



TOWN OF DURHAM
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Town Planner's Review
Wednesday, April 8, 2026

VIII. **31 Main Street – Amendment to Site Plan.** Amendment to site plan approved in 2014 for mixed-use with residential project (“Orion Project”) to allow 31 Main Street to be used for residential rather than commercial purposes and to expand the allowance from 179 bedrooms to 184 bedrooms and from 197 residents to 202 residents. Torrington Properties, c/o Jeff Gannon, property owner. Courtney Vaughan, attorney, DTC Lawyers. Map 108, Lot 14. Central Business-1 District.

➤ I recommend that the board discuss the proposal and set a public hearing for April 22.

Please note the following:

- This is a request for an amendment to an approved site plan to allow for the building at 31 Main Street to be used for residential purposes. The site plan for the project known as Orion (the name of the original developer), with multiple buildings, was approved by the Planning Board on January 29, 2014.
- See the colored plan in the packet. The project involved six buildings (including several original ones that were demolished for the project): two historic buildings fronting on Main Street that were renovated, two new small buildings fronting on Main Street, one new large building fronting on Main Street (extending to the rear of the lot), and one new large building placed at the rear of the site behind the small ones on Main Street.
- The original approval was described as a mixed-use project located in the Durham Historic District with a maximum of 179 bedrooms, a maximum of 197 residents, and nonresidential uses in the entirety of Buildings C and D and the front block of Building A. The project involves rehabilitating the houses at 25 and 35 Main Street, demolishing the houses at 27 and 29 Main Street, demolishing the barn in the rear, erecting two new houses fronting on Main Street (Buildings C and D), and erecting two large new buildings, one in the rear and one fronting on Main Street. Address: 25 – 35 Main Street
- The ordinance in place at the time required that the first floor of all buildings be nonresidential/commercial. Due to the challenges of filling the first floor of each of the six buildings with commercial uses with the location on Church Hill and the bulk of the first floor being located off the street, the applicant obtained a variance for the original project to require commercial uses only for the buildings shown on the plan in yellow (one specification is only for the front section of the large building extending to the rear of the site). The site plan approval incorporated this condition.

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- The applicant recently obtained a new variance requiring that only two of those three buildings be designated for commercial use, removing the requirement for 31 Main Street. Because the site plan approval required commercial use for 31 Main Street, an amendment to the original site plan approval is also required. The amendment is also to allow for a small increase in the number of bedrooms and occupants specified in the original site plan approval.
- An amendment involves at least two meetings – the initial presentation (on April 8) and a public hearing at a second meeting. Notices will be sent to the abutters for the public hearing.
- Torrington Properties and the prior owner, Orion Student Housing, tried for years to rent the building for commercial purposes but it was very challenging, in large part due to the lack of adjacent parking. The building is presently vacant. The other two buildings specified for commercial use are used for Torrington offices and for a State Farm Insurance office.
- The original approval included a waiver of the impact fees since this was a student housing development. If this building is converted to residential use now the board will need to consider whether the waiver should apply to this building or whether the fee should be paid for this building.
- The Central Business-1 District allows only 2 bedrooms in a dwelling unit, but the site may be considered vested for more than 2 bedrooms per unit. Five bedrooms are proposed in the building. I am checking on whether the building is vested or if the applicant would need to take another approach.