Jim Bubar (in person)
Barbara Dill, Vice Chair (remotely – joined meeting at 7:04 pm)
Sally Tobias, Council Representative to the Planning Board (in person)
Heather Grant, alternate (remotely)
Jim Lawson, alternate Council Representative to the Planning Board (remotely)

MEMBERS ABSENT: Bill McGowan
Mike Lambert, alternate
Sarah Wrightsman alternate

I. Call to Order

Chair Rasmussen called the meeting to order at 7:00 pm. He said there was a quorum present in the room.

II. Roll Call and Seating of Alternates

The roll call was taken.

Chair Rasmussen	Yes
Lorne Parnell	Yes
Richard Kelley	Yes
Jim Bubar	Yes
Heather Grant	Yes
Councilor Tobias	Yes
Councilor Lawson	Yes

Chair Rasmussen said Ms. Grant would sit in for Mr. McGowan.

III. Approval of Agenda

Lorne Parnell MOVED to approve the Agenda as distributed. Councilor Tobias SECONDED the motion and it PASSED unanimously 6-0 by a roll call vote:

Chair Rasmussen Yes

Lorne Parnell Yes

Richard Kelley Yes

Jim Bubar Yes

Heather Grant Yes

Councilor Tobias Yes

IV. Town Planner's Report

Mr. Behrendt reviewed the agendas for for the September 9th and 23rd Planning Board meetings. He noted the presentation to the Economic Development Committee by Richard England, which found little correlation between single family housing, kids in schools and tax rates. He said it was hoped this presentation could be given to the Planning Board in October.

V. Reports from Board Members who serve on Other Committees

Councilor Tobias said at the most recent EDC meeting, they reviewed the proposed Zoning amendments for the downtown, and there was discussion. She also said they got an update on the 66 Main St property and the Town's desire to purchase it from UNH. She said there was discussion about the partnership between UNH and the Town to try to make sure that everyone wore masks. She noted that compliance with the mask ordinance was pretty good so far, and she provided some details on this and on what the ordinance entailed.

Mr. Kelley said at the recent Integrated Waste Management Advisory Committee meeting, they discussed the negotiations with Waste Management concerning waste handling costs. He noted that the projected cost increase for next year was about \$40,000. He said compostable materials were the heaviest portion of household waste, and spoke about the fact that residents could do composting. He also spoke about the recycling facilities available at the transfer station, and noted that the Town got revenue from aluminum cans if they were separated out from the rest of the recyclable materials. He said no decision had been made yet regarding re-opening of the Swap Shop.

Mr. Parnell said he purchased an Earth Machine from the DPW when he moved to Durham several years ago, and asked if the IWMAC could look into why they weren't being sold by the Town anymore and what could be done about this. He said they worked very well in single family homes, and said they were still available at Home Depot.

Mr. Kelley said in October, there would be a compost challenge, which was a pilot project.

Mr. Bubar asked if bones and meat byproducts could be composted at the landfill, and Mr. Kelley said yes. He said composting had reduced his household waste by 80%. Ms. Grant noted that she'd been doing composting since she'd been working at home, and said the difference was amazing. Ms. Dill asked if there was a list of what could be included in compost that was brought to the transfer station. Mr. Kelley said he'd look into that, and suggested that perhaps something could be put in the Friday Update about this. There was further discussion.

VI. Public Comments

There were no public comments.

VII. Review of Minutes (old):

VIII. Alpha Tau Omega Fraternity – Amendment to Plans. 18 Garrison Avenue.

Amendment for proposed changes to approved site plan and approved conditional uses establish a fraternity, exceed 30 feet in height, and place structures in the wetland buffer. Proposed changes include demolition of the former Elizabeth DeMeritt House, change in design for the new building, and various site changes. Richmond Property Group, c/o Sarah Layton, owner. Bruce Scamman, Emanuel Engineering. Isaac Schlosser, Krittenbrink Architecture. Map 2, Lot 12-12. Central Business District.

Mr. Scammon noted the previous site plan application that the Planning Board had approved in 2020. He said when the project went out to bid, the cost for rehabbing the existing building and putting on the expansion was higher than could be afforded, so they had to go back to the drawing board. He showed a drawing of the revised proposal, and noted that they worked with Town staff on adding architectural details the Town would like to see.

He said the new building would be pulled further from the wetland and Pettee Brook, and he provided details on how more green space would be provided. He said the parking lot, retaining walls and drainage design would stay the same as it was for the original application. He said the building footprint would be about 700 sf smaller than the existing building footprint.

Mr. Scammon noted that there had been discussion about the two Norway maples in front of the building, and said landscape architect Robbi Woodburn said it would be much more difficult to save them because of the proximity of the new building. He noted that they were an invasive species, and spoke about possibly removing them and planting new trees in those locations.

He also said there had been discussion about the loss of the Elizabeth Demeritt House. He said the applicant was offering to allow someone who wanted it to move it to another location. He noted that this would have to happen in a timely manner.

There was discussion that the new building would have a slab foundation, with no basement. Mr. Scamman provided details on this, and said there would be a retaining wall around the rear of the building.

Ms. Dill said the building was extremely handsome and said she didn't think the two trees would enhance the look of things. She asked if Ms. Woodburn could provide a recommendation on possible replacement trees. Mr. Scamman said they would be consulting with Ms. Woodburn on the new landscaping. He noted that providing trees at a certain distance from one another at the street front was required by the regulations.

There was discussion. Chair Rasmussen noted that there was some flexibility in the regulations concerning this, and said they could go with some trees that stayed smaller than Norway maples. Ms. Dill said perhaps the Norway maple on the left could stay. There was discussion about the proposed landscaping as shown in the application. Ms. Grant said it provided some balance, which might be difficult to achieve with the existing trees. Mr. Bubar said as invasive species, Norway maples should come out. There was further discussion.

There was discussion that the proposed porch and the handicap ramp would be shown in the plans for the public hearing.

Mr. Kelley asked how the west end of the building would be held up without the basement. Scammon said the whole southern side would be held up by the retaining wall, and provided details on what was proposed.

Councilor Lawson said he was very concerned about having a 1250 sf patio in the back, and the noise and other potential problems that would likely result from an outside gathering area. It was noted that there was also a proposed deck in the front. Ms. Grant said she didn't think the patio was a negative. She said people liked to be outside, and said outdoor spaces were either created and made beautiful, or people were in the parking lot.

Attorney Kevin Baum said they submitted a copy of the lease, which prohibited alcohol on the premises. He also said page 3 of the Planner's Report said it was a dry facility and that there were guidelines concerning events.

Councilor Lawson thanked Attorney Baum for pointing that out. He asked whether that stipulation could be removed at some point in the future. Mr. Scammon said the

application had to get a Conditional Use permit for the fraternity use, and said the only way things would change was if UNH changed its policies, or it wasn't a fraternity and therefore wasn't an institutional use, in which case the applicant would have to come back for a change of use.

Chair Rasmussen said he thought the question was whether this was a global restriction for ATO properties. Ms. Layton said the lease would not be changed to allow alcohol.

Chair Rasmussen said if a space wasn't provided for outdoor activity in the backyard, the residents would put it in the front yard. Mr. Scammon said with the current health concerns, having outdoor space was a healthy space to have, and said the patio would provide this.

Mr. Bubar asked if this would be a nonsmoking building, and Ms. Layton said yes. She said smoking would be allowed outside within a certain distance from the building.

Ms. Dill asked what the patio would be made of. Mr. Scammon said it would be concrete, as was the case before. He said there was a porous pavement area underneath the patio, and spoke further about the drainage design for the area.

Mr. Behrendt suggested that the handicap ramp could perhaps come off of the far side, rather than in the middle. Mr. Scammon said they were planning to reroute the ramp. Mr. Behrendt said it might be best on the east side.

Mr. Behrendt noted that Elizabeth DeMerrit was a pretty significant person, and asked if the applicant would consider putting a plaque in front of the building that included some history about her and the building. Mr. Scammon said they would look into this. Ms. Layton said they would definitely consider doing that.

Mr. Behrendt said he'd send the applicant a few details concerning possible architectural enhancements to the building. He reviewed them briefly

He said the Conservation Commission was fine with the Conditional Use application concerning the wetlands. He said he didn't think a Conditional use permit was needed for the fraternity use because nothing was changing concerning this. He said the applicants would need another Conditional use permit because the height would be over 35 ft. He also said a revised construction management plan would be needed because it would be changing significantly. He said the sheets for grading and drainage, paving and curbing, landscaping, and lighting would be changed, and asked when these would be provided.

Mr. Scammon said he hoped they could get as much done as possible for the deadline for the next meeting.

Mr. Behrendt said it would be up to the Board to decide if one more meeting would be needed on September 23rd so everything would be in front of them.

Mr. Kelley asked if the applicant wanted to be on the agenda for the next meeting. Mr. Scammon said they hoped to be on the agenda for Sept. 9th. Mr. Kelley said if the elements were ready to present for the September 9th meeting, he was fine with scheduling the hearing. Chair Rasmussen agreed, but said he wasn't going to guarantee that they would close the hearing then. Mr. Scammon said they'd provide everything they possibly could for that meeting.

Richard Kelley MOVED to schedule a public hearing on September 3, 2020 for an application submitted by Richmond Property Group c/o Sarah Layton for proposed changes to an approved site plan and approved conditional uses to establish a fraternity, exceed 30 feet in height, and place structures in the wetland buffer. The proposed changes include demolition of the former Elizabeth DeMeritt House, change in design for the new building, and various site changes. The property is located at 18 Garrison Road, Map 2, Lot 12-12, in the Central Business District. Heather Grant SECONDED the motion and it PASSED unanimously 7-0 by a roll call vote:

<i>Chair Rasmussen</i>	<i>Yes</i>
<i>Lorne Parnell</i>	<i>Yes</i>
<i>Richard Kelley</i>	<i>Yes</i>
<i>Barbara Dill</i>	<i>Yes</i>
<i>Jim Bubar</i>	<i>Yes</i>
<i>Heather Grant</i>	<i>Yes</i>
<i>Councilor Tobias</i>	<i>Yes</i>

- IX. Public Hearing - Zoning Amendments initiated by Town Council.** Zoning amendments regarding height, stories, uses, and building configuration in the Central Business District; method for determining building height; drive-through facilities; and related changes.

Chair Rasmussen said the primary goal tonight was to hear public comments, collect them in written format and have discussion on all of this on a later date. He asked if a date could be set tonight after the hearing was closed by which written comments would need to be received. Mr. Behrendt said yes.

Chair Rasmussen MOVED to Open the Public Hearing. Lorne Parnell SECONDED the motion and it PASSED unanimously 7-0 by a roll call vote:

<i>Chair Rasmussen</i>	<i>Yes</i>
<i>Lorne Parnell</i>	<i>Yes</i>
<i>Richard Kelley</i>	<i>Yes</i>
<i>Barbara Dill</i>	<i>Yes</i>
<i>Jim Bubar</i>	<i>Yes</i>
<i>Heather Grant</i>	<i>Yes</i>

Councilor Tobias ***Yes***

Jay Michael, 54 Main St, thanked Councilors Tobias and Howland and Ms. Souter for reaching out to people concerning the Zoning amendment that was put forward in 2016. He said he appreciated it that there was now a broader scope being looked at as to what went into developing a property downtown, including the economic aspects of this. He said he'd read the letters sent about the current Zoning proposal, which spoke about student housing, canyon style building, etc. He said the risk involved in development downtown was pretty high, and noted that he had a building that was currently empty. He said he had to face rehabbing an old building and said it was a tough decision to make. He said he appreciated the attempt with these Zoning recommendations to look at some of the risks involved for business owners.

Mr. Michael said perhaps some of the proposed changes needed to be looked at further, concerning the 4th floor being somewhat discretionary, the green space, the breakout of business space and residential space, and who was making the choices on this. He said he didn't see that there was something concrete he could work with a designer on. He said there was an uncounted group of people who didn't come downtown because they didn't want to look for parking. He said he couldn't see how there would be more development downtown without addressing the parking issue.

He said he was pleased to see the amendments come forward, and was in favor of ideas in them. But he said it wasn't clear how it was that he could count on this process, which would be somewhat discretionary and could change with different boards.

George York, Durham Village Garage said considering the current situation, drive-thrus were long overdue. He said some businesses couldn't function safely right now. He said the Zoning proposal had to be concrete, viable and long term. He said it would be helpful to the Town overall.

Tim Horrigan, Faculty Road, thanked the working group that had developed the draft. He said it was a good first draft, but needed more work. He also noted that there were immense uncertainties right now as it was being developed. He spoke about the drive thru issue, historically and more recently in Durham.

Joshua Meyrowitz, Chesley Drive, said he had no comments about the substance of the proposed Zoning changes. But he said a procedural point was how many of the typically concerned members of the public, beyond those who owned properties downtown were prepared to study these amendments and participate fully in the public hearings. He said there was a semblance of normalcy for Planning Board meetings these days, but said it wasn't something that generated public focus and engagement on major Zoning amendments.

He said these amendments could forever change the character of the Central Business District, and needed the focus of all residents. He noted the many reasons Durham residents were distracted right now, and said he therefore didn't think this was quite the time to make these improvements. He said many of the elder citizens with a long track record of coming to Planning Board meetings weren't around. He also said time was needed to read the documents, analyze the implications of the proposal, walk the downtown, and hear reactions of people in the room at a meeting. He urged the Board to wait until people could focus more, which he said would be in the tradition of Durham's democratic principles.

Beth Olshansky, Packers Falls Road noted the letter she'd sent. She said she was concerned that there was already talk about closing the public hearing, when the proposed amendments had huge implications for the future of the Town. She said no one knew about them and there hadn't been a presentation on them. She said if there was another way of looking at this proposal that didn't involve student housing, that was an important discussion. She said the implications of what she was reading meant many more students downtown, and she spoke in some detail on this.

Ms. Olshansky said the Future Land Use chapter of the Master Plan, which many people had participated in, it clearly said the fabric of the downtown would be 3 stories, with an occasional 4 story building under certain circumstances. She asked how there was now a proposal for 4 and 5 story buildings, and said she found it upsetting that the wishes of the public and the Master Plan were now being ignored. She said she hoped there would be an opportunity for further discussion on this, since very few people were engaged at this point. She said it wasn't a great time to be making such huge changes.

Chair Rasmussen asked Mr. Behrendt about having more of a presentation on what the Zoning changes meant. Mr. Behrendt said typically for the public hearing, an introduction on the proposed changes would be done before opening the hearing. Councilor Tobias said there was an explanation from Mr. Behrendt at an EDC meeting and said it would be good to do this for the Planning Board meeting.

Robin Mower, Britton Lane first noted that she'd sent a letter, which among other things addressed the specific amendments that were proposed. She said there were some points in the amendments that needed to be clarified. She also said she was adamantly opposed to having a drive-thru downtown. She said she echoed what others had said about participation at this moment in time.

She said they didn't get an explanation of what was proposed prior to opening the public hearing, and said it should have happened at the last meeting. She said having it after the hearing didn't make sense. She said the Master Plan was the reflection of the community's values and how it wanted the Town to be developed, and said it was the

Planning Board's job to implement the Master Plan with Zoning regulations. She said a strong argument was needed about why the proposed amendments would be appropriate.

Ms. Olshansky said there needed to be a presentation on the proposed Zoning changes, and discussion on the implications of these changes. She said it was hard to comment when they didn't understand the full proposal.

Mr. Behrendt provided details on the proposed amendments. He said the impetus for this was some Council members and staff members who were concerned that development downtown seemed to be stalled for a number of years, and that the standards in place were perhaps too strict. He noted the Council members and staff members who participated in developing the draft, and said they met a number of times.

He said they looked at whether there were changes that could be made that would encourage additional development and redevelopment, particularly properties that were underdeveloped. He said they explored various possibilities and after several iterations developed these Zoning changes, which among other things would be sensitive to the character of the downtown. He also said some related items came up, which was the drive thrus, and the measurement of building height. He reviewed in some detail the key points in the changes

Mr. Parnell said before 2013, 4 stories were allowed under certain conditions, but said this was then restricted to 3 stories after a citizen petition. He asked why in 2020 the current Town Council wanted to change this.

Councilor Lawson said there had been some recent and past designs for projects that got significant positive feedback, but which couldn't be implemented under the current Zoning Ordinance. He said allowing an additional story couldn't or shouldn't be done at the ZBA level.

He also said in discussions about building height in 2013, there wasn't adequate consideration of the things that could be done if an additional story was added toward the east end of Main Street, or a 5th story was added to a building toward the west going toward Pettee Brook. He spoke about how a Conditional use permit would be required in order to get an additional story, which meant that the Planning Board would need to determine that it wouldn't have an adverse impact on the streetscape. He said there had been some developments in Durham where an additional story that was allowed had worked out fine. He said what was proposed now was an appropriate change.

Councilor Tobias said she agreed with Councilor Lawson. She said one of the biggest concerns was the need to re-evaluate the Zoning Ordinance since Durham hadn't seen much redevelopment downtown when everyone around them had seen it. She said several plans for projects had been done, and got positive feedback. She noted that Elliott

Sidewalk Properties had wanted to build a hotel at the Hetzel Hall property, but needed a variance for another story there.

She said it was realized that this was an uncomfortable topic for the Town, but said there were aging, underutilized properties downtown, and the owners of these properties were between a rock and hard place in terms of redeveloping them. She said the Zoning proposal addressed other concerns and desires from the general public about what the current Zoning Ordinance allowed.

Mr. Parnell said he thought the 600 sf per bed requirement had chopped off development in Town. He also said he could understand why people felt the Planning Board shouldn't be discussing this now. He noted that there had been significant resistance to 4 story buildings downtown. He also said it wasn't convenient for many citizens to engage in this right now. He said the Town Council gave this proposal to the Planning Board to look at, but said he thought the Council might have rethought when they were bringing this up.

Councilor Tobias said the drive thru issue was intensified by the COVID-19 situation, especially regarding pharmacies. Mr. Parnell said he didn't disagree with this, but said it was a separate issue.

Mr. Bubar said he appreciated the proposal, but asked who would do the traffic /study on drive thrus. He spoke in some detail on this, and said there were some issues that hadn't been thought through. Councilor Lawson said the Council couldn't predict every scenario for doing a site plan review, and said it was the Planning Board's job to review proposals and require traffic studies. Mr. Bubar said although each project individually might not be material, it could become a death by a thousand cuts. He said he saw that a lot of accidents would happen. Chair Rasmussen said a traffic study would be part of the site plan review process.

Ms. Mower asked where the need for a drive thru in the downtown was anticipated other than for a pharmacy. She also asked how these amendments wouldn't result in an increase in student rental housing downtown, which many members of the public were already concerned about, as UNH's needs were engulfing the downtown.

Councilor Lawson said regarding the 600-sf requirement that there was consensus that it did have a chilling effect on development, and said they'd had subsequent Zoning amendments that made apartments less student-like by restricting the number of bedrooms and occupants. He said he couldn't predict, but said he suspected that there might be a drive thru for banks, pharmacies, and possibly food services. He said two of the largest developments downtown viewed as favorable, Madbury Commons and Orion, had to go the ZBA for relief from the prescriptive commercial configurations and other requirements. He said he thought the Zoning amendment would

move the Zoning Ordinance closer to the experience of the successful developments that went through the variance process.

Councilor Tobias said with the last Zoning change concerning the number of bedrooms, there would be two-bedroom apartment buildings. She said there was also the 3 unrelated provision in that area, so she didn't think there would be any more of the large, Madbury Commons type developments downtown that were only geared to students. She spoke further, and said they were trying to create more options for developers so it would be profitable for them to build. She said this was needed for the future of Durham, and said these buildings wouldn't destroy the look of the Town. She also noted that anything that came forward to the Planning Board would be looked at vigorously.

Chair Rasmussen said in terms of where else drive thrus would go, if a bank downtown with a drive thru vacated a property, a question was whether only another bank could come in in the future and have the drive thru.

He said he saw some benefit at looking at new business models for the downtown, given the COVID-19 situation. He said if they froze everything and didn't do anything because they were afraid of what would happen under these economic conditions, that would guarantee that everything would be shut down.

Ms. Olshansky said they all wanted to revitalize the downtown, and said this was a thread in the Master Plan. But she said when residents considered this, it wasn't filling the downtown with more students. She said given the behaviors downtown on weekend nights, very few adults would want to move there. She also said while Colonial Durham said the apartments at Mill Plaza would be for anyone, it was acknowledged that they would be for students. She said the student rental market was the best bang for the buck, and said it looked like the past desire to have more commercial space including retail space downtown was being given up on. She asked if the 100 citizens who participated in the Master Plan process were being told that what they said didn't matter anymore.

Ms. Olshansky said 600 sf, was a chilling provision for developers, but said that had been changed. She said she personally would like to hold off on these major changes regarding height and the ratio of residential and office commercial space. She said these amendments would mean they'd be giving up a lot of potentially good, and limited space that they wouldn't have the opportunity to redevelop again.

Councilor Lawson said the Planning Board had the obligation to provide feedback on the Zoning proposal. He said that concerning the timing for making these proposals, the case on this should be made to the Town Council and not to the Planning Board. He said the Council was a political body, so members of the public should feel free to reach out there to make their case.

He said 3 years ago, the Planning Board had an opportunity, with public input to move forward with some Council initiated Zoning amendments that would have ended student housing increases in the downtown. But he said the message from the Planning Board and the public at that time was clear that they didn't want to do that, so the change wasn't recommended by the Planning Board and the Council didn't move forward with it. He said that meant the decision was made not to limit housing that was potentially attractive to students. He said there was now the opportunity to make the Ordinance better.

Ms. Mower said so few people were participating in public hearings these days for a variety of reasons. She said these Zoning changes would have an impact on the lives of residents. She said Zoning amendments made in the last 10 years had had unintended consequences. She said many had thought it would be a good idea to give the changes that had been made some time to see how they would play out.

She said it wasn't about being for or against redevelopment. She said there were important things to consider, such as Chair Rasmussen's comment about drive thrus. But she said making decisions based on the pandemic at this point was unreasonable. She said this was a small town, in terms of the amount of space that was available for development/redevelopment. She read from something Kenny Rotner had written when he was running for the Town Council about the importance of maintaining a sense of community in as part of redeveloping the downtown.

Councilor Lawson said Kenny Rotner was on the working group and was a leading advocate for the ideas that came up in that group. There was further discussion, including discussion about whether to close the public hearing at this point.

It was noted that the Planning Board could make any changes they saw fit to the Zoning proposal. Chair Rasmussen spoke about the process, and agreed that the issue of timing should be addressed before the Town Council. Councilor Lawson suggested that the Planning Board should move expeditiously on this, and make suggestions on changes to the Zoning proposal and send them back to the Council instead of taking responsibility for how the proposal was ultimately shaped. But he said he and Councilor Tobias would advocate for anything the Board decided on in terms of completing its review.

Mr. Behrendt suggested that the Planning Board could prepare a memo for the Council on issues to be considered, and the Council could potentially work on revisions, which would then come back to the Board. Councilor Lawson said he thought there would be revisions, but said he'd like to take this off of the shoulders of the Planning Board and put it on the Council and Town staff.

Mr. Kelley asked whether in sending a memo to the Council with suggested changes to the proposal, there was a limit to the changes that warranted coming back to the Planning

Board. Chair Rasmussen said it would be based on Mr. Behrendt's recommendation on what was a substantive change

Mr. Kelley asked how long a process was involved in developing the proposed Zoning changes. Councilor Tobias said it began late fall of 2019.

Councilor Lawson said if they were non-substantive changes, they didn't have to go back to the Planning Board. But he said if the Council proposed A, and the Planning Board recommended B, that gave the Council the option to proceed with either one. But he said if the Board didn't recommend B, and the Council came up with its own alternative B, that would need to come back to the Planning Board as a substantive change.

Ms. Dill asked at what point Planning Board members got to voice their opinions about substantive aspects of the proposed changes. Chair Rasmussen said that would be when they drafted their recommendations, largely after they heard from the public.

Chair Rasmussen said if the hearing was continued, he thought it should be to the September 23rd meeting.

Richard Kelley MOVED to continue to September 23, 2020 the Public Hearing on Zoning Amendments initiated by the Town Council regarding height, stories, uses, and building configuration in the Central Business District; method for determining building height; drive-through facilities; and related changes. Lorne Parnell SECONDED the motion and it PASSED unanimously 7-0 by a roll call vote:

<i>Chair Rasmussen</i>	<i>Yes</i>
<i>Lorne Parnell</i>	<i>Yes</i>
<i>Richard Kelley</i>	<i>Yes</i>
<i>Barbara Dill</i>	<i>Yes</i>
<i>Jim Bubar</i>	<i>Yes</i>
<i>Heather Grant</i>	<i>Yes</i>
<i>Councilor Tobias</i>	<i>Yes</i>

Councilor Lawson said he would make a successful case to the Council to relieve the time constraints on reviewing the Zoning proposal. Mr. Behrendt noted that the deadline for the Planning Board to provide comments on the proposal was September 23rd, and suggested that the Board ask now for the extension. Chair Rasmussen said he'd like to ask for a month's extension. Mr. Behrendt said the request for the extension would be to October 28th, which was the date of the Planning Board's workshop meeting in October.

- X. Public Hearing - Mill Plaza Redevelopment. 7 Mill Road. Continued discussion of proposed architectural design.** Continued review of application for site plan and conditional use for mixed use redevelopment project and activity within the wetland and shoreland overlay districts. Colonial Durham Associates, property owner. Sean

McCauley, agent. Joe Persechino, Tighe & Bond, engineer. Emily Innes and Sharon Ames, Harriman, project designer. Ari Pollack, attorney. (Rick Taintor is serving as the Town's Contract Planner.) Central Business District. Map 5, Lot 1-1.

Mr. Behrendt left the table for this agenda item.

Chair Rasmussen said the architects would provide answers to questions the Board had given them.

Ms. Ames said she would highlight adjustments that had been made to the architectural design in recent weeks as a result of comments, etc. She then summarized with a detailed slide presentation the Town's architectural design standards, and the response to these standards with the design for the project.

There were comments from Planning Board members on the various aspects of the architectural design for the project.

Siting: Mr. Kelley said the buildings were aligned in a perpendicular format. He noted that there were no applicable setbacks from travel corridors.

Scale and massing: Mr. Kelley asked if the style for building B, with the breaking up of the buildings, was becoming the New England style. Ms. Ames said this was the type of response she was seeing. Mr. Kelley said the redevelopment he'd seen in Connecticut was very similar. Ms. Ames said the Town's design standards promoted much of this design, and said they were trying to provide something of quality that was also economical and durable.

Proportion:

Height: In answer to a question from Mr. Parnell, Ms. Ames said the design elements of building C were similar to those of building B. She provided details on the similarities and differences.

Roofs: There was discussion about the green roof areas, concerning whether they would be visible and how they would be accessed and maintained. Ms. Ames noted that there wasn't an internal way to access the roofs. Ms. Dill said the plants would need to be watered during a drought. Ms. Innes said the plantings tended to be highly drought resistant, and noted the details provided on this. Chair Rasmussen said the view of the roof defeated the canyon aspect of the buildings, with the setbacks breaking up the front scape. Ms. Ames spoke about how the breaks in façade would allow daylight into the street area, and said it would be quite well lit and enjoyable.

Windows: Ms. Dill said she really liked the window panel surrounds.

Entrances: There was discussion about a secondary entrance for the Rite Aid space, which would be gabled like the other Rite Aid entrance and the Hannaford entrance, but would be shorter.

Mr. Bubar asked if the pedestrian mall would be open all day or only when the stores were open. Ms. Ames said it would be open and managed while the stores were in operation.

Ms. Dill asked where the occupants would enter their residences. Ms. Ames said the entrances were on the north and south side of Building B. She said the entrances to the pedestrian mall also provided access for residents but weren't the primary access

Building Façade:

Materials: There was discussion that it would be worthwhile for all Planning Board members to look at the materials, which were available at the Town Hall.

Mr. Taintor noted that one of the very specific architectural standards was not mixing brick and clapboards, but noted that the Board seemed to be ok with this. Chair Rasmussen said he thought the intent of the standard was not having a clapboard section in the middle of a brick wall.

Ms. Innes noted that the additional brick on the upper floors was in response to public comments about creating greater differentiation and texture in the buildings. Ms. Grant said she thought it helped. Councilor Tobias said it looked better. Chair Rasmussen agreed, and said having the brick, especially at the ends provided a supportive, tower effect.

Lighting of Buildings:

Store fronts:

Specific Building Elements: There was discussion about the extent to which the building mechanicals on the roof would be visible, from various perspectives.

Ms. Ames showed some slides that were provided at the August 8th presentation to the public to show the site and project in relation to developments on properties on Main St, Madbury Road, etc.

Ms. Innes said showed a series of revised renderings and modeling, which she said took into account the comments that had been received. The slides showed pedestrian connections on the site, landscaping, sidewalk detail, building entrances and facades,

streetlighting elements of parking areas, interior views, and the pedestrian experience of the plaza in Building B, the path area beyond Building C, etc.

Ms. Ames noted the façade on the side of the Rite Aid portion of Building A, which was painted cinder blocks. Ms. Dill asked if that was the best they could do on this. Ms. Innes said if that was a concern, the design team could discuss this. Chair Rasmussen said he'd be open to seeing a mural there, and said solid painted cinderblock would be a disappointment. There was discussion, and Ms. Innes said that was good to know.

It was noted that there would be an actual clock in the tower on Building C. Mr. Taintor said it seemed like the tower wouldn't be visible. Ms. Innes said it would be visible from some perspectives. But she said if that was a concern, they could reconsider the location of the tree there.

It was noted that there would be brick colored pavers for the crosswalks. Mr. Taintor asked if the granite looking elements in the crosswalks were pavers as well. Ms. Innes said she would check on this.

Ms. Dill noted that there was texture in the rendering of the clapboards. Ms. Ames said they would be smooth in reality.

Ms. Dill asked if the windows on the fake balconies would be fixed. Ms. Ames said they could be opened about 4 inches.

Mr. Bubar asked if the path would be rehabilitated all the way to Chesley Drive, or just to the end of the property. Ms. Innes said it would be rehabilitated just to the property line. Mr. Bubar suggested that they could volunteer to do it all the way to Chesley Drive.

Ms. Innes spoke about the voting that occurred at the August 8th meeting on siding colors, window trim colors, the number of window lights, roof lines, bench designs, and lighting/no lighting of the path that went toward Chesley Drive. She also showed information that had been providing on the heights of the stories/buildings, which people had asked questions about. She provided details on other dimensional information that was provided in answer to questions that people had asked.

Mr. Kelley said the presentation was very helpful. Ms. Grant said it was interesting to see how the development fit into the site. Councilor Lawson said there were elements of the design that he now understood and said the presentation was extremely helpful. Councilor Tobias said the development didn't appear as chunky as it had because it had features that created some depth. She also said she liked the colors.

Mr. Kelley left the meeting at 10:55 pm.

Chair Rasmussen said he wanted to hear from the public before the Board had more discussion on the architectural design, and said that would happen at the meeting on September 23rd.

Mr. Bubar asked Mr. Taintor if he thought what had been presented satisfied the points he'd raised. Mr. Taintor said he sensed the Board was happy with the design, and said if so, there might not be a need to have a professional review it. He said they normally would have the equivalent of a design professional working with them on a project like this. Chair Rasmussen said the Board would discuss this after hearing from the public.

Chair Rasmussen MOVED to continue the Public Hearing to September 23rd, 2020. Jim Bubar SECONDED the motion and it PASSED unanimously 6-0 by a roll call vote:

<i>Chair Rasmussen</i>	<i>Yes</i>
<i>Lorne Parnell</i>	<i>Yes</i>
<i>Barbara Dill</i>	<i>Yes</i>
<i>Jim Bubar</i>	<i>Yes</i>
<i>Heather Grant</i>	<i>Yes</i>
<i>Councilor Tobias</i>	<i>Yes</i>

XI. Review of Minutes (new):

July 22, 2020

Postponed

XIII. Adjournment

Lorne Parnell MOVED to adjourn the meeting. Jim Bubar SECONDED the motion and it PASSED unanimously 6-0 by a roll call vote:

<i>Chair Rasmussen</i>	<i>Yes</i>
<i>Lorne Parnell</i>	<i>Yes</i>
<i>Barbara Dill</i>	<i>Yes</i>
<i>Jim Bubar</i>	<i>Yes</i>
<i>Heather Grant</i>	<i>Yes</i>
<i>Councilor Tobias</i>	<i>Yes</i>

Adjournment at 11:02 pm.

Victoria Parmele, Minutes taker

Richard Kelley, Secretary