



TOWN OF DURHAM
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Town Planner's Review
Wednesday August 10,
2022

- X **Public Hearing - 19-21 Main Street – Parking Lot**. Site plan and conditional use application for parking lot as principal use on four lots and reconfiguration of the entrance. Toomerfs, LLC c/o Pete Murphy and Tim Murphy, owners. Mike Sievert, engineer. Robbi Woodburn, Landscape Architect. Monica Keiser and Tim Phoenix, attorneys. Map 108, Lots 10, 11, 12, and 13. Church Hill District.
- I recommend that the board close the public hearing and continue its final deliberations.

The sense of the board at the July 27 meeting was to vote on the conditional use for the parking lot as a principal use when it is ready. I will then prepare a draft notice for a subsequent meeting. The board can then take a final vote when the draft notice is presented and reviewed (This process is different from what I had proposed earlier, to have the votes all at the final meeting.)

The Planning Board has discussed the eight conditional use criteria already. It can vote when it is ready. When that vote is taken, the board will need to provide specific findings of fact for the criteria in accordance with Section 175-23. A.

I believe the sense of the board at a prior meeting was that the current plan is “surface parking” rather than “structured parking.” I don’t believe the board made a determination on specific site plan provisions, though, notably those related to Natural Resources, below.

If the draft notice of decision is for an approval, I would recommend that the Town send new notices and reopen the public hearing for discussion of that draft notice.

SITE PLAN REGULATIONS

Here are some pertinent provisions from Part III. Development Standards.

General Standards

1.2.2 The Town of Durham Master Plan and Capital Improvement Program (CIP) are policy rather than regulatory documents, but the Planning Board may consult these documents as guides in reviewing proposed development or redevelopment.

Landscaping and Screening

Section 5.1. The purpose of landscaping and screening standards is to:

- 1) Help integrate the built environment with the natural environment;

- 2) Enhance the quality and appearance of development;
- 3) Preserve open space and natural habitats;
- 4) Control excessive stormwater runoff;
- 5) Prevent soil erosion and pollution of water bodies;
- 6) Reduce noise, wind, glare and dust;
- 7) Provide shade and windbreaks to increase energy conservation in buildings;
- 8) Establish an attractive streetscape adjacent to roadways;
- 9) Screen vehicular headlights in parking areas;
- 10) Promote public safety by guiding vehicles and pedestrians within a site;
- 11) Provide areas for snow storage;
- 12) Enhance privacy;
- 13) Enhance the health and survivability of selected landscaping materials
- 14) Protect the value of surrounding property; and
- 15) Protect and enhance the natural beauty, environment, and green space within the Town of Durham.
- 16) Increase property values

5.9.1 Where nonresidential uses and/or off-street parking facilities abut a vacant lot in a residential zone or an existing residential use, the perimeter shall be screened to provide physical and visual separation from the residential zone or use.

5.9.2 Screening measures composed of trees, shrubs, berms, walls, and/or fences shall be installed to a height of 6 feet, or higher, when appropriate, as specified by the Planning Board. A wall or fence shall be placed on the exterior side of any landscaping unless otherwise approved by the Planning Board. The more attractive finished side of the fence shall face abutters, unless otherwise approved by the Planning Board.

5.9.3 When natural vegetation is used, it shall consist of evergreen shrubs and/or trees planted in a line to form a continuous screen that will grow to a minimum height of 6 feet within 3 years. Additional evergreen shrubs/trees may be planted in a second, staggered line to form a screen together with the first line.

- 5.9.4 All sites shall incorporate screening measures to prevent the headlights of vehicles from shining on adjoining residential areas.
- 5.9.6 The Planning Board may stipulate additional buffers due to unusual impacts generated, including odor, noise, glare, dirt, dust, vibration, etc.

Lighting

- 6.3.2 Glare. All exterior lights shall be designed, located, installed, and directed in such a manner as to not cause glare and objectionable light trespass onto neighboring roads and properties.
- 6.3.3 Shielding. All lights, including those placed on building walls (e.g., wall-packs), shall be fully shielded such that the light source cannot be seen directly from any point on the same horizontal plane as the light source (i.e., a “full cut-off” fixtures). No more than 10% of the total light output (as measured in lumens) from any fixture may be directed above the cone of illumination and none of the total output may be directed above the horizontal plane that is at the same height as the fixture. At its reasonable discretion, the Planning Board may require additional shielding for lights, beyond what is described herein, to protect neighboring residential properties.

Natural Resources

- 8.2.1 Buildings, parking areas, travel ways, and other site elements shall be located and designed in such a manner as to preserve natural resources and maintain natural topography to the extent practicable. Extensive grading and filling shall be avoided.
- 8.2.2 Development shall be directed away from valuable and fragile resources to the extent practicable.
- 8.2.3 Development shall follow the natural contours of the landscape to the extent practicable to minimize grading.
- 8.2.7 Natural features and systems shall be preserved in their natural condition, wherever practicable. Such areas include watercourses, waterbodies, floodplains, wetland areas, steep slopes, aquifer recharge areas, wildlife habitats, large or unique trees, and scenic views.

Snow Storage

- 9.3.2 Snow storage areas shall be located such that no direct discharges to receiving waters are possible from the storage site. Runoff from snow storage areas shall enter treatment areas to remove suspended solids and other contaminants before being discharged to receiving waters or preferably be allowed to infiltrate into the groundwater.

Stormwater

- 15.5.2 (f) The use of sodium chloride-based materials for winter road maintenance shall be the minimum necessary for roadway safety. If the development calls for the use of porous asphalt, sand shall not be used in those areas. However, sand may be used in

other areas not using porous asphalt to cut down on the amount of sodium chloride based materials used.

- (q) Whenever practicable, native site vegetation shall be retained, protected, or supplemented. Any stripping of vegetation shall be done in a manner that minimizes soil erosion.

Traffic and Access Management

16.1.2 A proposed project shall not be approved if the neighboring streets and intersections cannot safely and reasonably accommodate anticipated traffic volumes generated by the proposed development.