



TOWN OF DURHAM
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Town Planner's Review
Wednesday, May 26, 2021

- X. **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 discuss the project and continue the review and the public hearing to June 9.

Please note the following:

Conditional use criteria. The Planning Board met in a closed session with the Town Attorney on May 19 to discuss the applicability of the eight general criteria to the conditional use application in the Wetland Conservation Overlay District. The board should be ready to vote on these criteria at the meeting. The board already voted to find that all four specific WCOD criteria were met for each of the four wetland and buffer crossings.

Road in ROW. The question was raised whether there are any issues with having a private road within the Town-owned right of way at the end of Gerrish Drive. Todd Selig and I spoke with the Town Attorney who has some concerns about this approach. Once we complete our discussions with her I will report back to the Planning Board.

Subdivision review. Once the board votes on the general conditional use criteria note that the board will need to complete the review of the project under the Subdivision Regulations. Numerous issues are pertinent to review as part of the general subdivision review.

Additional information. The applicant will need to submit additional information and do additional work for a number of items prior to final action. The applicant can do this when they are ready. These include, but are not necessarily limited to the following:

- a construction management plan (including protection of trees during construction);
- a plan to manage open space;
- the structure of the Homeowners Association including a general breakdown for future HOA infrastructure costs;

- structure for ownership and management of houses;
- a maintenance plan for the road and infrastructure (sand, salt, SnowPro certified?). A drawing has been submitted showing key elements.
- a landscaping plan for the center green including what type of grass, if any, will be planted;
- final layout of house sites;
- delineation of location and design for post office boxes;
- existing house. It is recommended that the applicant apply for a variance to take the existing house out of the parcel and place it on its own lot. A waiver would be needed to keep the existing electric line above ground.
- an architectural plan including house sizes, if appropriate; and
- presenting the application to the Madbury Planning Board.

Road waivers. The applicant requested a number of waivers for the road design under the Road Construction Regulations. These can be taken up at the June meeting.

Other issues. What other issues do board members see at this point?