



**TOWN OF DURHAM**  
8 NEWMARKET RD  
DURHAM, NH 03824-2898  
603/868-8064  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

**Town Planner's Project Review**  
**Wednesday, December 14, 2022**

VIII. **Young Drive Condominiums.** Application to convert five existing duplexes on separate lots to two-unit condominiums. 5 & 7 Young Drive, 18 & 20 Young Drive, 29 & 31 Young Drive, 30 & 32 Young Drive, and 34 & 36 Young Drive. Map 107, Lots 91, 102, 96, 99, and 98, respectively. Young Drive, LLC, property owner. Francis Chase, agenda. Coe's Corner District.

- I recommend the board accept the application as complete and schedule a public hearing. The board may also want to conduct a site walk.

Please note the following:

- 1) **Application.** We have an application to convert each of the duplexes located on five lots at Young Drive into two-unit condominiums. Condominium conversions are considered "subdivisions" in our regulations and state law so this application is being presented to the Planning Board for review and approval.
- 2) **Young Drive.** See the tax map at the bottom. There are 15 separate lots on Young Drive (lots 91-105), all owned by Young Drive, LLC. There are duplexes on 10 of the lots and 5 lots (92, 93, 94, 104, and 105) are vacant. Nine of the duplexes were built in the 1960s as part of the subdivision. There is one new duplex under construction on lot 91. Young Drive is a Town road. The site is grandfathered since Coe's Corner does not allow duplexes. There have been several court cases with the Town in the past about several issues. The site is subject to the ordinance in place when the project was approved so the wetland and shoreland overlay districts do not apply to this site and the owner is entitled to build out the remaining vacant lots.
- 3) **Condo conversion.** Three duplexes were converted to condominiums in 2018, on Map 107, Lots 95, 101, and 103. All six of those units have been sold to different people. The new submission is essentially the same this older submission. The documents follow the same format.
- 4) **No changes.** According to the applicant there will be no physical changes made to the interior or exterior of the buildings nor to the sites as part of this application. The conversion will only accommodate a change in the ownership arrangement. Each 2-unit condominium with the underlying land will be a separate association. Each unit owner will virtually own half of the lot underlying the unit (which is *limited common area*) as shown on the condominium plans since they will have control and exclusive use of that area. The lots will remain as separate lots though. Each of the resulting condominium units could be purchased by an owner occupant or an investor for rental.
- 5) **Documents.** There is one overall subdivision application and a separate Declaration of Condominium, set of Bylaws (Appendix A), and condominium plan. The documents are

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identical for each of the five condominiums except for the addresses, lot numbers, and floor and site plans. There is a concrete wall down the middle of each building separating the units running up to the roof. The left and right halves of each lot will be separate limited common areas (for use only of each unit owner respectively). Each unit owner will have 50% interest in the condominium.

- 6) Utilities. Mr. Chase said all of the utilities are separate for each unit. There is one water, sewer, and electric line connecting to each building with separate meters and lines going to each unit. Each unit has two electric lines – one for heat and one for electric service. There is no natural gas in the development (though it runs along Dover Road). Brendan O’Sullivan said there are at least two hydrants on Young Drive.
- 7) Additions. Buyers of the units can make their own improvements on their half and build additions such as decks and garages.
- 8) Town Review. A municipality’s review of a condominium conversion is limited. We look for red flags that might run counter to Town ordinances and good public policy such as undue restrictions on parking or access.
- 9) TRG. The Technical Review Group reviewed the application on Tuesday, December 6. See the notes from the meeting.
- 10) Wetlands. A notice of violation/inquiry was sent from David Price of NHDES to the property owner for activity impacting wetlands at Young Drive next to lot 91. Francis Chase told the TRG at its meeting on Tuesday that he hired West Environmental and Millennial Engineers to work with NHDES to address the issues. Mr. Chase said the matter has been resolved and that he would forward documentation from David Price confirming that the matter is closed to the Planning Department. I will share that correspondence when I receive it.
- 11) Clean up. Audrey Cline asked at the TRG meeting about construction materials and debris at the end of Young Drive. Mr. Chase said this would be cleaned up.

