



TOWN OF DURHAM
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Town Planner's Review
Wednesday, April 28, 2021

- VIII. **Public Hearing - Subdivision off Gerrish Drive**. Parcel at 91 Bagdad Road (address). 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, Horizons Engineering. Robbi Woodburn, Landscape Architect. Mark West, Wetland Scientist. Map 10, Lot 8-6. Residence B District.
- I recommend that the board review the updated information, vote on the eight general criteria under conditional use, and continue the review to May 12 or May 26.

Please note the following:

- Updated information has been provided:
 - Plan set – selected sheets. Note that they have pulled back the area of disturbance for the wetland finger in consultation with Durham Public Works.
 - A response from Mike Sievert to a list of outstanding issues that I had shared
 - An updated drainage report
 - A management plan for the Stormwater Infrastructure
- Please review the second bullet above. This is the list of outstanding issues that I see. Are there other issues that the board thinks still need to be addressed?
- Mike Sievert's response to the comments about the stormwater plan under the peer review are shown here:
https://www.ci.durham.nh.us/sites/default/files/fileattachments/planning_board/page/59621/reponse_to_engineering_technical_review_4-22-21.pdf. Public Works will also review this response.
- The Planning Board voted on the four criteria under the Wetland Conservation Overlay District for the three wetland crossings and activity in the wetland buffer at the last meeting. The board found that all criteria were met except for the wetland crossing at the finger where the question arose if more wetland was being filled than was necessary.
- Regarding the wetland finger, the board asked for an opinion from Durham Public Works. I conveyed the information to Public Works who has reviewed the

documentation and met with Mike Sievert. Mike Sievert revised the design around the finger, reducing the area of impact, in consultation with Public Works. I am waiting for an email from Public Works which I will forward to the board. Based on the revised plans and communication from Public Works the board should clarify if this criterion is now satisfactorily addressed.

- *I recommend that the board vote on the eight general criteria.* Note that the criteria apply specifically to the three wetland crossings and activity within the wetland buffer, not to any other aspects of the subdivision. I confirmed with the Town Attorney that the board's review of these criteria is narrowly focused on the wetlands and buffer and impacts upon those resources, so a number of items here will likely not be applicable. For example: regarding impacts on abutting properties this discussion should be limited to impacts on resources on abutting properties related to the wetlands and wetland buffer.

The board can include any appropriate conditions in its review. A final vote on the subdivision itself should occur later as there is still more information to be submitted and issues to be addressed. However, I believe that all of the information necessary to review the eight general criteria has been provided.

- The applicant has requested waivers from a number of road standards from the Road Regulations. I will ask for input from Public Works on the request.