



**TOWN OF DURHAM**  
8 NEWMARKET RD  
DURHAM, NH 03824-2898  
603/868-8064  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

***Town Planner's Recommendation***  
**Wednesday, July 22, 2015**

- X. ***Public Hearing - Harmony Homes - Eldercare Facility***. Durham Business Park off Route 4. *Design review* (preliminary application) for a site plan for an eldercare (assisted-living) facility with up to 3 single-story buildings and 1 duplex with parking and associated improvements. John Randolph, Harmony Homes, applicant; Eric Chinburg, Grant Development, LLC, property owner; Mike Sievert, MJS Engineering, Engineer; Steve McHenry, Brandon Holben, and Margaret Robidoux, McHenry Architecture, Architects. Tax Map 11, Lot 27-1 through 27-7. Durham Business Park District.
- I recommend the board members offer any comments and then close the design review. Comments made by Planning Board members during design review are preliminary and non-binding, but it would be useful to go around the table and ask each member to share his or her thoughts at this stage.

Please note the following:

\*See my write up from the July 8, 2015 which included a number of issues. I repeat some of those points below and have added some other issues, notably items raised during the site walk held on July 17.

**Process**

- 1) **Design Review**. This application is for design review. Note that the purpose of design review is to work out general issues on a proposal prior to the applicant spending significant money engineering a formal application. Either the Planning Board or the applicant may close a design review at any time. After the public hearing, if there have been no serious concerns with the general layout of the site, then it would make sense to close the design review.
- 2) **Site walk**. A site walk was held on July 17. Andrew Corrow will forward draft minutes. Andrew Corrow, Barbara Dill, and Kitty Marple attended from the Planning Board.
- 3) **EDC**. John Randolph discussed the project with the Economic Development Committee earlier and is meeting with the committee again on July 21.
- 4) **Conditional Use**. The applicant will likely pursue a conditional use for activity within the wetland and/or Shoreland conservation overlay districts. This would require review by the Conservation Commission. As part of a conditional use it

would be helpful to clarify now the grounds behind the buildings will be treated (presumably not as lawns).

### **Zoning**

- 5) Eldercare facility. The Durham Business Park Zone allows an eldercare (assisted living) facility, which is permitted by right. There may be a memory-care unit.
- 6) Density. Based on a parcel area of 28.4 acres (This needs to be confirmed), the zoning could allow up to 141 beds/residents. The applicant proposed up to 60 residents in the first building and fewer than 60 in the second building. We will need specific proposed numbers later for the maximum number for each building, not to exceed a total of 141 (or the final figure based on grass parcel area).

### **Basic project**

- 7) Phases. There will be up to 3 one-story buildings. The applicant proposes to have 2 buildings approved as part of a Phase I. The second building would likely be built some time after the first. The applicant would then return to the board for approval of the third building in the future. As part of the Phase I, we should be sure that the plan will accommodate the third building (in terms of the site, utilities, grading, parking, etc.) so that when it is designed in the future it will fit onto the site as seamlessly as possible. Building 3 may have more services and fewer residences than buildings 1 and 2.

### **Design Guidelines**

- 8) Design Standards. When the Town conveyed the property to a private owner years ago, the Town executed a private covenant for Design Guidelines. These actually function as “standards” as they are mandatory. The review panel (or “design committee”) will review the architecture and site design for compliance. This review should be conducted in parallel with the Planning Board’s review. The Town has adopted Architectural Regulations but they do not apply beyond the Core Commercial area.
- 9) Review Panel. The committee is composed of the Town Administrator, Town Planner, Kitty Marple (Town Council representative), and Peter Wolfe (Planning Board representative). The meetings will be open to the public.
- 10) Updated architecture. Updated drawings have been submitted. The design committee will review all aspects of the exterior design in accordance with the Design Guidelines – siting, building character, materials, colors, massing, windows, etc.

### **General Site Design**

- 11) Parking. There will be about 55-60 parking spaces.

- 12) Staking of site. Stakes are now in place on site for the four corners of the first two buildings, the front corners of the third building, the duplexes, and the location where the loop driveway splits off to the right.
- 13) Grading. The developed area will be regraded. A grading and drainage plan will be submitted later. It is expected that the cuts and fills will generally balance.
- 14) Wetlands. Mike Sievert believes that all of the wetlands on site are subject to the Durham Wetland Conservation Overlay District (There are exemptions for human-made wetlands and non-vernal-pool wetlands under 3,000 square feet).

#### **Views toward the project**

- 15) Conservation Easement. The applicant has agreed to establish a conservation easement for the front portion of the property in order to minimize the visual impact from Route 4. This would extend from the pump station forward to Route 4.
- 16) From Route 4. The Design Guidelines state that buildings shall be sited to preserve significant views from Route 4. It will be important to have renderings of the final views from the road from several vantage points. The proposal is for lower, 1-story buildings, which should be less visible.
- 17) From the Oyster River. The Design Guidelines state that buildings shall be sited to preserve significant views from the Oyster River. The views from the river are fairly open to the site, at least for the stretch of river alongside the site. It will be important to have renderings of the final views from the river from several vantage points. The board will want to discuss whether additional plantings are appropriate to soften the views.
- 18) Field. The applicant would likely mow the field in the front area once a year or so to keep it like a field/meadow.

#### **Site Issues**

- 19) Site alteration. The Design Guidelines state that buildings shall be sited to preserve significant vegetation and existing land forms, that design shall minimize changes in natural drainage patterns and the natural slope of the land, and that significant, healthy vegetation be retained wherever possible.
- 20) Parking. The Design Guidelines state that parking areas shall be landscaped to reduce visual impact and shall not be located on the riverfront side of buildings unless thoroughly screened with vegetation. This will need to be looked at carefully so that the parking is as unobtrusive as possible.
- 21) Overlay Districts. The Shoreland Protection, Wetland Protection, and Flood Hazard Overlay Districts apply to the site.
- 22) Permeable pavement. This needs to be explored. Mike Sievert questioned whether it was practicable for the site.

- 23) Front section. The applicant said he might want to have horses in the front portion, in the easement area, as a visual amenity. He envisions this area as being like a park. There could be a community garden.
- 24) Overall parcel. The existing lots will be combined and likely remain as one consolidated lot.
- 25) Landscaping. A landscaping plan will be submitted later. Careful consideration will be needed for buffering/softening views toward the site. Trees may be added to better screen views toward the wastewater treatment plant.

### **Traffic and Circulation**

- 26) Route 4 access. NHDOT stipulated a maximum of 60 trips are peak hours in a memorandum from May 16, 2008 (though it must be determined if this standard still applies). The applicant has been in contact with NHDOT. A traffic analysis acceptable to NHDOT will be needed. Mike Sievert estimates this use would generate about 14 trips in the peak hour. The sight distance at the entrance is good. Some clearing of vegetation will likely be needed. NHDOT will determine if any improvements at the entrance are needed, such as a deceleration lane for vehicles turning right into the site.
- 27) Private road. The existing road accessing the site will likely remain as a private road.
- 28) Road name. The applicant could propose changing the name from Arthur Grant Circle to a new name, if desired.
- 29) Cul de sac. The cul de sac will likely be two-way with perpendicular parking situated off it. The cul de sac should be designed so that it is walkable and an amenity for the project.
- 30) Pavement. The pavement appears to be in fair condition. Mike Sievert suggested putting a 1 inch overlay on top. There is sloped asphalt curbing on both sides.

### **Pedestrian Connections**

- 31) Overall network. The overall layout of sidewalks and paths should be reviewed carefully to ensure an attractive, efficient, safe, accessible (as appropriate) and well integrated network, with appropriate lighting and street furniture.
- 32) Old Piscataqua Road. It would be desirable to connect with Old Piscataqua Road if practical. This walking and bicycle path might run within the Route 4 right of way or across intervening properties if easements can be obtained.
- 33) Sidewalk. We discussed the sidewalk along the entrance road at the site walk. It makes sense to add one alongside the road with a buffer strip of at least 5 feet separating the sidewalk. Should this be asphalt or gravel/crushed stone/stone dust?

- 34) Footpaths. Footpaths are shown to destinations along the river – a patio, overlook, and boathouse. This will be a nice amenity.
- 35) Public access. It would be highly beneficial if the applicant were willing to allow public access to the footpaths and the riverfront. Mr. Randolph said that he is receptive to this but would want to restrict hours for the public. The purchase and sales agreement contained this language but it was not included in the deed:

### **Fire Issues**

- 36) Arthur Grant Road. It will need to be verified that the road meets access requirements. The department stated that vegetation should not encroach within the required clearances.
- 37) Sprinklers. The large buildings will probably need to be sprinkled.
- 38) Fire Hydrants. Locations will be examined in the course of the project review.

### **Utilities**

- 39) Services. The site is served by Town water and sewer.
- 40) Pump station. The applicant will investigate the condition of the sewer pump station. Arrangements for maintenance and ownership of the pump station will be worked out with Public Works.
- 41) Underground. The Design Guidelines stipulate that all existing and proposed utilities must be buried. Mike Sievert said the utilities would go underground from the existing pole near Route 4.
- 42) Energy Checklist. This will be completed with the formal application.
- 43) Solar panels. This should be explored.

### **Miscellaneous**

- 44) Jobs. The applicant anticipates 30 full time jobs with the project.
- 45) Duplex. The duplex could serve a property manager or an elderly resident. The applicant said that he does not intend to sell this property (The units could be sold as a condominium). It would be best to not sell the units as the path going by them would become “privatized” if owned separately discouraging residents from walking there.
- 46) Sitting areas for residents. There should be several inviting locations, adjacent to the buildings and elsewhere on site, for residents to sit and enjoy the views.
- 47) Phasing of amenities. It will need to be determined which amenities/improvements (sidewalks, gazebos, etc.) will be built in phase 1 and which in phase 2.

- 48) Timeframe. The applicant said that he would like to start construction in November, 2015 and open in the Fall of 2016. This is an ambitious schedule.
- 49) PILOT. There was a provision about a payment in lieu of taxes for the development in the purchase and sales agreement that did not make it into the deeds. We would like to address this as part of the project (Also see item at the bottom). See my write up from July 8.
- 50) WWTP Indemnification and PILOT. See my write up from July 8.