



TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064
www.ci.durham.nh.us

Town Planner's Review
Wednesday, March 24, 2021

XI. **74 Main Street – Design Review** Related site changes are also proposed for the adjacent lot to the east at 72 Main Street, Map 2, Lot 14-1. 74 Main Street - preliminary site plan and conditional use application for demolition of current wood frame building and construction of a 5-story mixed-use building with commercial use, 15 residential units, and 13 shared parking spaces. Doug Clark, applicant. Mike Sievert, Horizons Engineering. Map 2, Lot 14-1-1. Central Business Zone.

- I recommend that the board discuss the project, schedule a site walk, and schedule a public hearing for April 14.

Please note the following:

Process

- 1) Design review. This is a preliminary design review application. I suggested to the applicant submitting this as a preliminary application because it is dependent on zoning changes that are currently before the Town Council (and could be finalized one way or the other by the April 19 meeting). Planning Boards have the discretion whether to accept formal applications subject to zoning amendments or variances but it is simpler to treat this as a preliminary application. A different design review application was submitted in 2018.
- 2) Conditional use. A mixed-use with residential building is allowed by conditional use. A conditional use would also be needed under the proposed zoning amendments for a fifth floor and for a building height over 30 feet (up to 60 feet allowed in the amendment).
- 3) Site walk. The Planning Board conducted a site walk on the earlier design review application but another one would be useful.
- 4) Technical Review Group. The application was presented to the TRG on Tuesday. I will email notes of the meeting to the Planning Board shortly.
- 5) Timeframe. The applicant is hoping for final action at the May 12 meeting (May 26 is a workshop). They would submit the formal application for an April meeting. We will see how the application progresses.

Building

- 6) Architecture. The architecture is subject to the Durham Architectural Regulations. I don't see any issues off hand but will go through the regulations in detail. The directions labeling each elevation on page PB8 are incorrect.

- 7) Canopy. The first floor canopy in front extends over the lot line. An easement from the Town is probably needed. The canopy should be at least 8 feet above grade.
- 8) Corner tower. A portion of the glass tower rises above the fourth floor. According to the applicant this is simply the upper windows and cornice/parapet for the fourth floor space. It is not set back as a fifth floor element. Is this a concern?
- 9) Stair tower. The proposed amendments require a setback of the fifth floor of 10 feet from the first floor along a street. The stair tower is not set back. We need to determine if the setback applies to this stair tower. If so, the tower would need to be set back or a variance obtained. Audrey and I are discussing this with the applicant.
- 10) Elevator tower. A variance would be needed for the height of the elevator tower if it exceeds 60 feet and 100 feet in area.
- 11) Corner column. A detail of the corner column holding up the building should be provided. We also want to be sure the arrangement of the bollards provides sufficient protection for the building column at the corner.
- 12) Habitable area. The required habitable floor area per resident in an unrelated household here is 400 feet and 300 feet where there are two occupants.
- 13) Condominiums. The applicant expects to establish the building as condominiums with each of the 15 residential units as a separate unit and the nonresidential spaces as one or more units. The project would need to be approved as a condominium with submission of condominium documents.

Floor Plans

- 14) First floor. In the proposed zoning amendment for five story buildings, the entire first floor must be office/retail. Note that a portion of the area at grade is for parking. This lies below the upper floors. Office/retail does not include parking so one might debate whether this meets the requirement. I don't see a concern especially with the amount of additional nonresidential provided for the building in the basement and on the second floor.
- 15) Bedrooms. Dwelling units in the Central Business District may not contain more than 2 bedrooms. Unit 15 shows 3 bedrooms. The applicant said they intend for one to be an office and will remove the closet. Is this acceptable to the board?
- 16) Outdoor space. There is an outdoor deck/patio on the fifth floor along Pettee Brook Lane. The applicant said they would manage this carefully. This area will need to be approved by the Building and Fire Departments.
- 17) Nonresidential space. There is nonresidential/"programmable space" in the basement, first floor, front of the second floor, and fifth floor.

Site layout

- 18) Lot 14-1. There will be several site changes on the adjacent lot 14-1 related to this project. We need written approval from the owner of this property. It should be clarified who will do

this work. That work includes the patio on the side of the new building, parking, curbing, underground electric, and curbing around the corner column. An easement across the subject lot for the electric service may be needed. Are there other elements?

- 19) Rear corner. April Talon pointed out that the northeasterly corner of the site has a lot of structures. This should be examined if there is a way to make this section more efficient.
- 20) Park. We hope that Ballard Park in front of the site will be re-landscaped as part of this project, whether by the applicant or the Town.
- 21) Banner. There is a banner extending across Main Street used by UNH extending to a pole alongside the site. The applicant proposes removing the pole and attaching the banner to the new building. Is that the preferred approach?
- 22) Signage. Is any signage for the site or building proposed? A panel in front will say “Democracy House.”
- 23) Fence. We will need a fence design for the fence around the transformer.
- 24) Construction. The application includes a demolition plan. We will need a construction management plan. The applicant met on site with staff and Martini Construction to talk about staging. The parking spaces along Pettee Brook may be allocated for this purpose. The applicant would then rebuild the sidewalk and some of the structures along there.

Traffic and Parking

- 25) Main Street. The existing parking and curb cut in front of the building would be removed. This is a highly desirable improvement. Several on street spaces will be added along Main Street.
- 26) Compact spaces. Four compact spaces are shown at grade under the building. The regulation allows no more than 30% of the required number of spaces to be compact. This is likely less than 30% of the required number, though not of the number actually provided.
- 27) Parking fee. A fee of \$1,500 will be required for each parking space required for the site that is not provided on site or in an off-site location approved by the Planning Board.
- 28) Sight distance. We need to look at sight distance for vehicles exiting the site.
- 29) Drive aisle. The drive aisle is a little tight – generally 22 feet and 18 feet under the building where the corner column will go. A waiver will be needed from the 24-foot requirement.
- 30) Exit from site. A crosswalk is probably needed at the exit along with a stop sign and “No right turn” sign.
- 31) Loading. How will loading to the building be handled?
- 32) Cross easements. Cross easements with the adjacent lot will be needed for access and parking.

- 33) Bicycles. Bike storage facilities will be needed. These should be provided under cover if possible.

Utilities

- 34) Stormwater. The building will drain to an underground Stormtech system. The site at grade will drain into catch basins then to the Town's stormwater system. Rich Reine said we would need to examine the capacity of the Town's stormwater system that will accept the runoff. A drainage plan will be submitted by the formal application. The system must support fire apparatus.
- 35) Fire hydrant. Brendan O'Sullivan requested adding a fire hydrant on or adjacent to the site. There are several across the street.
- 36) Snow removal. Any snow accumulation on site will likely need to be removed from the site as there is no room for storage.
- 37) Dumpster. The dumpster will be rolled out for trash removal so trucks won't be going under the building. We will need a recycling plan. The applicant should speak with Public Works or the IWMAC.
- 38) Lighting. The applicant proposes to remove three existing freestanding lights and include building-mounted lights.
- 39) Gas service. Gas is being provided from Pettee Brook Lane
- 40) Sewer service. Sewer is being provided through a manhole in the sidewalk on Pettee Brook Lane.
- 41) Water service. Water runs under the sidewalk in front of the building. April Talon was not sure if this line is the best point of connection so close to the building.
- 42) Energy checklist. The applicant will submit an energy checklist later.

Miscellaneous

- 43) Taxation. According to the applicant the 15 residential units will be subject to local taxation. The nonresidential spaces are connected with the nonprofit Foundation for Civic Leadership (does this include the first floor?). The staff will discuss this issue with the applicant.
- 44) Bensonwood. The applicant gave a tour to some staff people of the Bensonwood factory that premanufactures sustainable wall and floor sections. Would the Planning Board like to have a tour? The factory is located in Walpole, NH about 2-1/2 hours away.
- 45) Plans. The bearings and distances for the lot should be shown on the site plan drawing.