



TOWN OF DURHAM
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Town Planner's Review
Wednesday, February 10, 2021

- X. **Public Hearing - Subdivision off Gerrish Drive**. Parcel at 91 Bagdad Road (address). Formal application for conservation subdivision for single family and duplex houses (15 units total) on 16-acre lot off Gerrish Drive including conditional use for wetland crossings. Marti and Michael Mulhern, property owners. Mike Sievert, engineer. Robbi Woodburn, Landscape Architect. Map 10, Lot 8-6. Residence B District.
- I recommend that the board discuss the project, clarify the process from this point, and schedule a special meeting in March for this project

Please note the following:

Special meeting. It would be helpful to schedule a special meeting to discuss only this project.

***Conditional uses. It seems that the key concern about the project involves the conditional use for the wetlands and wetland buffers. I suggest the board discuss the eight general and four specific criteria carefully so the applicant can get a clear sense of how the project stands. There are numerous other issues to finalize but they appear to be workable. It may make sense for the board to actually vote on the conditional uses soon, separately from the rest of the project. The vote on conditional uses can be held separately from and prior to the vote on the overall subdivision. The Conservation Commission is holding a special meeting on February 11 to discuss only this project. It will probably have its recommendation that evening or on February 22. I think that a meeting with the Town Attorney in closed session would be useful if/when the board gets ready to vote on the conditional uses.

Other issues. Is it accurate to say that the other issues appear to be workable, with any appropriate modifications? Basic layout of the subdivision, final road design (including a number of waivers from the road regulations), use of private roads, sewer layout, water pressure (It needs to be determined if there is adequate pressure), basic house site layout, and landscaping plan.

Stormwater. The Planning Board voted to hire an outside consultant to review the drainage plan. We reached out to several engineers and will be meeting with two firms on February 9 which will then provide a scope of services and fee. We hope to hire one soon.

Other peer review. The Planning Board should determine if another peer review is needed. There has been some discussion about hiring a wetland scientist to review the work by Mark West. The board must be very thoughtful in its deliberation whether to conduct a peer review and must have a clear reason for doing so. Substantial information has been provided related to stormwater, hydrology, and wetlands. Is more information needed? Does the work performed by Mark West provide significant useful information for the board? Does the work performed by Mark West appear to be reliable? Would an independent review of Mark West's work provide value for the board in its review?

Additional information. The applicant will need to submit additional information and do additional work for a number of items. The applicant can do this when they are ready. It would be helpful to get a sense of the board about the viability of the project before the applicant spends time on these outstanding items. These include a construction management plan, a plan to manage open space, the structure of the Homeowners Association, maintenance of the road and infrastructure, a landscaping plan for the center green, the energy checklist, final layout of house sites, an architectural plan, and presenting the application to the Madbury Planning Board, among other items.