

From: [Michael Behrendt](#)
To: [Karen Edwards](#)
Subject: FW: Main Street #19 - Meeting tonight ***
Date: Wednesday, May 11, 2022 2:29:54 PM
Attachments: [Main Street #19 5-11-22.docx](#)

Karen,

Please post my email below on the website. Call it, "Additional comments from Town Planner". Thanks.

Michael Behrendt

Durham Town Planner

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From: Michael Behrendt <mbehrendt@ci.durham.nh.us>
Sent: Wednesday, May 11, 2022 1:32 PM
Subject: Main Street #19 - Meeting tonight ***

To the Planning Board (and applicant and abutters),
For the discussion tonight for 19 Main Street please note the following:

- I am hoping that we will have a good amount of time for this item tonight. I recommend the board really dig into the project tonight and address some key issues.
- Regarding the users of the parking lot, I should have provided more specific guidance to the Planning Board earlier, so sorry for this late comment. I recommend that a condition on an approval would require that all use of the parking lot be permit based (or comparable) with a minimum term of one week. This would reduce turnover though it is unlikely that people would use this kind of parking lot for quick hourly use anyway. It is likely that most users would be students but both the

applicant and the Town would want flexibility on who uses the lot, which could include employees and other residents downtown (nonstudents, seniors, etc.) since the Town is encouraging diversity in occupancy downtown. I believe the traffic study was based on use exclusively by students. I recommend that the applicant have the traffic engineer Steve Pernaw update the study based on this permit approach with availability to more than students. Most likely Mr. Pernaw can do this update readily and quickly without a significant expense for the applicant. If the update shows no significant concern then this additional confidence in traffic flow will be worthwhile having.

- I urge the Planning Board to do four things tonight:
 - 1) Finalize a few issues that have been around for a while. See my attached Planner's Review. This includes at least items 2) and 6)
 - 2) Determine what additional information or documentation is needed, if anything. This includes at least items 3), 4), 10), 11), and 14)
 - 3) Decide if any changes should be made to the plans now. This includes, *but is not limited to*, items 5) and 12)
 - 4) Talk about the review process from here.

- Regarding the process from here, it is a little complicated for this kind of project. I recommend that the Planning Board continue the public hearing at least one more meeting (to May 25 or June 8). The applicant could modify the plans and provide any additional information in advance of that meeting. Then, if the board is ready, at the next meeting the board could adjourn the public hearing to a date certain (June 8, June 22?). This adjournment would give the board one or two meetings for deliberation without any input from the applicant or the public. The public could then speak at the hearing once reopened, preferably being limited to discussing new information only. As part of the deliberations, at some point, the board will need to give me a direction, to produce a DRAFT notice of decision for *approval or denial*. I will provide that draft for the following meeting. The applicant and the public will need to have an opportunity to comment on a Draft notice of decision for approval. If the notice is for denial it is not necessary that the applicant or the public

have an opportunity to speak to that. If a draft notice of decision for approval, then I will provide a final document after that meeting based on guidance from the board following the hearing.

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