



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

**Letter of Intent – Site Plan and Conditional Use Application for
BW2, LLC - Housing Initiatives of New England
Located at 38 Bagdad Road, Tax Map 2 / Lots 10-4**

1.0 Project Purpose

The intent of this project is to permit the expansion of the existing senior living community currently known as Bagdad Wood. The existing three-story building has 40 affordable senior apartments and the proposal is to construct a three-story addition on the southeasterly side of the existing building with an additional 26 senior living units. The lot currently provides ample parking for the residents and staff and will continue to provide onsite parking with this expansion. This expansion will provide additional affordable senior living, improve accessibility to the parking lot and building, incorporate new sidewalks from the site to connect to existing sidewalks and promote a walkable community for the residents, maintain the current wooded setting and match the existing architecture.

2.0 Existing Conditions

The subject parcel is located in the Professional Office district at 38 Madbury Road. The parcel has been owned by Housing Initiatives of New England Corp. (HINEC) since 1994. HINEC is a non-profit 501 (c) 3 organization that develops affordable housing throughout New Hampshire and Maine. HINEC is the sponsor of the new project, which consists of the existing building and additional units under the name BW2 LLC. The parcel is “ell” shaped and bordered by three streets, on the west by Madbury Road, the northwest by Bagdad Road and on the north and east by Dennison Road. The parcel has over 900 feet of frontage on these three roads and is therefore, restricted by more front lot setbacks than most lots, three sides. Additionally, it is bordered on the southwest by Durham Health Center, and on the south by one residential and one commercial parcels, one occupied by student housing. The existing building is set to the northerly corner of the property against Bagdad and Dennison Road, but the parcel is accessed from Madbury Road. There is a two-lane driveway leading into the property with a circular turn around for pickup and drop off and there is an existing parking lot with 41 parking spaces. The property is served by municipal water and sewer, natural gas, and underground utilities. Approximately three years ago the sprinkler system was expanded, it is adequately sized to extend into the addition. The current water service has been tested and the volume and pressure is adequate for this expansion. The property currently drains through a closed drainage system on site to the municipal closed drainage system within Bagdad and Madbury Road.

3.0 Redevelopment Proposal

The proposal is to expand the building footprint by approximately 8,800 SF. The addition will be three stories, adding 26 additional units, 23 one-bedroom units and 3 two-bedroom units, of 62 and older housing. The addition will be added to the southeasterly end of the existing building. This will be

accomplished by extending into the existing parking lot. The site development will include expanding the existing parking lot to 74 spaces, incorporating a new stormwater management system, landscaping, improved accessible walkways, utility improvements, and outdoor space for the residents. The majority of the site expansion will be located on the south and east of the parcel. The expansion will be mostly visible from Dennison Road rather than Madbury Road given the shape of the parcel. A buffer of existing large trees will remain along Dennison Road and the southerly property line, where the construction will take place, and the remainder of the parcel will be unchanged. The construction will be phased to maintain the residential use during construction. The expansion to the parking lot and some site amenities will be constructed as the first phase and the building construction will be the second phase. This will allow ample parking for the residents, laydown and parking space for the construction personnel. A construction sequencing plan has been included in the submission.

Approvals Being Requested from the Planning Board

The Site Plan Review Regulations and Zoning Regulations will require the following approvals based on the current proposed development scope of work.

1. Planning Board Approvals:

- Site Plan approval for building and site expansion per RSA 674:43-44 and the Durham Site Plan Review Regulations.
- Site Plan and Conditional Use approval per Site Plan Review Regulation and RSA 674:43-44 and Zoning Regulations pursuant to Article XII.1;175-54; Table of Dimensions, maximum building height 35' by conditional use.

A. Request for Site Plan Approval

In accordance with the site plan review regulations, the Application, Site Plan Review Checklist, and the following plans are included:

1. Existing Conditions Plan
2. Site Plan
3. Grading, Drainage & Erosion Control Plans
4. Construction Sequencing Plan
5. Landscape Plan
6. Detail Sheets
7. Drainage Report/Stormwater Management Plan (Report)
8. Floor Plans
9. Elevation Plans

B. Conditional Use Permit approval;

In accordance with the conditional use regulations, this submission package includes the CUP Application along with the above listed plans and supporting documentation.

The preliminary comments above, together with the following, outline how this project complies with the provisions of the general conditions for a Conditional Use Permit contained within

Article VII, Section 175-23.C of the Town of Durham Zoning Ordinance. The numbering below coincides with the applicable section.

This project complies with the CUP criterion. The plans incorporate best management practices for the construction and thereby satisfy the CUP criterion.

175-23.C

1. Site Suitability:

The property is suitable for the proposed expansion because the use currently exists on the site and the use is allowed as a primary use with a building height to 30' and 35' by conditional use. This expansion will provide much needed affordable senior living within walking distance of the downtown district, and will improve the accessibility of this property.

(a) Adequate vehicular and pedestrian access for the intended use. The current exits to and from the site will largely remain the same. There will be two new connections to the public way and better accessibility for pedestrians.

(b) The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, schools and other municipal services. Adequate emergency services are currently provided and access through the new parking lot will be provided. The site is serviced by municipal water and sewer, and natural gas. These services will remain unchanged; the schools will not be impacted by this development; solid waste will be handled onsite with disposal by a private waste company via the dumpster as it is currently, and the owner has an existing recycling system in place.

(c) The absence of environmental constraints (floodplains, steep slope, etc.) or development of a plan to substantially mitigate the impacts of those constraints. There are no environmental constraints on this property. The site is not within the floodplain, has no wetlands, nor steep slopes. However, the development proposal incorporates a balanced environmental design approach by minimizing grading changes and keeping exiting vegetation along the property boundaries as a buffer. The stormwater collection/treatment system is classified by the NHDES as a best management practice incorporating filtration and detention. The stormwater system will collect, treat, and improve the quality of the stormwater runoff and reduce the peak flow discharged from the site. The landscape plan will provide screening and shading.

(d) The availability of appropriate utilities to serve the intended use including water, sewage disposal, stormwater disposal, electricity, and similar utilities. The site is suitable because of the availability of appropriate utilities to serve the existing and intended use.

2. External Impacts:

The external impacts of the proposed use on the abutting properties and the neighborhood will be no greater than the impacts of adjacent existing uses or other uses permitted in the zone. This shall include but not be limited to traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.

- The building addition will not cause an adverse impact to abutting properties to a greater extent than any other existing uses in the neighborhood. This property has been successfully used for this purpose since 1981. This addition will not produce any additional odors, noise, vibrations, or fumes that do not currently exist in the

neighborhood. Vehicle traffic exists there today and this expansion will provide adequate on-site parking and not significantly increase the traffic. The exterior lighting is minimized by using shields to direct light into the site and downward, and the lighting design meets the site plan requirements. Dust will be reduced because the parking lot will be fully paved and trash removal and access will remain unchanged.

The location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use will have no adverse effect on the surrounding environment and will not discourage the appropriate and orderly development and use of the land and buildings in the neighborhood because:

- The location, nature, design, and height of the new addition matches the existing scale of the building and fits with its surroundings. The addition is largely hidden behind the existing building on the site and other adjacent buildings and is properly screened. This design meets appropriate and orderly development because it meets the design intent required by the site plan regulations.

3. Character of the site development:

The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts of the use on the neighborhood. This shall include but not be limited to, the relationship of the building to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.

- The design is not incompatible with the neighborhood because of the existing conditions. The addition is proposed to the side/rear of the existing building and it is properly designed to relate to the existing building and site configuration. The design maintains adequate existing and proposed buffers, and setbacks with respect to its relationship to the existing buildings, streets, screening, and adjacent buildings. There is currently well-established pedestrian and vehicle access. The pedestrian access is being improved.

4. Character of the buildings and structures:

The design of any new buildings or structures and the modifications of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include but not be limited to, the scale, height, and massing of the building or structure, the roof line, the architectural treatment of the front or street elevation, the location of the principal entrance, and the material and colors proposed to be used.

- The character of the addition will be compatible with the scale, height and massing of the existing building. The intent is to make the addition and the existing building look as though they were built at the same time. The functionality will meet the intent and use for affordable senior living. This design meets the requirements to make it very compatible with the character of the neighborhood. The main entrance to the building remains the same and an additional main entry to the addition provides greater accessibility to the building from the on-site parking.

5. Preservation of natural, cultural, historic, and scenic resources:

The proposed use of the site, including all related development activities, shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat, stonewalls, mature tree lines, cemeteries, graveyards, designated historic buildings or sires, scenic views, and viewsheds.

- There are no wetlands, floodplains, significant wildlife, cemeteries or graveyards on the site; therefore this design does not have a negative impact on these natural or cultural resources. This design protects the existing stonewall adjacent to Bagdad Road and the southerly property line, and maintains the mature trees along the property lines with adjacent properties and streets.

6. Impact on property values:

The proposed development will not cause or contribute to a significant decline in property values of adjacent properties.

- There will be no impact to property values of adjacent properties.

7. Availability of Public Services and Facilities:

Adequate and lawful facilities or arrangements for sewage disposal, solid waste disposal, water supply, utilities, drainage and other necessary public or private services, are approved or assured, to the end that the use will be capable of proper operation. In addition, it must be determined that these services will not cause excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police protection, fire protection and schools..

- The property has existed since 1981, there are adequate public services available for this expansion.

8. Fiscal impacts:

The proposed use will not have a negative fiscal impact on the Town unless the planning board determines that there are other positive community impacts that off-set the negative fiscal aspects of the proposed use. The Planning Board's decision shall be based upon an analysis of the fiscal impact of the project on the town. The Planning board may commission, at the applicant's expense, an independent analysis of the fiscal impact of the project on the town.

- There will be no negative fiscal impact to the Town. This facility pays its fair share of taxes as required by law.

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

Sincerely;

A handwritten signature in black ink, reading "Michael J. Sievert". The signature is written in a cursive, flowing style.

Michael J. Sievert PE
MJS Engineering