



TOWN OF DURHAM
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Town Planner's Recommendation
Wednesday, January 13, 2016

- X. **12 Jenkins Court – Relocation of trash area.** Modification to approved site plan for side and rear additions (the construction is now almost complete) to relocate area for trash from the front right side of the building (when facing the building) to the front section of a proposed new accessible ramp to be built on the left side of the building. Tom Christie, President of Slania Enterprises, Inc., applicant. Map 4, Lot 9-0. Central Business District. ***Recommended action:*** Approval if the plan is acceptable.

➤ I recommend approval if the plan is acceptable

Please note the following:

- 1) In 2009, the Planning Board approved a site plan for Tom Christie for additions and changes to his building at 12 Jenkins Court. See the enclosed plan.
- 2) The plan includes an area for trash located in front of the building on the right side (when facing the building from Jenkins Court).
- 3) Tom Christie is building a new accessible ramp on the left side of the building (when facing the building), in the alley next to 14 Jenkins Court. I am now reviewing this ramp administratively, with input from the other departments. I have coordinated on this administrative review with Andrew Corrow and Todd Selig and will email the board if/when the ramp is approved, which may occur within the next few days.
- 4) Designs for the proposed ramp are enclosed. Audrey Cline, the new Building Official, and I are working with Mr. Christie to obtain more details on the ramp so that it is clear exactly what is proposed.
- 5) The proposed modification was submitted yesterday/Thursday so I do not yet have comments from all of the other departments. I hope to receive comments by Monday or Tuesday. I will email those comments to the board when I receive them along with some additional information that is needed.
- 6) I will ask the applicant today for some additional information – a design to screen the front of the trash area and the exact plans for how trash is handled. I understand that this trash area would largely serve a new commercial tenant who is moving into the first floor of 12 Jenkins Court very soon. It is a Thai noodle restaurant.
- 7) The board may treat this request as a modification, and take final action on January 13, if the board deems that all is in order, or the board could determine that this proposed change is

more significant and should be treated as an amendment, in which case notices would be sent and a public hearing would be held at a subsequent meeting. If the issues around the trash can be satisfactorily addressed, though, I think it appropriate to handle this as a modification.

- 8) The benefit of relocating the trash is that it would be further from the abutter at 6 Jenkins Court. Of course, the concerns with trash are smell, visual screening, and maintenance. This proposed new location is about 9 feet from the side walk. The other approved location is about 19 feet from the side walk.
- 9) I spoke with Mr. Christie about other possible locations for the trash. He said that moving it further into the alley, alongside the ramp would not be practical as it would be close to the ramp, might smell more, and could be subject to abuse. He said that the rear of the building, by the parking lot, would not be workable as there is no interior accessible room that is available and he believes it would be quite prominent there. Plus some kind of easement might be needed as the building is close to the lot line.
- 10) Mr. Christie started work on the ramp but has stopped since the building permit has not been issued yet. If the modification for trash is approved then there will be solid screening at the front of the ramp. If it is not approved or if Mr. Christie decides to leave the trash where it was originally approved, then the front of the ramp would simply have a railing.
- 11) The new ramp is being added now because this is required due to accessibility standards. I believe the ADA standard for the percentage of entrances that must be accessible was increased in recent years from 50% to above 50%. This kicked in due to Mr. Christie's additions which are under construction now and nearly complete.