



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, August 8, 2018

- X. **Public Hearing - 72-74 Main Street – Two-lot subdivision.** Application to subdivide lot into two lots. The property located at the intersection of Main Street and Pettee Brook Lane, behind the Town park, contains Aroma Joe's Restaurant. Douglas Clark, applicant. Town and Campus, Inc. c/o Jess Gangwer, property owner. Map 2, Lot 14-1. Central Business District. **Recommended action:** Discussion and continuation to August 22.
- I recommend discussion and continuation of the review and the public hearing to August 22.

Please note the following:

- 1) **Prior meeting.** The Planning Board accepted the application as complete at the July 25 meeting with the understanding that the applicant will need to address the frontage issue.
- 2) **Site walk.** A site walk is set for August 8 at 3:00 pm.
- 3) **Conceptual site plan.** We also have on the agenda a conceptual review of the site plan for the proposed lot. Submission of the plan is helpful for the board in reviewing the subdivision application.
- 4) **Final action.** The application is not ready for final action as there remain details about easements, access, Town parking, and frontage to be addressed. I recommend the application be continued to August 22 but I believe the applicant will not be able to attend that meeting. The following Planning Board meeting is September 12. The applicant can advise the board about scheduling concerns from here.
- 5) **Variances.** The Town staff met recently to discuss the project and determined that the residual lot (with Aroma Joe's) would not meet the 50-foot frontage requirement. The lot would have 28 feet along Main Street but the remaining *frontage* would be along the Town's driveway, parking area, and park, whereas frontage has to be on a street. The applicant has applied for a variance on frontage and for two items related to the mixed-use building that will be part of the prospective site plan – density/number of dwelling units and number of floors/configuration of commercial and residential areas. The variance applications will be presented to the ZBA on August 14. If the applicant did not receive a variance on frontage he could seek to revise the plat to provide 50 feet of frontage for the residual lot on Pettee Brook Lane but that would be an awkward layout.

- 6) Town parking. In my professional opinion, it would be beneficial to remove the existing Town parking situated in front of the subject lot, to reconfigure the Town park allowing for an uninterrupted pedestrian way through the park and sidewalk along Main Street. If the Town eliminates the 4 parking spaces then it looks like we could recreate at least 2 spaces on Main Street where the driveway would be closed up. The Town staff and the applicant are meeting on Tuesday to discuss this and related issues. The only access to the Town's four spaces is from Pettee Brook Lane, through the subject lot on the existing driveway between the buildings but there is no easement for this access. We are discussing with the applicant the possibility of his providing an easement to these 4 spaces as part of the subdivision now. Potentially, if the new lot is then built upon such an easement could be terminated. Ideally, the subdivision and site plan would be reviewed simultaneously as they are integrally related but the applicant needs to obtain subdivision approval first due to various constraints. It is helpful that the board can at least review a conceptual site plan now.
- 7) Easements. As part of the subdivision review the driveway, access into the lots, parking (including the three parking spaces in front of the yellow house), utilities, trash, and deliveries must be clearly addressed since they would cross the two lots. It makes sense to retain the rear access from Pettee Brook and keep the rear area for parking and utilities. An easement (or cross easement) would be needed. These could be prepared as a condition precedent as long as the terms are clear ahead of time.
- 8) Other information. *Is there other information that would be useful for the Planning Board to have when reviewing this project?*
- 9) Other issues. *Are there any other particular issues that should be discussed?*