

file



TOWN OF DURHAM
15 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064 603/868-8065
FAX 603/868-8033
www.ci.durham.nh.us

APPLICATION FOR SITE PLAN REVIEW

Note: This form and all required information must be filed at least 21 days before the date of the meeting at which it is to be submitted to the Board. Filing is to be done at the Planning Office, Durham Town Office Building or by mail to 15 Newmarket Road, Durham NH 03824.

1. Name and mailing address of applicant

Paul Eja
49 Main Street
Durham, NH 03824
Phone Number: (603) 828-2014
Email Address: pauleja35@yahoo.com

2. Name and mailing address of owner of record if other than applicant

Mary-Kyrils, LLC
49 Main Street
Durham, NH 03824
Phone Number: (603) 828-2014
Email Address:

3. Location of Proposed Project 49 Main Street

Tax Map 5 Lot Number 1-2 Zoning District CB

4. Name of Proposed Project Pauly's Pockets Redevelopment

5. Number of units for which approval is sought 6

6. Name, mailing address and telephone number of surveyor and/or agent

Doucet Survey, Inc. 659-6560 MJS Engineering, P.C. 659-4979
102 Kent Place, Newmarket, NH 03857 P. O. Box 359, Newmarket, NH 03857
Phone Number: 659-6560 659-4979
Email Address: linda@doucetsurvey.com mjs@mjs-engineering.com

7. Abutters: Attach a separate sheet listing the Durham Tax Map number, Lot number, name, and mailing address of all abutters, including those across a street, brook or stream. The list of abutters must also include any holders of conservation, preservation, or agricultural preservation restrictions in accordance with RSA 676:4(I)(d). Names should be those of current owners as recorded in the tax records five (5) days prior to the submission of this application.

Note: Names submitted on the Request for Preapplication Review may not be current. No application shall be heard unless all abutters as described herein have been notified.

8. Items on the attached Site Plan Review Application Submission Checklist


9. Payment of all applicable fees:

submittal fees	\$ 950
advertising/posting costs	150
abutter notification (each)	77
proposed road (per foot)	-
administrative and technical review costs	-
TOTAL	\$ 1,177

9. The applicant and/or owner or agent*, certifies that this application is correctly completed with all attachments and requirements, and that any additional costs for engineering or professional services incurred by the Planning Board or the Town of Durham, in the site plan review process of this property, shall be borne by the applicant and/or owner.
10. Within five (5) business days of submitting a formal application, the applicant shall meet with the Director of Planning and Community Development to discuss issues related to completeness and acceptance of the application. If this review discloses that all requirements specified on the Site Plan Application Checklist have not been met, the applicant will be notified in writing what specific items are still needed.
11. Prior to the next regularly scheduled meeting of the Planning Board, the applicant, at the discretion of the Director of Planning and Community Development, shall meet with the appropriate Department Heads of the Town of Durham to discuss the implications the application will have on the various Departments of the town.
12. If this application is determined by the Planning Staff to be complete, it will be placed on the Planning Board agenda on 5/14/14 for acceptance.

*If the applicant is an agent of the owner, a separate signed letter from the owner of record is required which clearly states the authority of the agent or representative for this application. If the agent does not have the power of attorney of the owner, all documents shall be signed by the owner.

"I hereby authorize the Durham Planning Board and its agents to access my land for the purpose of reviewing the proposed site plan, performing road inspections and any other inspections deemed necessary by the Board or its agents, to ensure conformance of the on-site improvements with the approved plan and all Town of Durham ordinances and regulations."

Date 4/23/14 Applicant, Owner, or Agent 



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SITE PLAN REVIEW APPLICATION CHECKLIST

Name of Project: Pauly's Pockets Redevelopment

Name of Applicant: Paul Eja

Location of Property: 49 Main Street

Tax Map and Lot Number: 6/1-2

Date: 04/23/14

Basic documentation:

- ☒ A letter of intent detailing the proposal
- ☒ A list of the names and addresses of all the abutters, as shown in town records not more than five (5) days before the day of filing; and a listing of all holders of conservation, preservation, or agricultural preservation restrictions on the subject property
- ☒ Copies of the current deed, purchase and sale agreement, and copies of all easements, deed restrictions, rights-of-ways, or other encumbrances currently affecting the property.
- ☒ Five copies, 24" x 36" and ^{Twelve} ~~ten~~ additional copies at 11" x 17" of the plat.

Information on the plan:

- ☒ Title Block with title, owner's name and address, date, scale and name, address and seal of the preparer of the plan
- ☒ Names of owners of abutting properties
- ☒ North Arrow and bar scale
- ☒ Locus plan sat a minimum scale of one (1) inch equals one thousand (1,000) feet showing required information
- ☒ Surveyed property lines of the parcel showing their bearings;

- ☒ Location and layout of existing and proposed structures and buildings;
- ☒ Existing and proposed contours at two (2) foot intervals for the entire site. Where a change in grade is proposed, existing contours shall be dotted lines and finished elevations solid;
- ☒ Area of entire parcel in acres and square feet;
- ☒ Zoning and special district boundaries;
- ☒ Deed reference and tax map number;
- ☒ Location width, curbing and paving of access ways, egress ways and streets within the site;
- ☒ Location and layout of all on-site parking and loading facilities;
- ☐ Location and size of all municipal and non-municipal utilities and appurtenances including: water, sewer, electric, telephone, gas lines and fire alarm connections, indicating whether overhead or underground, and the location of wells and septic systems;
- ☒ Type and location of solid waste disposal facilities;
- ☒ Location, elevation and layout of catch basin and other surface drainage features;
- ☒ Location of all physical/natural features including: water bodies, watercourses, wetlands, vegetation/foilage lines, soil types, railroads, rock outcroppings and stone walls;
- ☒ Dimensions and area of all property to be dedicated for public use of common ownership;
- ☒ Location of 100 year flood hazard boundaries;
- ☒ Date and permit numbers of all required state and federal permits.
- ☒ Location of all buildings, wells and leach fields within one hundred and fifty (150) feet of the parcel;
- ☒ Dimensions, area and minimum setback requirements on all existing and proposed lots;
- Preliminary* ☐ Proposed landscaping plan including size and type of plant material;
- ☒ Pedestrian walks providing circulation through the site;
- ☒ Location and size of proposed and existing signs, walls and fences;
- ☒ Location and type of lighting for outdoor activities; and
- ☒ Location, widths and purposes of any easements or rights-of-way.
- ☒ Total on-site square footage of impervious surfaces.

Other Requirements:

- N/A Streets and Access meet Section 9.02 of the Site Plan Review Regulations for the Town of Durham.
- ✓ Storm Water Drainage meets Section 9.03 of the Site Plan Review Regulations for the Town of Durham.
- ✓ Water Supply meets Section 9.04 of the Site Plan Review Regulations for the Town of Durham.
- ✓ Sewerage meets Section 9.05 of the Site plan Review Regulations for the Town of Durham.
- ✓ Non-Municipal Utilities meets Section 9.06 of the Site Plan Review Regulations for the Town of Durham.
- Signs meet Section 9.07 of the Site Plan Review Regulations for the Town of Durham.
- N/A Special Flood Hazard Areas meet Section 9.09 of the Site Plan Review Regulations for the Town of Durham.
- N/A Independent Studies and Investigations meet Section 10 of the Site Plan Review Regulations for the Town of Durham.
- ✓ Energy Considerations Checklist (required to be filled out; encouraged but not required to comply with items)
- ✓ Architectural design (See subsection 7.02 G.)
- Submission of Utility Connection Application to the Department of Public Works

Other Plans and Studies, if needed as determined by the Planning Board:

- Traffic Study
- Parking Study
- Fiscal Impact Study

Waivers from these requirements may be requested if justified per the requirements of Section 12.02 of the Site Plan Review Regulations. Please use the Waiver Request form.

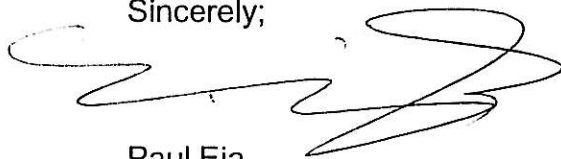
April 23, 2014

Durham Planning Board
15 Newmarket Road
Durham, NH 03824

Dear Chairperson:

I hereby authorize Michael J. Sievert, P.E of MJS Engineering, P.C. to represent me at the Durham Planning Board and technical review committee meetings for site plan review approval. The subject parcel is shown on Tax Map 5 as Lot 1-2 and is located on 49 Main Street.

Sincerely;

A handwritten signature in black ink, appearing to read 'Paul Eja', with a large, stylized flourish extending to the right.

Paul Eja
Owner

LIST OF OWNERS OF ABUTTING PROPERTY

(This includes property directly across the street or streams from the land under consideration. List must also include any and all preparers of plans, studies, etc...)

PLEASE PROVIDE NAME & MAILING ADDRESS

<p><u>PROPERTY OWNER:</u></p> <p>MARY-KYRLS, LLC 49 MAIN STREET DURHAM, NH 03824</p>	<p><u>AGENT:</u></p> <p>MJS ENGINEERING, PC P. O. BOX 359 NEWMARKET, NH 03857</p>
<p><u>APPLICANT:</u> 49 Main Street</p> <p>MAP 5/LOT 1-2</p> <p>PAUL EJA 51 MAIN STREET DURHAM, NH 03824</p>	<p><u>SURVEYOR:</u></p> <p>DOUCET SURVEY, INC. 102 KENT PLACE NEWMARKET, NH 03857</p>
<p>MAP 5/LOT 1-3 47 Main Street</p> <p>PASZEC INVESTORS, INC. 53 MAIN STREET NEWMARKET, NH 03857</p>	<p>MAP 4/LOT 4-0 44 Main Street</p> <p>HAYDEN FAMILY REALTY TRUST P. O. BOX 576 DURHAM, NH 03824</p>
<p>MAP 5/LOT 1-0 Main Street Island</p> <p>TOWN OF DURHAM 15 NEWMARKET ROAD DURHAM, NH 03824</p>	<p>MAP 4/LOT 5-0 46 Main Street</p> <p>R & S HAYDEN DEVELOPMENT, LLC P. O. BOX 576 DURHAM, NH 03824</p>
<p>MAP 13/LOT 7-2UNH Main Street</p> <p>UNIVERSITY OF NEW HAMPSHIRE OFFICE OF THE PRESIDENT THOMPSON HALL DURHAM, NH 03824</p>	<p>MAP 5/LOT 1-1A&B 5 Mill Road</p> <p>COLONIAL DURHAM ASSOCIATES ADMINISTRATIVE OFFICES 7 MILL ROAD UNIT C DURHAM, NH 03824</p>
<p>MAP 4/LOT 3-0 36 Main Street</p> <p>ELENE & STEPHEN PETROVITSIS 72 PERKINS ROAD MADBURY, NH 03823</p>	

Stormwater Management Checklist

<input checked="" type="checkbox"/>	SITE PLAN REVIEW APPLICATION		Project Name	Pauly's Pockets Redevelopment
<input type="checkbox"/>	Date of Submittal 4/23/14		Applicant's Name	Paul Eja
<input type="checkbox"/>	Engineer	MJS Engineering, PC	Architect	Clint Forest CFA Builders
<input type="checkbox"/>	New Development		<input checked="" type="checkbox"/>	Re-Development
<input type="checkbox"/>	Total Area of Disturbance <u>6,106</u> Square Feet (SF)			
<input checked="" type="checkbox"/>	< 10,000 SF and No Water Quality Threat {No Stormwater Management Plan Required}			
<input type="checkbox"/>	< 10,000 SF and Possible Water Quality Threat {Stormwater Management Plan Required}			
<input type="checkbox"/>	> 10,000 SF {Stormwater Management Plan Required except as provided for in 9.03 (A) with an approved AOT permit}			
STORMWATER MANAGEMENT PLAN – PART I				
<input type="checkbox"/>	EXISTING CONDITIONS PLAN			
	<input type="checkbox"/>	Title Block, Appropriate Scale, Legend, Datum, Locus Plan, Professional Stamp(s)		
	<input type="checkbox"/>	Topographic Contours and benchmarks		
	<input type="checkbox"/>	Buildings, Structures, Wells, Septic Systems, Utilities		
	<input type="checkbox"/>	Water Bodies, Wetlands, Hydrologic Features, Soil Codes, Buffer Zone		
	<input type="checkbox"/>	Area of Impervious Surface _____ SF		
	<input type="checkbox"/>	Total Area of Pavement _____ SF	Area of Pervious Pavement _____ SF	
<input type="checkbox"/>	PROPOSED CONDITIONS PLAN (include above existing and below proposed features)			
	<input type="checkbox"/>	Title Block, Appropriate Scale, Legend, Datums, Locus Plan, Professional Stamp(s)		
	<input type="checkbox"/>	Topographic Contours and benchmarks		
	<input type="checkbox"/>	Buildings, Structures, Wells, Septic Systems, Utilities		
	<input type="checkbox"/>	Water Bodies, Wetlands, Hydrologic Features, Soil Codes, Buffer Zone		
	<input type="checkbox"/>	Impervious Surface Area _____ SF	Impervious Surface Increase _____ SF	
	<input type="checkbox"/>	Total Area of Pavement _____ SF	Area of Pervious Pavement _____ SF	
	<input type="checkbox"/>	Effective Impervious Area (EIA) _____ SF		
	<input type="checkbox"/>	Stormwater Management & Treatment System (Describe System Elements Below)		
	<input type="checkbox"/>	Name of Receiving Waterbody _____		
	<input type="checkbox"/>	Closed Drain & Catch Basin Network	<input type="checkbox"/>	Connected to Town Closed System
	<input type="checkbox"/>	Detention Structure Types _____		

<input type="checkbox"/>	Structural BMP Types			
<input type="checkbox"/>	LID Strategies			
<input type="checkbox"/>	Estimated Value of Parts to be Town Owned and/or Maintained			\$ _____
STORMWATER MANAGEMENT PLAN – PART II				
<input type="checkbox"/>	DRAINAGE ANALYSIS			
	24-Hour Storm Event	Runoff	Pre-Development	Post-Development
<input type="checkbox"/>	1-inch	Rate	_____ Feet ³ /Sec (CFS)	_____ CFS
<input type="checkbox"/>	1-inch	Volume	_____ Feet ³ (CF)	_____ CF
<input type="checkbox"/>	2-Year	Rate	_____ CFS	_____ CFS
<input type="checkbox"/>	2-Year	Volume	_____ CF	_____ CF
<input type="checkbox"/>	10-Year	Rate	_____ CFS	_____ CFS
<input type="checkbox"/>	10-Year	Volume	_____ CF	_____ CF
<input type="checkbox"/>	25-Year	Rate	_____ CFS	_____ CFS
<input type="checkbox"/>	25-Year	Volume	_____ CF	_____ CF
<input type="checkbox"/>	100-Year	Rate	_____ CFS	_____ CFS
<input type="checkbox"/>	EROSION & SEDIMENT CONTROL PLAN			
<input type="checkbox"/>	OTHER PERMITS OR PLANS REQUIRED BY USEPA or NHDES (Where applicable)			
<input type="checkbox"/>	USEPA Pre- and Post-Construction Stormwater Pollution Prevention Plan			
<input type="checkbox"/>	NHDES Alteration of Terrain Permit			
<input type="checkbox"/>	Other (Please list) _____			
<input type="checkbox"/>	OPERATION & MAINTENANCE PLAN			
<input type="checkbox"/>	Need for 3 rd Party Review? YES _____ NO _____			

ENERGY CONSIDERATIONS CHECKLIST (November 27, 2011)
Planning & Community Development and Code Enforcement Offices
Town Hall, 15 Newmarket Road, Durham, NH 03824; 603-868-8064



- PURPOSE -

This checklist was developed by the Durham Energy Committee together with the Durham Planning Board. It is intended to encourage developers, applicants for Site Plan Review, applicants for building permits, and members of the Durham Planning Board to consider and discuss optional energy efficiency measures appropriate to a specific application rather than to mandate general requirements. Discussion at early stages may result in opportunities for energy and cost savings.

Project name Pauly's Pockets Redevelopment
Date of Submittal 04/23/14
Applicant name Paul Eja
Engineer name MJS Engineering, P.C. - Michael J. Sievert, P.E.
Architect name CFA Builders - Clint Forest (Architectural Designer)

☐ **New Construction** ☐ **Re-Development, Addition or Renovation**

PART I. BUILDING CONSTRUCTION, SYSTEMS AND MATERIALS

National Accredited Rating for Building Energy System

Check one box: **1 Does your building meet standards for:**

☐ • Passive House Institute* <<http://www.passivehouse.us/passiveHouse/PHIUSHome.html>>
☐ • International Living Building Institute/Living Building Challenge* <<http://living-future.org/lbc>>
☐ • LEED* (Platinum, Gold, Silver) <<http://www.usgbc.org/>>
☒ • Energy Star* <<http://www.energystar.gov/>>

☐ • Other _____
[please indicate Internet address or other reference]

* These organizations have established energy-efficiency criteria. Qualifying applicants are encouraged to complete and attach the checklist from that certification (to be used for informational purposes only) and may then skip to Part IV, "Consultation with Director of Zoning, Building Codes & Health."

☐ None of the above

Yes	No	N/A	Energy performance and insulation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 Attic or ceiling insulation exceeds Town code (R value proposed = <u>48</u>) (see Chapter 38)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3 Walls insulation exceeds Town building code (R value proposed = <u>21</u>) (see Chapter 38)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4 Air sealing: passive air infiltration rate proposed*: <u>SACH</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5 Slabs: R value proposed <u>no</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6 Basement foundation: R value proposed <u>10</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7 Hot water pipes: R value proposed <u>5+</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8 Heating ducts: R value proposed <u>10+</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9 Plans to commission the building to confirm performance

* "Tight" envelopes require ventilation, typically with the use of energy or heat recovery ventilation systems.

Yes	No	N/A	Construction methods and materials
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	10 Net zero construction, i.e., building(s) uses less than or same amount of energy it generates
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11 Energy efficient doors and windows (including screens)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12 Recycled content materials

Yes	No	N/A	Internal systems
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13 Low-flow plumbing fixtures
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14 Lighting: high efficiency
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15 Energy usage monitoring system(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16 Energy-efficient appliances (refrigerators, stoves, air conditioners, ceiling fans, etc.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17 Energy-efficient HVAC system (proposed efficiency level <u>85%</u>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	18 Renewable HVAC system (e.g., biomass boiler or furnace) or geothermal
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19 Renewable hot water system (e.g., solar thermal)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20 Photovoltaic renewable electricity generation system (i.e., solar panels)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	21 Window technology or design that adjusts shading (active or passive, e.g., film, sensors)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	22 Ability to charge electric vehicles
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23 Grey-water system (e.g., to capture water from sinks or showers to use for toilets or flower gardens)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 Mechanical ventilation: Energy Recovery Ventilator efficiency proposed = <u>85%</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25 Water usage monitoring system(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	26 Cooling load reduction features, e.g., ceiling fans, solar-ray-blocking blinds

PART II. SITE AND SITING CONSIDERATIONS (If not applicable, check here ☒)

Yes	No	N/A	Solar lighting, heating and cooling (passive and active)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27 Passive solar lighting design (optimizes natural illumination for interiors)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28 Solar access: availability of, or access to, unobstructed, direct sunlight, usually south-facing Preservation of abutting solar rights, e.g., solar skyspace easements applicable to all plots within a subdivision or to your neighbors
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29 Orientation of internal streets allows solar access
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 Deciduous trees that provide shade in summer and do not block solar gain in winter
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	31 Window placement maximizes winter solar penetration and minimizes solar penetration in summer
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32 Vegetated rooftop(s), also known as a "green roof"

Yes	No	N/A	Parking
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	34 Incentives for tenants without cars ("no free parking")
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	35 Compact car space designation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	36 Advanced technology and/or alternative fuel car space designation (e.g., hybrids; "E85")

Yes	No	N/A	Transportation, accessibility, connectivity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	37 Pedestrian sidewalk network within the project area
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	38 Bicycle lane or path network within project area
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	39 Storage for bicycles outdoors (covered/uncovered) (secured/unsecured) <i><please circle</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	40 Storage for bicycles indoors (secured /unsecured) <i><please circle</i>

PART III. OPERATIONS AND MAINTENANCE (if not applicable, check here _____)

Yes No N/A Landscaping

Lower Town water use results in lower electricity demand at water and wastewater treatment plants.

- | | | | |
|-------------------------------------|--------------------------|--------------------------|---------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 41 Rainwater storage, e.g., cisterns |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 42 Existing vegetation or native species plantings |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 43 Xeriscaping (low-water-demand plants) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 44 Low-nitrogen-demand turf grass |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 45 Rain garden ("bioretention system") to manage stormwater runoff from roofs, driveways, parking areas |

Covenant terms (e.g., for homeowner associations) allow:

- | | | | |
|--------------------------|-------------------------------------|--------------------------|----------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 46 Outdoor clotheslines |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 47 Installation of outdoor energy-efficiency devices, such as solar panels |

PART IV. CONSULTATION WITH DIRECTOR OF ZONING, BUILDING CODES & HEALTH

Preliminary and follow-up consultations help solve problems and reduce costs

Yes No N/A Met with Town's Director of Zoning, Building Codes & Health

- | | | | |
|-------------------------------------|--------------------------|--------------------------|------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 48 Date: 12/2013 |
|-------------------------------------|--------------------------|--------------------------|------------------|

Notes from consultation:

Spoke about construction methods, timing of construction and details with regards to tying into existing building, fire protection and insulation

Signature of Town's Director of Zoning, Building Codes & Health:

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that We, Norman Menard and Claire Menard, husband and wife, of 28 Oak Ridge Lane, Town of Berwick, State of Maine 03901,

for consideration paid, grant to Mary-Kyrls, LLC, a New Hampshire Limited Liability Company, of 51 Main Street, Town of Durham, State of New Hampshire 03824,

with Warranty Covenants,

A certain parcel of land with the buildings thereon located on the southerly side of Main Street, so-called, in Durham, Strafford County, New Hampshire, and further delineated on a plan entitled "Lot Line Revision, Durham, New Hampshire, for Nicholas B. Karabelas," dated June 6, 1986, and prepared by John W. Durgin Associates, Inc., recorded in Strafford County Registry of Deeds, and bounded and described as follows:

Beginning at a point on the southerly side of Main Street, so-called, at the northeasterly corner of the within described premises; thence running N 47° 26' 20" W along said Main Street, a distance of 76.83 feet to a point; thence turning and running S 41° 31' 55" W along the westerly boundary of the within described premises, a distance of 70.10 feet, to a point at land now or formerly of the Durham Shopping Center; thence turning and running S 43° 40' 40" E along said Durham Shopping Center land, a distance of 73.08 feet to a point at other land now or formerly of the grantors herein; thence turning and running N 44° 35' 35" E along said land of the grantors a distance of 74.93 feet to the point of beginning.

Reserving and subject to the following easements for the benefit of Lot 5/1-3 as shown on said plan:

1. An easement for pedestrian access to a doorway at the northwest corner of Lot 5/1-3, allowing pedestrians to cross and re-cross over so much of the area marked "Planter" on said plan as may be reasonably required;

2. An easement for entry and egress to and from a certain emergency exit located at the westerly corner of said Lot 5/1-3, providing access to the parking lot shown on said plan.

Meaning and intending to convey the same premises as conveyed to the Grantors by warranty deed of Norman P. Menard dated July 9, 2008 and recorded at Strafford County Registry of Deeds at Book 3661, Page 323.

Dated: May 29, 2013

Norman Menard

Claire Menard

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

Personally appeared before me the above named Norman Menard and Claire Menard, known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained, on the 29th day of May, 2013.

Christopher T. Regan
Justice of the Peace
My Commission Expires: 08/22/17



MJS ENGINEERING, PC

CIVIL •
ENVIRONMENTAL •
CONSULTING ENGINEERING •

5 RAILROAD STREET, P.O. BOX 359, NEWMARKET, NH 03857 PHONE: (603) 659-4979, FAX: 659-4627

E-mail: mjs@mjs-engineering.com

April 23, 2014

Mr. Peter Wolfe, Chair
Durham Planning Board
15 Newmarket Road
Durham, NH 03824

Re: Application for Site Plan Review at 49 Main Street Tax Map 5, Lot 1-2

Dear Chair Wolfe and Planning Board members:

On behalf of our client, Mr. Paul Eja the applicant and owner of 49 Main Street, MJS Engineering has filed applications with the Planning Board seeking site plan review approval. The purpose of this letter is to provide the Planning Board with supporting documentation and background information regarding this application.

The Subject Property

The subject property is located at 49 Main Street and is located just to the east of the intersection with Mill Road. This parcel consists of 5,478 SF (0.126) Acres with 74.69' of frontage on Main Street. The parcel is located on the southerly side of Main Street and is bounded on the west by the Mill Road park, the south by the Mill Plaza property and the east by the Libby's building. The parcel is located in the center of Town within the Central Business District (ref. Existing Conditions Plan). The parcel is shown on Durham Tax Map 5, Lot 1-2 (Exhibit # 1).

The subject parcel is currently developed with a one story brick building. The building is used commercially and has two businesses. One business is owned and operated by Mr. Eja and the other business is Hair Excitement. The lot is improved with a paved access from Main Street and a narrow angled parking area, municipal utilities including sewer and water, gas and electric. The sewer service exits the front easterly corner of the building where the building connects to Libby's connecting into the municipal sewer in Main Street. During the permitting of another mixed use building to the east on Main Street, the Town determined that the existing sewer service along Main Street was inadequate for the connection of any future development. As part of this project, MJS Engineering, the applicant, the other project owners east of the site and the Town are working together to design, permit and construct a new sewer main running westerly along Main Street to the intersection with Mill Road then southerly down Mill Road connecting into the existing sewer system on Mill Road.

The parcel is relatively flat sloping at approximately 3 - 5% from east to west. There is a drop in elevation of approximately 10' off the south side of the property down towards the Mill Plaza building.(ref. Existing Conditions Plan).

The Pauly's Pocket Proposal

The proposal is to redevelop the lot by adding onto the existing building with an expanded footprint and two additional stories. The building will retain the commercial uses in the first floor and basement and add residential use on the two upper floors. The proposal will eliminate 5 existing parking spaces located on the westerly side of the parcel that are hard to access and cause a negative impact on traffic at the intersection with Mill Road. The expansion will enhance the existing building and provide a new architecturally attractive and very energy efficient building that will be well managed, maintain the existing downtown businesses and provide about 900 square feet of new commercial space. The two upper floors will have 6 residential apartments, 3 per floor and a maximum of 34 beds.

This project was first presented to the planning board in June of 2013 for a conceptual review and is grandfathered under the old zoning regulations. The project was presented again to the planning board in October of 2013 as a design review and went through two or three meetings. The architecture has been amended with several suggestions from the planner and the owner and designer continue to work with the Town to make the project a great success in this highly visible location in the center of Town. The project also includes a enhancement of the adjacent park to provide better visibility and public green space in the downtown area. Mr. Eja, Colonial Durham Associates, owners of the Mill Plaza including the land where the park is located, and the Town of Durham have worked together to enhance the project and redevelop the park. The public/private partnership between the Town and the two property owners has allowed the project proposal to be improved from the original concept. Refer to (Exhibit # 2) for a sketch of the proposed landscaping features.

Approvals Being Requested from the Planning Board

This proposal was granted a variance to allow a maximum height of 40' (Exhibit #3). The Site Plan Review Regulations (S.P.R.R.) will require the following approvals based on the current redevelopment proposal.

1. Planning Board Approvals:
 - a. Site Plan Approval per Site Plan Review Regulations pursuant to Article V, Section 175-16.F and RSA 674:43, with intent of requesting consideration of the following:
 - i. *CBD Special Conditions, Parking Requirements, Z.O. Section 175-112.A.1* - relative to parking within the Central Business District: The applicant requests the planning board to allow an exemption of the parking standards for the one-time payment of a parking fee. The exemption will be for approximately 49 spaces.
 - ii. *CBD Special Conditions, Parking Requirements, Z.O. Section 175-112.A.2* - relative to maintaining the number of existing parking spaces on the lot. The applicant respectfully requests

that the planning board approve as part of the redevelopment proposal to eliminate the existing parking spaces on the lot.

iii. Full Waiver of Public School Impact Fees for this Development: This is supported by the following:

1. The redevelopment project is driven due to its location within the UNH Campus and the units will be marketed to the UNH student population.

2. Department Approvals

- a. Public Works relative to water and sewer connections, drainage, and other design considerations.
- b. Fire & Police Departments relative to safety, fire protection, and other design considerations.
- c. Building department relative to building codes and ADA requirements.

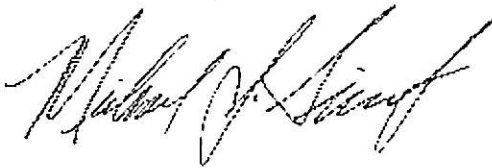
A. Request for Site Plan Approval

In accordance with the site plan review regulations, this submission package includes the Site Plan Review Checklist, Stormwater Management Checklist and the Energy Considerations Checklist. Also, the following plans are included:

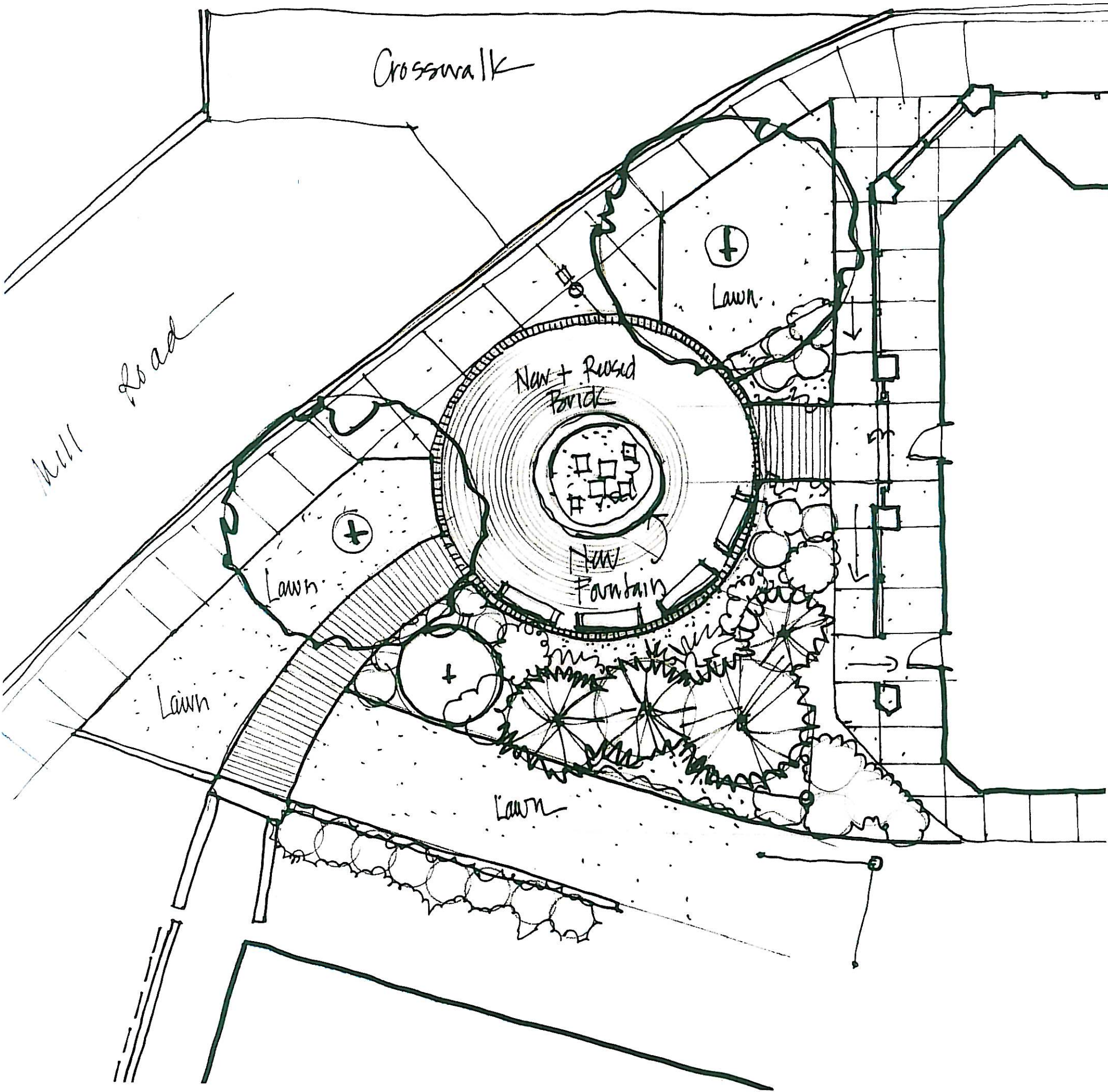
1. Existing Conditions Plan
2. Site Plan
3. Demolition Plan
4. Grading Plan
5. Utility & Erosion Control Plan
6. Detail Sheet
7. Building Elevations

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely;

A handwritten signature in black ink, appearing to read "Michael J. Sievert". The signature is fluid and cursive, with a large initial "M" and "S".

Michael J. Sievert PE
MJS Engineering



*Redevelopment of 49 Main Street
& Mill Road Park*

2014-04-07



WOODBURN
& COMPANY

Landscape Architecture, LLC

103 Kent Place
Newmarket, NH 03857
Ph. 603-659-5949 Fax 603-659-5939

EXHIBIT #2



TOWN OF DURHAM
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ZONING BOARD OF ADJUSTMENT

13-024
EXHIBIT #3

Property Referenced:
Tax Map 5, Lots 1-2

RE: PUBLIC HEARING on a petition submitted by Paul Eja, Durham, New Hampshire, for an APPLICATION FOR VARIANCE from Article XII, Section 175-54 (note 7) of the Zoning Ordinance to permit a building height of greater than 35 feet for an addition to a commercial building. The property involved is shown on Tax Map 5, Lot 1-2, is located at 49 Main Street, and is in the Central Business Zoning District.

DECISION OF THE BOARD

After review of the pertinent sections of the Zoning Ordinance of the Town of Durham, and after full consideration of the evidence submitted by Paul Eja and testimony given at a Public Hearing on February 11, 2014 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Paul Eja, Durham, New Hampshire, for an APPLICATION FOR VARIANCE from Article XII, Section 175-54 (note 7) of the Zoning Ordinance to permit a building height of greater than 35 feet but no higher than 40 feet for an addition to a commercial building.

The motion PASSED on a vote of 4-0-0 and the application for variance was granted.

2/18/14
Date


Sean Starkey, Chair
Durham Zoning Board of Adjustment

NOTE: Any person affected by this decision has the right to appeal this decision. If you wish to appeal, you must act within thirty (30) calendar days from the date of the hearing. The necessary first step before any appeal may be taken to the courts is to apply to the Zoning Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds upon which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677, for details.

Any questions should be directed to Tom Johnson, Zoning Administrator/Code Enforcement Officer.