

1  
2 **TOWN OF DURHAM**  
3 **DURHAM PLANNING BOARD MEETING**

4  
5 **Wednesday, April 22, 2026**  
6 **Town Council Chambers, Durham Town Hall**

7 **7:00 pm**  
8

9 **DRAFT MINUTES**  
10

11 **MEMBERS PRESENT:** Paul Rasmussen (Chair), Sally Tobias (Vice Chair), Richard Kelley, Gary  
12 Whittington, Peyton McManus, Robert Sullivan, Heather Grant (Council Rep), Michael Lehrman  
13 (Alt Council Rep), Julian Smith (Alternate), Peter Howd (Alternate)

14 **MEMBERS ABSENT:** Emma Hollander (Alternate), Munish Nanda (Alternate)

15 **ALSO PRESENT:** Town Planner Michael Behrendt  
16

17 **I. Call to Order**

18 Chair Paul Rasmussen called the Durham Planning Board meeting of April 22, 2026 to order at  
19 7:00 pm.  
20

21 **II. Roll Call and Seating of Alternates**

22 Chair Rasmussen called the roll; all Board members present.  
23

24 **III. Approval of Agenda**

25 Chair Rasmussen said he had no corrections to the agenda.  
26

27 *Richard Kelley moved to approve the agenda as presented; SECONDED by Peyton*  
28 *McManus; APPROVED: 7-0.*  
29

30 **IV. Town Planner's Report**

31 Mr. Behrendt said there is an extra Planning Board Meeting next week on the 29th with  
32 discussion tonight under Other Business for that agenda; coordinated with Mr. Whittington on  
33 proposed changes for owner-occupied ADUs to be presented May 13, 2026.  
34

35 **V. Reports from Board Members who serve on Other Committees**  
36

37 Reporting from Town Council: Councilor Grant said the public hearing approved Electric Charging  
38 Stations; email on Town Council guidance in terms of priorities: (1) complete review and update  
39 of Architectural Standards; (2) Edge PUD when it comes up; (3) Commercial Core Zones and  
40 adjacent: review boundaries and update to create higher density commercial core; (4)  
41 Conservation Subdivision; (5) Wetland/Shoreland Overlay District; email from Carden Welsh re 5  
42 stories: place back into amendment with 5th floor setback of at least 10 ft on side of building  
43 facing a public street, at least 20 ft if any side of building faces public street, and 25 ft of any side  
44 of building facing an adjacent lot.  
45

1 Chair Rasmussen said the Town Council vote on the amendment was 5-3 to recommend.

2  
3 Reporting from Conservation Commission: Mr. Sullivan said the *Conservation Commission* is  
4 meeting April 27 to talk about the WSOD process.

5  
6 Reporting from IWMAC: Chair Rasmussen said IWMAC met, talking with Casella on new curbside  
7 pickup; wanting to increase compost pickup as Casella has an organics division, possible in future.  
8 Contact DPW for other bin options: 48 gal, 64 gal, and 96 gal sizes, with smallest for weekly  
9 garbage pickup and largest for every other week single-stream recycling.

10  
11 **VI. Public Comments**

12  
13 **Joshua Meyrowitz** of 7 Chesley Drive reminded the board that the path to the Plaza is broken up  
14 and dangerous and Greg and Rich Reine were going to coordinate to fix the path to make it safe;  
15 path is partly on plaza property and on town property; drain was fixed but not down the path and  
16 it would be nice to get that done.

17  
18 **Tom Daly** of 190 Piscataqua Road said he wished to speak about the relationship of zoning and  
19 architectural standards and how they are balanced. He said zoning tells us what we can build and  
20 where, architectural standards tell us how it should look, and they are two completely separate  
21 systems and not interchangeable. He said every added design element adds cost and asked the  
22 Board to be intentional about what each goal is serving and think about who can actually comply.

23  
24 **Jeff Berlin** of 3 Cowell Drive said homeowner occupancy requirements for single-family ADUs  
25 comes back to limiting students everywhere. He said he rents homes to students in the  
26 neighborhood who are respectful of where they are living and said it should just be stricter on  
27 noise and trash and it is a declining issue in general.

28  
29 **VII. Review of Minutes (old):** None

30 **VIII. Public Hearing - 31 Main Street – Amendment to Site Plan.** Amendment to site plan  
31 approved in 2014 for mixed-use with residential project (“Orion Project”) to allow 31 Main  
32 Street to be used for residential rather than commercial purposes and to expand the  
33 allowance from 179 bedrooms to 184 bedrooms and from 197 residents to 202 residents.  
34 The applicant proposed two options: two 2- bedroom units or one 5-bedroom unit (The  
35 latter would require a variance). Torrington Properties, c/o Jeff Gannon, property owner.  
36 Courtney Vaughan, attorney, DTC Lawyers. Map 108, Lot 14. Central Business-1 District.  
37 Recommended action: Final action.

38  
39 Chair Rasmussen said the applicant proposed two options: 1 unit with 5 bedrooms or 2 units  
40 with 4 bedrooms.

41  
42 Attorney Courtney Vaughn, on behalf of Torrington, said our request is to amend a 2014 Site  
43 Plan for 31 Main Street and seeks Planning Board approval for 2 interior convergence options.

1 She said the property is part of a Church Hill complex acquired by Torrington in 2019, originally  
2 approved as a mix of commercial and residential uses, marketed for commercial tenancy but the  
3 building has remained vacant over several years. She said Torrington is committed to preserving  
4 Durham's downtown character and restoring productive use to the Main Street property.

5  
6 Attorney Vaughn said their preferred option is 1 unit with 5 bedrooms requiring fewer interior  
7 alterations, can be implemented more quickly and complies with local rental demand. Option 2  
8 is for 2 units with 2 bedrooms each with a back stairwell to reach the second apartment. She  
9 said Building C has not been leased since 2021 and has otherwise remained vacant. On March  
10 10 the ZBA granted a variance under 175:42C,7(d) for an interior-only conversion for Building C  
11 from a commercial to a 5-bedroom single-family residential unit with no exterior alterations; we  
12 then found we were out of conformity for a maximum of 2 bedrooms in any dwelling unit within  
13 a mixed-use residential building and revised Building C configuration to 2 units, 2 bedrooms  
14 each.

15  
16 Attorney Vaughn said if approved they will immediately apply for a ZBA variance from 175:42C,8  
17 and if approved they will exercise Option 1 for single-family 5 bedrooms; if denied they will rely  
18 on Planning Board approval for option 2. She said it helps with timing; interior only with no  
19 changes to exterior envelope, facade, or streetscape; cost for option 2 will be 15% more and  
20 take 3-4 weeks longer with \$14,000-\$15,000 less revenue. She added that Torrington already  
21 has plenty of 2-bedroom options, and they hope to have it completed for summer rentals.

22  
23 Chair Rasmussen said the Notice of Decision is for one approval of use of either option; can just  
24 use the NOD if it is set up correctly. Councilor Grant said she is not in favor of the 5 bedrooms;  
25 Chair Rasmussen said it can be discussed in deliberations.

26  
27 ***Chair Rasmussen moved to open the Public Hearing for 31 Main Street – Amendment to***  
28 ***Site Plan; SECONDED by Peyton McManus; APPROVED: 7-0.***

29  
30 **Joshua Meyrowitz** of 7 Chesley Drive spoke in general support of the project as a positive move  
31 and said it seems to make sense whichever option is approved.

32  
33 **Robin Mower** of Britton Lane said given that a decision of the Zoning Board runs with the  
34 property, she considers it in terms of a long term vision for downtown and housing.

35  
36 **Jeff Berlin** of 3 Cowell Drive said if the board is going to allow it in that building they should allow  
37 the developer to do whatever they want to do between the 2 options.

38  
39 **Em Friedrichs** of 18 Garden Lane encouraged the Planning Board to look at the option with 2  
40 units/2 bedrooms, currently required in the Central Business District; 2 apartments gives privacy  
41 and would be attractive to a wider range of residents.

42  
43 **Daniel Day** of 89 Bagdad Road said both options are reasonable and did not think either one or  
44 the other would dramatically change the character of downtown Durham.

1 Mr. Behrendt said the applicant requested a waiver of the School Impact Fee. Attorney Vaughn  
2 said this is an interior-only conversion and tenants will probably be students and will not increase  
3 K-12 enrollment. If it is a family, they would revisit the fee with the town. Jeff Gannon, Senior  
4 Development and Design Manager with Torrington, said they do not anticipate a family renting  
5 the unit. Attorney Vaughn said the window is slim and they are going with probabilities.

6  
7 Mr. Smith asked if Torrington had considered marketing these apartments to families who want  
8 to live in downtown and asked about leasing parking in Mill Plaza.. Mr. Gannon said their office  
9 is called Campus Flats but is open to anyone, and said he did not know the specifics of non-  
10 student marketing. He said as far as leasing parking spots in Mill Plaza are concerned they are  
11 considering it and discussing the possibilities, but are currently trying to fill building vacancies in  
12 the plaza.

13  
14 Mr. Sullivan said the last sentence in Notice of Decision, under finding of facts, says the town  
15 wants as many 2-bedroom apartments in that area as possible, but he is open to either option.  
16 Chair Rasmussen asked that they deal with the waivers first re School Impact Fees. Mr. Kelley  
17 said he is willing to waive the fees as the applicant is willing to revisit. Councilor Grant said  
18 recently the Board discussed they would no longer waive School Impact Fees and in this instance  
19 we do not know who is going to live there. Mr. Whittington said the fees were assessed on a  
20 recent similar application and should also be assessed here; Mr. McManus agreed it needs to be  
21 equitable.

22  
23 Chair Rasmussen said the Board now needs to decide between the two options. Mr. McManus  
24 said he is in favor of both options as there is no material difference between them except  
25 configuration. Mr. Kelley said if ZBA finds 5 bedrooms acceptable, he takes no issue with it. Vice  
26 Chair Tobias said we put the 2-bedroom in the regulations to reduce student development and  
27 open to a wider range of people, and said she is in favor of 2 apartments with 2 bedrooms.  
28 Councilor Lehrman said considering the overall grand scheme for downtown, there really is a  
29 desire for 2- bedroom apartments and that option makes sense.

30  
31 Mr. Howd said either option is fine with him and he did not think an extra bedroom would make  
32 a real difference in downtown housing supply and felt the applicant should have the opportunity  
33 to choose. Chair Rasmussen asked where Campus Flats had properties in Durham; Mr. Gannon  
34 said they own the development behind 31 Main and some on Madbury across from the church.

35  
36 ***Peyton McManus moved to close the Public Hearing for 31 Main Street – Amendment to***  
37 ***Site Plan; SECONDED by Gary Whittington; APPROVED: 7-0.***  
38

39 Mr. Kelley said the Town Planner has put in language about its unique location, which is also  
40 unique for 2 apartments and 2 bedrooms as well and he struggles with a decision. Vice Chair  
41 Tobias said it has impact on the type of housing the town is missing. Mr. Whittington said he is  
42 still in favor of allowing either option and said he is reluctant to interfere and regulate placing an  
43 unreasonable burden on the owner for such a minor difference which is insignificant to the  
44 interests of the town. Mr. McManus said he agrees.

1 ***Richard Kelley moved that the Planning Board approve an amendment to a Site Plan***  
2 ***approved in 2014 for mixed-use with residential to allow 31 Main Street to be used for***  
3 ***residential rather than commercial purposes and to expand that allowance to no greater***  
4 ***than 179 bedrooms with 197 residents to a maximum of 183 bedrooms with 201 residents;***  
5 ***SECONDED by Vice Chair Tobias;***  
6

7 Mr. Kelley clarified that the motion is for the 2 over 2 option. Mr. Sullivan said he is not in favor  
8 of the current motion as it imposes a cost and risk to getting this property performing as soon  
9 as possible. Mr. Behrendt said the motion is really under Item 1 that you cannot exceed 2  
10 bedrooms per unit and suggested they just deal with 1(a) and delete the part about the number  
11 of residents.

12  
13 **Mr. Kelley withdrew his motion.**  
14

15 Mr. Behrendt said if up to 5 bedrooms is approved, the applicant intends to submit a variance  
16 application tomorrow; if not approved they will not apply for a variance.  
17

18 ***Robert Sullivan moved that the Planning Board approve the Notice of Decision as written***  
19 ***and give the owner the option of 2, 2-bedroom apartments or 1 apartment with 5-***  
20 ***bedrooms; SECONDED: by Peyton McManus; APPROVED: 4-3.***  
21

22 Chair Rasmussen said the motion passes.  
23

24 **IX. Public Hearing - Zoning amendments affecting definitions and Central Business Districts**  
25 **- height limits, requirements for office/retail use, and allowance for first floor parking.**

26 The height limit in CB1 would increase from 4 stories and 50 feet to 5 stories and 60 feet  
27 for six lots – Map 106, Lot 57 and Lots 59 through 63. The height limit for CB2 would be  
28 set at 3 stories and 30 feet. Office/retail would be required only for the first 50 feet of the  
29 building fronting on a street. Parking could be installed on the first floor behind the  
30 office/retail. Recommended action: Initiate amendment if acceptable or make changes.  
31

32 ***Peyton McManus moved to open the Public Hearing for Zoning Amendments affecting***  
33 ***definition and Central Business Districts; SECONDED: by Richard Kelley; APPROVED: 7-0.***  
34

35 **Carolyn Singer** of 5 Woodridge Road said residents have been coming forward pleading for  
36 human scale development and the Planning Board proposes to allow 5 stories by right and not  
37 disturb the streetscape. She said attention must be given to scale and massing with height the  
38 key element. She said developers service their investors and not our town and it is your  
39 responsibility to protect Durham's aesthetic and welcoming feel. She urged the Board to include  
40 the setbacks to the 5th story recommended at the Town Council meeting on Monday.  
41

42 **Daniel Day** of 89 Bagdad Road said he supports this change and said tall and large buildings can  
43 also be beautiful and should not be a factor with height. He said we need to consider the limited  
44 space we have with our downtown. He said he thinks of Durham as a place to do business and  
45 live apart from the university which continues to downsize, and supports this change as a

1 positive thing for Durham.

2  
3 **Joshua Meyrowitz** of 7 Chesley Drive said there was a strong case for sticking to the Master Plan  
4 in the Town Council discussion with a vision of human scale. He said some kind of setbacks are  
5 needed on 5-story structures and the lots there are deeper with room for reasonable setbacks.  
6 He said he was talking about setbacks from the lot line and for 5th floors.

7  
8 **Kathy Bernay** of Hampshire Avenue read a letter from Beth Olshansky who was unable to attend  
9 this meeting. The letter was in favor of the Town Council's recommendations made at Monday's  
10 meeting on permitting 5 stories from 66 Main Street and west. Ms. Olshansky made a number  
11 of points: fifth story setbacks are the result of a careful study of stakeholders; developers were  
12 consulted; 5 stories are not required for economic viability; Master Plan says downtown should  
13 be mostly 2 and 3 stories with 4 stories under special consideration, and CU is being eliminated  
14 as an important negotiating tool. She said developers will determine the look and feel of  
15 downtown for the next century and urged the Planning Board to pause this legislation until they  
16 have a more complete and balanced 5-story proposal aligned with Durham's planning  
17 documents and recommendations of experts.

18  
19 **Deborah Hirsch Mayer** of 19 Garden Lane said she agrees with Beth Olshansky's letter and asked  
20 that the Board pay attention to it and keep in mind developers serve their investors and not the  
21 residents of the town. She said she believes there is a way to make Durham welcome to  
22 developers while also maintaining Durham's small town character.

23  
24 **Diane McCann** of 27 Oyster River Road said she agrees with everything Beth Olshansky said and  
25 with the Town Council members who also agree. She said she is trying to imagine what 60 ft  
26 might look like and said an expert architect is coming to town speaking on Sunday at 2:00 pm on  
27 Architecture in New England and she hopes to speak with him about Durham's downtown.

28  
29 **Jeff Berlin** of 3 Cowell Drive said developers do not try to build disgusting buildings and said he  
30 is not personally against setbacks or different roof lines. He said parking on the first floor will  
31 take a significant amount of square footage, and setbacks should be limited to no more than 10  
32 ft or 12 ft and allow developers to design as they choose.

33  
34 Mr. Behrendt said the proposal is a setback of 10 ft for a building facing a street and 20 ft where  
35 it faces Main Street.

36  
37 **Robin Mower** of Britton Lane said the Board should respect and pay attention to the expertise  
38 of Doug Bencks with 30 years of experience in Durham. She said Monday night the prevailing  
39 vote of the Town Council respected the Master Plan while moving forward with measures critical  
40 to downtown development, and said building up to 5 stories close to UNH requires setbacks.  
41 She said Jim Lawson and Carden Welsh laid out their plan and she quoted some of their  
42 statements. She asked the Planning Board to base their decision tonight on 2 criteria: the impact  
43 on streetscape, and whether it respects our Master Plan.

44  
45 **Gail Kelley** of 11 Gerrish Drive said the Master Plan is to zoning what the constitution is to the

1 laws of our country, and said appeals made to the Supreme Court rely on local Master Plan  
2 content. She asked what the Board imagines these 5-story buildings to be and said with lack of  
3 parking, chances are they will be filled with students who can park on university lots. She urged  
4 the Board to take this opportunity to make buildings attractive with setbacks, heed the Master  
5 Plan, and use what is available in Durham.

6  
7 **Tom Daly** of 190 Piscataqua Road said the Zoning Ordinance tonight is ideal for Durham and  
8 agreed with the Town Planner's comment that the architectural regulations should mitigate the  
9 impact. He said on January 28, 2025 the first letter was posted on the website about  
10 modifications to CB-1 zoning standards, which makes 469 days of uncertainty for developers and  
11 community members and it is time to move on. He asked Mr. Behrendt to make sure the  
12 documents posted on the website are clear about the source.

13  
14 **Robin Mower** of Britton Lane said her understanding of a 5th-story setback is not Architectural  
15 Design Standards relative to what other towns require. She said the original plans for Orion and  
16 Madbury Commons were appalling and it is only because of the engagement of residents that  
17 we have something attractive today.

18  
19 **Jeff Berlin** of Cowell Drive said he was referring to Mansard Roofs earlier. He said to design for  
20 non-students you will have to potentially decrease unit sizes and number of bedrooms in units  
21 and you will need parking for that. He recommended letting people be artistic and creative and  
22 giving them the biggest template to work with.

23  
24 **Daniel Day** of 89 Bagdad Road said we used to have a hotel and conference center on the UNH  
25 campus which has since closed down; we need a new hotel in this town with a concert hall that  
26 would provide for arts and entertainment in Durham, and is a perfect example of something  
27 other than student housing.

28  
29 **Em Friedrichs** said speaking as a council member, only 8 members were present for the vote on  
30 Monday. Speaking as a resident of 18 Garden Lane, Councilor Lawson said on Monday that how  
31 we approach this zoning change will say a lot about how the town responds to and incorporates  
32 community feedback and said he would like to hear better solutions from the Planning Board.

33  
34 **Mx. Friedrichs** said ze spoke with an urban planner in RI who pointed to the concept of the 45  
35 degree angle measured from the center of any street, that building height should not exceed  
36 that angle and the further the building is set back on the lot the higher the building can go, which  
37 gives flexibility for different architectural options; working with setbacks is standard industry  
38 practice and would not deter developers. Ze said height is usually an ordinance and not  
39 architectural standards, and any building that fits under that 45 degree angle would be in  
40 keeping with the ordinance and would automatically become proportionate to the street.

41  
42 Councilor Grant said when the working group did that there were pictorials there that gave those  
43 kinds of examples and there is background in the files.

44

1           ***Gary Whittington moved to close the Public Hearing for Zoning Amendments affecting***  
2           ***definition and Central Business Districts; SECONDED by Peyton McManus; APPROVED: 7-***  
3           ***0.***

4  
5 Chair Rasmussen said he searched the Master Plan for “human scale” and it is only mentioned  
6 twice: once in elements that make smart growth and once in the vision statement of the  
7 Downtown Chapter. He said a vision statement is an aspirational statement of what a perfect  
8 world would look like and said he wanted to show that contrary to public opinion the Board is  
9 not ignoring the Master Plan.

10  
11 Chair Rasmussen asked if the Board was in favor of a fifth-floor setback, yes or no, and whether  
12 they wanted to put it in zoning or architectural standards. Mr. McManus said he would not  
13 mandate the setback. Mr. Whittington asked what needed to be done with what was sent from  
14 the Town Council and what would result in the fastest approval to the zoning law.

15  
16 Chair Rasmussen said if we pull back the amendment presented tonight that we just had the  
17 public hearing on we are looking at a Public Hearing mid-May 27 and at least a 3-month delay to  
18 put it in zoning. Councilor Grant said this was in play before and asked if it was the CU that  
19 stopped development or the setbacks the council is encouraging us to use, and recommended  
20 putting it in architectural standards and not zoning. Chair Rasmussen said once we approve them  
21 in architectural standards they will be in place.

22  
23 Chair Rasmussen said there is no front setback requirement in CBD now; we are only talking  
24 about 6 lots which would basically be spot zoned, and on some of these lots it would become  
25 impossible to do a 5th story with setbacks from the sidewalk. Mr. McManus said some of these  
26 lots are very narrow so adding a 10 ft or 20 ft setback would disable the possibility to do a fifth  
27 floor. Mr. Howd said if we make any changes that involve setbacks, we will have to start the  
28 process all over again. Mr. Smith asked Mr. Kelley about the Orion and Madbury Commons  
29 projects; Mr. Kelley said the Planning Board should have credit there and it was not just the  
30 citizens.

31 Mr. Kelley said from what he heard tonight, it sounds like there is a development team out in  
32 the ether watching what we were doing tonight and asked if there is something in the wings;  
33 Mr. Howd said he would like to ask the same question. Councilor Grant said we do not have any  
34 of that information but the university added 66 Main Street into the package as a possibility of  
35 development for some person awarded the Edge project, but no one is authorized to make an  
36 announcement. Mr. Whittington said we are doing things that should apply no matter what  
37 happens.

38  
39 Mr. Howd said the Board should just send back to the Town Council what we already have and  
40 put 5th-story setbacks in architectural review to not have to start the public hearing process all  
41 over again. Mr. Whittington asked Mr. Behrendt if being in architectural standards is as strong  
42 as being in zoning. Mr. Behrendt said zoning is stronger but architectural standards say “shall”  
43 which means required. Mr. Whittington asked about the 45-degree angle and Mr. Behrendt said  
44 all of that discussion has been done in the background, and we have seen a lot about the ratio  
45 of building height to width.

1  
2 Mr. McManus asked what it really means to have a 20 ft setback on the 5th floor and said the  
3 slope of the lots may dismantle the ability to do anything on most of those lots. Mr. Behrendt  
4 suggested saying: “fronting Main Street”. Vice Chair Tobias said 66 Main Street has to retain a  
5 parking structure as parking impact fees were paid on the property. She suggested saying there  
6 has to be a setback for the fifth floor “or some other device that decreases the immensity of the  
7 building”. Mr. McManus said he is 100% aligned with that.

8  
9 Mr. Behrendt said for simplicity and efficiency put the Ordinance the way you have it now and  
10 convey to the Town Council that the Planning Board is committed to encompassing setbacks as  
11 a requirement in the Architectural Regulations. Mr. Whittington said he cannot crunch the  
12 numbers of Jim Lawson but the idea that change could not produce more than \$10 Mil in real  
13 estate value is more than highly suspect and said he sees a lot more accretion in value.

14  
15 Councilor Lehrman said if the Board is planning to put the height restriction in Architectural  
16 Standards he highly recommended that Mr. Behrendt and a couple of Planning Board members  
17 attend the next Town Council meeting to offer those assurances in person, and allow an  
18 exchange of information.

19  
20 ***Councilor Grant moved that the Planning Board approve the amendment increasing from***  
21 ***4 stories to 5 stories in lots on Map 106, Lot 57, and Lots 59-63 and incorporate in the***  
22 ***Design Standards a “shall” on setbacks as suggested by the Town Council;***

23  
24 **Councilor Grant withdrew her motion.**

25  
26 ***Chair Rasmussen moved that the Planning Board initiate the proposed zoning amendment***  
27 ***for maximum building heights in CB-2 Districts as presented tonight and that the Board***  
28 ***shall incorporate Main Street setbacks in our Architectural Standards and other setbacks***  
29 ***we feel are necessary;***

30  
31 Chair Rasmussen requested the Board finish the Architectural Standards and he will attend the  
32 next Council meeting and present them. Mr. McManus said Architectural Standards is a 37-page  
33 document that is 12 years old and there is a lot that could be brought up to modern standards.  
34 Councilor Lehrman said that is an excellent point and perhaps an assurance to the Town Council  
35 that the Board will at least amend the existing Architectural Standards quickly to address that  
36 issue specifically.

37  
38 **Chair Rasmussen withdrew his motion.**

39  
40 ***Chair Rasmussen moved to initiate the amendment as presented tonight to amend***  
41 ***maximum building heights in CB-1, CB-2 Districts, requirements for office retail use in CB-***  
42 ***1 and CB-2, allowances for parking on first floor for mixed-use with residential properties***  
43 ***in CB-1 and CB-2 and definitions; SECONDED: by Councilor Grant; APPROVED: 6-1.***  
44

1 Mr. Behrendt said the only item on the next agenda is Architectural Regulations and the Board  
2 can then decide what they want to do with 5th floor setbacks and incorporate it as a requirement  
3 in the regulations. Chair Rasmussen said first get the 5th floor ready, draft it, with public hearing  
4 May 13, and have it on the books before the Town Council has to vote on the amendment. Mr.  
5 Sullivan said L.8 has to be right and capture the 5th floor concept. Mr. Behrendt said he would  
6 look at L.8. Chair Rasmussen said he would send his Architectural Standards comments for next  
7 week.

8  
9 **X. Architectural Regulations.** Continued review of proposed changes to Architectural  
10 Design Standards in Site Plan Regulations. Recommended action: Continued review  
11 **SCHEDULED FOR MAY 13, 2026**

12  
13 **XI. Review of Minutes: March 25, 2026 and April 8, 2026**  
14 **POSTPONED TO NEXT MEETING.**

15  
16 **XII. Other Business:**  
17 Chair Rasmussen said Munish Nanda has asked for a 6-month leave of absence and will be out  
18 until October.

19  
20 **XIII. Adjournment**  
21  
22 ***Vice Chair Tobias moved to adjourn the Planning Board Meeting of April 22, 2026;***  
23 ***SECONDED by Councilor Grant; APPROVED: 7-0.***

24  
25 The Planning Board Meeting was adjourned at 10:40 pm.

26  
27 Respectfully submitted,

28 Patricia Denmark, Minute Taker  
29 Durham Planning Board