



TOWN OF DURHAM
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Notice of Decision
APPROVAL OF CONDITIONAL USE PERMIT

Project: **Peak Multiuse Path**
Address: Mast Road
Applicant: Peak Campus Development, LLC
Engineer: Joseph Persechino, Tight & Bond
Property Owner: Chet Tecce, John & Patricia McGinty, UNH
Map and Lot: 13-6-1, 13-10-0, 13-3-0, 13-4-0, 13-1-0, 13-13-1
Zoning: Office Research/Light Industry
Date of approval: **February 27, 2013**

March 1, 2013

Mr. Jeff Githens
Vice President of Development
Peak Campus Development, LLC
2970 Clairmont Road, Suite 310
Atlanta, GA 30329

Dear Jeff,

I am pleased to inform you that the Durham Planning Board approved the above referenced application at its meeting on February 27, 2013. Please sign this notice below, where indicated, and return a copy to me. The terms of the approval follow.

- 1) The application is approved as submitted except for additional terms below and any conditions imposed by the New Hampshire Department of Environmental Resources (NHDES).
- 2) A variance was granted to fill the wetland by the Zoning Board of Adjustment on February 12, 2013 (but final approval from NHDES is still needed). The Conservation Commission reviewed the application and made three recommendations,
- 3) All terms regarding the path from the original multifamily site plan approval still apply (except where otherwise clarified or superseded herein).

- 4) The lighting shall be as presented to the Planning Board.
- 5) Conservation Commission chair John Parry's recommendations for avoiding damages to trees in terms of trail layout and construction methods/timing shall be followed. These recommendations are detailed in a separate December 20, 2012 memo from John Parry to Tighe & Bond.
- 6) The northeasterly half of the path shall be constructed using porous asphalt. This section of the path extends from the northeasterly boundary of the 75 foot wetland setback (from wetland impact area #1, as delineated on the plans) to the northeasterly terminus of the path (where it meets the crosswalk).
- 7) The top course of asphalt for the entire path shall be at least three inches thick.
- 8) Appropriate signage shall be placed on the path clearly identifying which portion of the path is porous pavement and which is conventional pavement. Directions for maintenance of the porous pavement shall be included on the sign.
- 9) The applicant shall be responsible for maintaining the path in good condition in perpetuity.

Signature of applicant

date

Jeff, thank you for your cooperation in the review process. Please feel free to contact me with any questions or concerns. I wish you the best of luck with your project.

Sincerely yours,

Michael Behrendt, AICP
Director of Planning and Community Development

cc:
Technical Review Group (via email)
Joe Persechino