



**TOWN OF DURHAM**  
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**Town Planner's Review**  
**Wednesday, December 16, 2020**

- VIII. **56-62 Main Street – Condominium Conversion** Proposed conversion of 56-62 Main Street from four existing condominium units to five condominium units. Doug Clark, applicant. Mike Sievert, MJS Engineering, engineer. Map 2, Lot 14-4A, B, C, and D. Central Business Zone.
- I recommend that the board hold accept the application as complete and schedule a public hearing for January 13.

Please note the following:

- Creation of condominiums and changes to the units of existing condominiums involves review and approval by the Planning Board under the Subdivision Regulations. This application is for an amendment to an existing condominium that was approved by the Planning Board on July 10, 2019. I sent the notes from the TRG meeting.
- The property on Map 2, Lot 14-4 consists of several attached buildings and 4 condominium units. The application involves converting Unit #1 to two units: Unit #1 which includes Ciao Italia Restaurant and the basement area and Unit #5 which will include the second floor over Ciao Italia. Doug Clark, who owns Unit #1, would then be able to sell Unit #5 if he wishes.
- The four units now include addresses of 56 Main Street, 58 Main Street, 60 Main Street, and 5-7 Jenkins Court according to the Assessor's Information. The units are owned by LLCs but I believe that Doug Clark owns only Unit #1 while Pete Murphy owns the other units.
- The application is complete and includes a Declaration (amendment to existing declaration), Bylaws, and Condominium Rules (in a 53-page document) and a site plan and floor plans. All are included in the two documents submitted. Audrey Cline has requested a more detailed floor plan for Unit #5. I understand that Doug Clark will provide that. We do not need that plan now for acceptance of the application.
- Generally with condominiums there are a limited number of things for Planning Boards to look at since the application is only for a change in the ownership arrangement rather than physical changes to the building or site such as access, common areas, limited common areas, utilities, handling of waste, contributions to operating budgets, reserve funds, insurance, and parking (none is included with this project). The documents and plans are very detailed and I do not see any significant concerns. Note that we conduct a fairly cursory review and are not concerned with issues where there is no broader public interest, such as how they conduct their annual meeting.
- There are several outstanding items that Doug Clark as owner of Unit #1 for Ciao Italia needs to address for that project. An approval should emphasize that completion of those items is his responsibility. Mr. Clark understands this. We might also add a clarification that the prospective future additions for several units are subject to Town approval, though that may be fairly obvious.