



MJS ENGINEERING, P.C.
CIVIL • STRUCTURAL • ENVIRONMENTAL

5 Railroad Street • P. O.Box 359
Newmarket, NH 03857
Phone: (603) 659-4979
Email: mjs@mjs-engineering.com

June 17, 2015

Mr. Michael Behrendt
Dir. Of Planning & Community Development
Town of Durham
8 Newmarket Road
Durham, NH 03824

**Re: Application and supporting documentation for design review application
Proposed elderly care development concept
Tax Map 11 Lots 27-1 thru 27-7**

Dear Mr. Behrendt:

Please find the following information as submission for a design review application;

1. Application form, fees and supporting documentation in accordance with Article 2 of the draft site plan review regulations.
2. 3 sets full size plans showing the existing conditions, the proposed conceptual layout, proposed landscaping and proposed building renderings.
3. 12 - 11 x 17 plans of same

MJS Engineering, PC on behalf of John Randolph of Harmony Homes formally requests that this project be noticed for the July 8, 2015 meeting and potentially a public hearing for design review scheduled on July 22, 2015. Thank you for the consideration and we look forward to presenting this project to the board.

Please call me at (603) 659-4979 x302 with any questions or comments.

Sincerely,

Michael Sievert, P.E.
President

CC: John Randolph
Eric Chinburg

REQUEST FOR PRE-APPLICATION REVIEW

Note: This form and all required information must be filed at least 21 calendar 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

John Randolph

Harmony Homes
1 Stagecoach Road

Durham, NH 03824

Phone number: (603)834-2317

2. Name, Mailing Address and Telephone Number of Owner of Record if other than Applicant:

Grant Development, LLC

3 Penstock Way

Newmarket, NH 03857

Phone number: (603)868-5995

3. Location of Proposed Development:

W. Arthur Grant Circle

4. Tax Map 11 Lot Number 27-1 thru 27-7

5. Type of Development Commercial - Eldercare Facility

6. Is this a request for Conceptual Consultation X Design Review

7. Abutters: Attach a separate sheet listing the Durham Tax Map and 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.

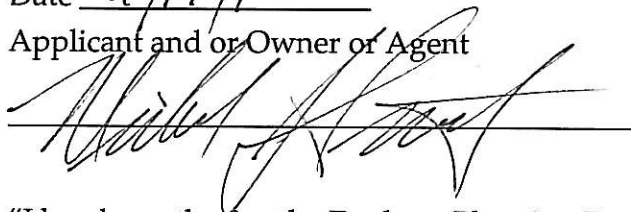
8. Items on the attached Pre-Application Review Checklist

9. Costs: Advertising 150.00
Abutters Notification 133.00 (includes applicant and/or owner) \$7 x 19
Total: 283.00

The applicant and/or owner or agent, certifies that this application is complete and includes all required attachments and requirements.

Date 6/17/15

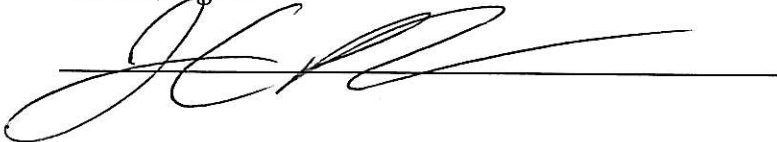
Applicant and or Owner or Agent



"I hereby authorize the Durham Planning Board and its agents to access my land for the purpose of reviewing this subdivision 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 17 Jul 15

Owner/Agent





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Letter of Intent – Design Review Application for Eldercare Facility at the Durham Business Park Tax Map 11 / Lots 27-1 - 27-7

June 16, 2015

1.0 Project Purpose

Formally present a conceptual site plan layout for an eldercare facility, located on the existing 28.4 acre parcel known as the Durham Business Park.

2.0 Existing Conditions

The subject property, “The Durham Business Park”, is located in the Durham Business Park Zone (DBP). The parcel is also within the Shoreland Protection Overlay District, the Wetland Protection Overlay District and Flood Hazard Overlay District. The parcel is bordered on the east by Johnson Creek, the south by the Oyster River, the west by the Town of Durham Wastewater Treatment Facility and the north by Route 4. The property is served by municipal water and sewer and has an existing roadway ending in a cul-de-sac. Utilities are also currently provided to the site from Route 4 along the west side of the existing roadway.

The parcel is currently subdivided into 7 commercial lots, as approved by the Durham Planning Board on March 28, 2012. The lots all have frontage on the existing town road know as Arthur Grant Circle. All of the lots within the subdivision are currently undeveloped.

3.0 Harmony Homes Proposal

The proposed eldercare development concept is shown on the attached plan. The design proposal will include merging the 7 lots together into one lot and developing the parcel as an eldercare facility. Access to the facility will be via the existing road, including connecting into all of the existing municipal utilities. The proposed changes will include removing a portion of the existing cul-de-sac and constructing a new driveway loop road with parking and vehicle access to the front entrance. The site development will also include service access roads for deliveries and maintenance, landscaping and walking trails. The building layout will include a maximum of 3 single-story buildings and one detached duplex. This proposed site plan application seeks to permit the construction of two of the single story buildings and the duplex. The first two single story buildings will be constructed in two phases with a maximum occupancy of 60 residents in building one and less than 60 residents in the second building. The total number of residents on the site will not exceed the permitted number for the intended use based on the density calculations in the zoning regulations section 175-56.A.1. The two single story buildings will provide elderly residents with a full package of services. The single story buildings are set up with an exterior internal court yard, dining facilities and activities areas. In addition, there is one duplex unit located at the south easterly end of the parcel for 55 and older occupancy. This

detached duplex unit will be accessed from the internal road and provide separate parking from the other parking areas.

The two plans submitted with the application, include the majority of the information in Article 2 of the Durham Site Plan Regulations for design review application submission requirements. The existing conditions plan shows all of the existing features on the site including the improvements in addition to all of the associated setbacks requirements. The concept plan shows the disposition of the proposed buildings, parking, landscaping, walking trails, accessory buildings and other improvements. The 11 x 17 existing conditions plan included in the submittal package is shown in color to better define all of the different setbacks and overlay districts. The dark gray shaded area on the parcel is showing the area available for development free of any encumbrances from the various overlay districts. Although, it is not a requirement in the DBP zone for usable lot area, it is a requirement in the WCO District, therefore the gray area shows the land outside the required buffers. All of the other setbacks are wetland and Shoreland setbacks based on the Durham Zoning Regulations.

4.0 Site Related Issues

4.1 Utilities

The proposal is to retain the overhead utilities existing today on the parcel and install underground utilities to service each unit. The existing sewer system will be serviced and brought up to standards in accordance with the DPW requirements. Municipal water services the site and will be extended and connected to each unit as required.

4.2 Drainage

There is a closed drainage system within the existing roadway. The system consists of catch basins and culverts. The culverts outlet to existing swales then flow into the receiving waters as shown on the plans. The existing drainage system is adequate and will be inspected and repaired as required by the DPW. All proposed development will be required to provide adequate drainage facilities in accordance with the latest site plan regulations. This proposal will incorporate low impact development standards to include collection, treatment and discharge. An alteration of terrain permit will also be required, therefore an extensive stormwater treatment system will be designed for the project.

4.3 Traffic

Historically, traffic has been an issue with the site exiting onto Route 4. The NHDOT Memo from May 16, 2008 recommends that development at Arthur Grant Circle be limited to a peak hour trip generation of 60 trips. We are confident that the proposed development will not exceed the allowable limit established by NHDOT.

4.4 Roadway

The existing roadway, as discussed above, is proposed to be modified as shown on the conceptual development plan. This concept provides more of a courtyard or entry into the development and provides area for landscaping, and stormwater management for the site development. The roadway in this proposed concept will be a private driveway rather than a town road.

pencil. The proposed site should be drawn on the base map and show the relationship to surrounding structures and topography. Dimensions may be approximate. The data may be tentative, but all information should be sufficiently clear to illustrate conditions on the proposed site.

Section 1.2 Design Review Phase

1.2.1 The applicant may request to meet with the Board for nonbinding discussions of a potential application that involve more specific design and engineering details than in the preliminary conceptual consultation phase, i.e., a Design Review, in accordance with RSA 676:4. II – (b).

1.2.2 The Design Review phase may proceed only after identification of and notice to abutters, holders of conservation, preservation, or agricultural preservation restrictions, and the general public, as required by RSA 676:4. I – (d).

1.2.3 The Planning Board shall hold a public hearing on Design Review applications as laid out in the Board's Rules of Procedure. Statements made by the Board members shall not be the basis for disqualifying said members or invalidating any action taken.

1.2.4 An application for Design Review shall be submitted to the Planning Department not less than 21 calendar days before the regularly scheduled meeting of the Board. The request shall be accompanied by 12 copies of all plans and exhibits, along with digital copies of the documents and exhibits in Portable Document Format (PDF). The application shall include:

✓a) a completed application form, as prepared by the Planning Department,

✓b) a letter of intent describing the proposed project,

[Added]

✓c) drawings depicting the site and proposed improvements, in a level of detail as described herein,

✓d) a list of abutters and their addresses from municipal records collected not more than five days before submission,

✓e) a list of all holders of conservation, preservation, or agricultural preservation restrictions on the subject property, and

✓f) applicable fees including fees to cover mailing and advertising costs.

1.2.5 The application for Design Review shall include enough of the requirements listed in Article 2 so that the Board is able to review the project. Detailed engineering of infrastructure and utilities is not required at the Design Review phase, but the information and preliminary plan shall be displayed in sufficient detail to enable the Board to understand the proposed project and identify potential issues.

1.2.6 The application shall include all of the following information and details. It is understood that some of these items will be subject to change. If the board determines that the required information is not properly provided or not provided in sufficient detail to allow for a substantive review, in accordance with these provisions, then the application shall be deemed a preliminary conceptual application, rather than a design review application.

- ✓ a) A plan drawn to scale including a title block, names of owners on abutting properties, a north arrow, scale, a locus plan, the area of the parcel, required lot setbacks, zoning and applicable overlay districts.
- ✓ b) Surveyed property lines with metes and bounds
- ✓ c) Overview of water bodies, wetlands, topography, soils, rock outcrops, and existing vegetation
- ✓ d) Locations of all existing buildings and structures
- ✓ e) Proposed uses and locations for proposed uses, including square footage for each.
- ✓ f) Locations of proposed buildings, including building footprints, heights and square footages
- ✓ g) Locations of existing and proposed utilities
- ✓ h) Locations of existing streets adjacent to the site and proposed driveways, parking lots, sidewalks, and footpaths
- ✓ i) General landscaping plan
- ✓ j) Identification of existing areas to be preserved
- ✓ k) General plan or discussion about stormwater management
- ✓ l) Information on all pertinent easements and other restrictions

- m) Any other information that the Planning Board deems appropriate to facilitate its review.

[1.2.6 added]

- 1.2.7 At a regular meeting of the Planning Board, the Board shall determine if the Design Review includes sufficient information to allow the Board to understand the project and identify potential issues. If the Board determines that the request does not describe the proposed project in sufficient detail, it may request additional information.
- 1.2.8 At any public meeting of the Planning Board, the Board may close the Design Review process of an application. It shall inform the applicant in writing within 10 days of such determination.
- 1.2.9 In accordance with RSA 676.12, an applicant is subject to the regulations in place as of the date that public notice of the start of the Design Review is published in a local newspaper. Those regulations adhere for up to 12 months following the end of the Design Review only if the applicant then submits a complete, formal application before the expiration of that 12-month period.

Section 1.3 Formal Application

- 1.3.1 A formal application shall consist of the forms, information, and documentation as shown in these regulations along with application fees and any fees for notices.
- 1.3.2 Upon receipt of a formal application, the Planning Director will review it using the Site Plan Application Checklist. If this review discloses that all requirements specified on the Site Plan Application Checklist have not been met, the applicant will be notified what specific items are still needed. If the application is not complete, then it may be treated as a preliminary conceptual application or Design Review application, as appropriate, or it may be held/tabled by the Planning Board until the outstanding items are submitted and it is accepted as complete.
- 1.3.3 A formal application shall only be submitted to the Planning Board at a regular meeting. Within 30 days of receipt of the application, the Planning Board shall accept the application as complete or make a finding that the application is not complete, noting the outstanding items on the Site Plan Checklist, which shall have been provided to the Board. If the Board determines that the application is not complete it may continue the application to another specific meeting or table the application, to provide time for the applicant to submit the outstanding items.

[Site Plan Checklist added]

June 17, 2015

Durham Planning Board
Durham Town Hall
8 Newmarket Road
Durham, NH 03824

Dear Chairman and Members of the Board:

I hereby authorize John Randolph of Harmony Homes to file an application to present a proposed eldercare facility at the Durham Planning Board meetings. The subject parcel is shown on Tax Map 11 as Lot 27-1 through 27-6 and is known as the Durham Business Park located on Route 4.

Sincerely;


Eric Chisburg
Grant Development, LLC

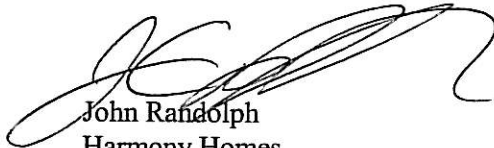
June 17, 2015

Durham Planning Board
Durham Town Hall
8 Newmarket Road
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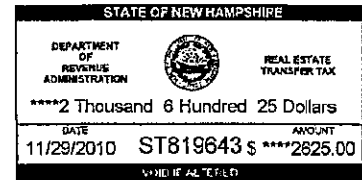
Dear Chairman and Members of the Board:

I hereby authorize MJS Engineering, P.C. and McHenry Architects to represent me at the Durham Planning Board meetings as applicant for a proposed eldercare facility. The subject parcel is shown on Tax Map 11 as Lot 27-1 through 27-6 and is known as the Durham Business Park located on Route 4.

Sincerely;



John Randolph
Harmony Homes



WARRANTY DEED

The Town of Durham, a municipal corporation duly organized under the laws of the State of New Hampshire, with an address of 15 Newmarket Road, Durham, New Hampshire,

for consideration paid, grants to **Grant Drive Development, LLC**, a New Hampshire limited liability company duly organized under the laws of the State of New Hampshire, with an address of 8 Newmarket Road, #2, Durham, New Hampshire 03824.

with WARRANTY COVENANTS, the following described premises:

A parcel of land with any improvements thereon located on the southerly side of Route 4 in the Town of Durham, Strafford County, New Hampshire as shown on a certain plan entitled "Final Plan Johnson Creek Drive, Durham, N.H." dated January 1985, recorded in the Strafford County Registry of Deeds as Plan 28A-89, more particularly bounded and described as follows:

Beginning at a steel stake in the stone wall at the northwest corner of the conveyed premises and the south side of the State of New Hampshire right of way as recorded in the Strafford County Registry of Deeds at Book 746, Page 437; thence running S 82° 09' 00" E 721.30 feet to a stone bound; thence continuing S 82° 09' 00" E 90 feet, more or less, to the shoreline of Johnson Creek; thence turning and running along the shoreline of Johnson Creek 2,244 feet, more or less, to the southernmost point within described premises; thence turning and running along the high-water line of Oyster River 1,676 feet more or less, to a point; thence running N 88° 00" W 56.62 feet to a steel stake at land of the Town of Durham Sewage Treatment Plant; thence turning and running N 28° 01' E 256.90 feet to a steel stake along the Town of Durham land; thence running N 11° 45' E 145.00 feet to a point; thence running N 03° 00' E 64.00 feet to a point; thence running N 00° 35' W 120.00 feet to a point; thence running N 04° 10' W 193.50 feet to a point along a stone wall; thence running N 08° 30' W 373.50 feet to a steel stake in the stone wall and the point of the beginning.

Together with and subject to the following, to the extent that they are still in effect, if at all:

1. Utility Easement to New England Telephone and Telegraph Company and Public Service Company of New Hampshire dated October 8, 1987, recorded with Strafford County Registry of Deeds at Book 1349, Page 118.

2. Boundary lines, matters and notes as shown on Plan 28A-89 as affected by Agreement recorded at Book 1523, Page 443.
3. Taking by the State of New Hampshire Department of Transportation, Right of Way Plans 59-87, 88, 89 and 90.
4. Interests that may lie within the bounds of Piscataqua Bridge Road (US Rt. 4), Johnson Creek Drive, a/k/a W. Arthur Grant Circle, Johnson Creek, Oyster River and abutting Sewerage Treatment Plant.
5. Riparian rights of others, if any.

Meaning and intending to convey the same premises conveyed to the Town of Durham by deed of Charles I. White, et al. dated February 4, 1994 and recorded in the Strafford County Registry of Deeds at Book 1744, Page 168.

This is not homestead property.

Dated this 29 day of November 2010.

Town of Durham

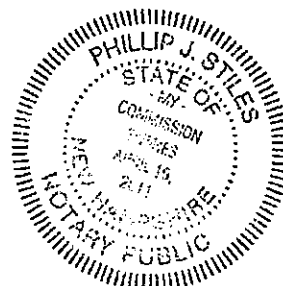
By: 2

Todd I. Selig, its duly authorized
Town Administrator

State of New Hampshire
County of Strafford

On this, the 29 day of November 2010, before me, the undersigned officer, personally appeared Todd I. Selig who acknowledged himself to be the duly authorized Town Administrator of the Town of Durham, and that he executed the foregoing instrument for the purposes contained therein on behalf of the Town of Durham.

Notary Public/Justice of the Peace



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

<u>PROPERTY OWNER:</u> W. Arthur Grant Circle MAP 11/LOTS 27-1,27-2,27-3,27-4,27-5,27-6,27-7 GRANT DEVELOPMENT, LLC 3 PENSTOCK WAY NEWMARKET, NH 03857	<u>APPLICANT:</u> MJS ENGINEERING, PC P. O. BOX 359 NEWMARKET, NH 03857
<u>ABUTTER:</u> MAP 11/LOTS 9-5 & 12 50 PISCATAQUA RD/100 STONE QUARRY DR. TOWN OF DURHAM 8 NEWMARKET ROAD DURHAM, NH 03824	<u>SURVEYOR:</u> DOUCET SURVEY, INC. 102 KENT PLACE NEWMARKET, NH 03857
<u>ABUTTER:</u> MAP 11/LOT 38-1 ROBERT M. & BARBARA A McNITT C/O EDWARD W. McNITT 101 DURHAM POINT ROAD DURHAM, NH 03824	<u>WETLAND SCIENTIST:</u> WEST ENVIRONMENTAL, INC. 48 STEVENS HILL ROAD NOTTINGHAM, NH 03290
<u>ABUTTER:</u> MAP 11/LOT 37-4 LOCKHARDT FAMILY TRUST C/O MADELINE LOCKHARDT TRUSTEE 73 DURHAM POINT ROAD DURHAM, NH 03824	<u>SOIL SCIENTIST:</u> JOSEPH W. NOEL P. O. BOX 174 SO. BERWICK, ME 03908
<u>ABUTTER:</u> MAP 11/LOT 37-2 MADELINE LOCKHARDT 73 DURHAM POINT ROAD DURHAM, NH 03824	<u>SOIL SCIENTIST:</u> JAMES GOVE GOVE ENVIRONMENTAL SERVICES, INC. 8 CONTINENTAL DRIVE BLDG 2 UNIT H EXETER, NH 03833-7507
<u>ABUTTER:</u> 66 Piscataqua Road MAP 11/LOT 28-1 GALE S. TEERI LIVING REV. TRUST 7007 HARDWOOD RIDGE ROAD CARRABASSETT VALLEY, ME 04947	<u>ARCHITECT:</u> McHENRY ARCHITECTURE 4 MARKET STREET PORTSMOUTH, NH 03801

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(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

<u>ABUTTER:</u> MAP 11/LOT 31-13 AHMAD ETEBARI & MAHNAZ MOALLEMI 3 RIVERVIEW COURT DURHAM, NH 03824	<u>ABUTTER:</u> 1 Riverview Court MAP 11/LOT 31-14 A-HA TRUST ANDREW HARTMAN, TRUSTEE 39 GROVE STREET GREENLAND, NH 03840
<u>ABUTTER:</u> MAP 11/LOT 31-11 JOHONET H. CARPENTER REV. TRUST 4 RIVERVIEW COURT DURHAM, NH 03824	<u>ABUTTER:</u>
<u>ABUTTER:</u> MAP 11/LOT 13-0 ROBERT KEEFE TRUST LEDA KEEFE TRUST 59 PISCATAQUA ROAD DURHAM, NH 03824	<u>ABUTTER:</u>
<u>ABUTTER:</u> MAP 11/LOT 14-0 ROBIN & CHRISTINA LEVEILEE 65 PISCATAQUA ROAD DURHAM, NH 03824	<u>ABUTTER:</u>
<u>ABUTTER:</u> MAP 11/LOT 3-2 JOHN M. & KATRINE B. MacGREGOR 92 DOVER ROAD DURHAM, NH 03824	<u>ABUTTER:</u>
<u>ABUTTER:</u> MAP 11/LOTS 29-0 & 31-15 8 RIVERVIEW RD. INGVAR & DONNA VITTANDS 72 PISCATAQUA ROAD DURHAM, NH 03840	<u>ABUTTER:</u>