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Town Planner's Recommendation
Wednesday, December 4, 2013

VIII. ***Public Hearing*** (continued) - **25-35 Main Street**. Formal site plan application to redevelop three lots into a **mixed-use student housing development**. The proposal involves rehabilitating the houses at 25 and 35 Main Street, demolishing the houses at 27 and 29 Main Street, demolishing or relocating the barn in the rear, erecting two new houses fronting on Main Street, erecting two large new buildings, one in the rear and one fronting on Main Street. **Orion Student Housing**, Bill Fideli and Philip Wills, applicant; Bob Clarke, Allen and Major, engineer; Lisa DeStefano and Adam Wagner, DeStefano Architects, architect; Tim Phoenix, attorney. Tax Map 5, Lots 1-6, 1-7, and 1-8, Central Business Zoning District.

- I recommend reviewing the issues below and continuing the public hearing to December 11. ***I have marked items below with an * for the board to specifically look at.*** A number of items are included for information only and are not intended to be conditions of a prospective approval. Does the Planning Board wish to provide any input into the variance applications being heard for the first time by the ZBA on December 10 (See item 5 under Process, below)?

Process

- 1) * An extension is needed from the applicant for at least a month or two. The application was accepted as complete on September 25 and the 65 days (timeframe per RSA 676:4 I. (c)(1)) has passed. The applicant requested a postponement beyond the November 13 meeting at which time they presumably would have agreed to an extension.
- 2) A site walk was held on October 4.
- 3) Two new items – a letter about the variance and nonresidential uses and a commercial area analysis – are enclosed.
- 4) The project was last reviewed on November 6. The applicant requested a postponement of the November 13 meeting
- 5) The applicant has applied for several variances as stated in this agenda item for the ZBA. Note, however, that the arrangement of the nonresidential space has changed from this description. See the enclosed letter.

PUBLIC HEARING on a petition submitted by Orion, UNH LLC, Durham, New Hampshire for an APPLICATION FOR VARIANCES from Article XII, Section 175-41(F)(1, 5, 7 & 8) and Article XII, Section 175-53 and Section 175-54 of the Zoning Ordinance to permit residential units on all floors of two of the five proposed buildings, to permit two of the five proposed

buildings to exceed 35 feet, and to allow 4 parking spaces and dumpster behind/beside the 5 buildings fronting on Main Street, in front of Building B at the rear of the lot.

Architecture

- 1) * The south elevation for Building A should be embellished. More windows should be added. I think this is appropriate to request per the HDC's approval (See below).
- 2) There are a few secondary building elevations that are not included and which were not submitted to the HDC. One condition of the HDC's approval was that those elevations be submitted to the Planning Board as part of site plan review. I will check to see whether or not these should go back to the HDC.
- 3) New elevations provided (that were not provided to the HDC) include:
 - a. Building A south
 - b. Building A east
 - c. Building B east
 - d. Building B west
 - e. Building C and D east, west, and south
- 4) The elevations are mislabeled for Buildings C and D
- 5) The design was approved by the HDC on August 22, 2013. As part of any prospective final site plan approval the Historic District Commission approval, including colors and materials, will be incorporated.
- 6) The applicant expects to return to the HDC in the future for outstanding items, including fencing, signage, and paving materials. In the event that the Planning Board asks for changes in the site design or items that would affect the architectural design, then the applicant would return to the HDC for those items, as well.
- 7) It looks like the barn will likely be demolished. One very interested party realized the cost for moving it (to Lee) would be \$250,000 to \$300,000.

Other Design Issues

- 1) * All of the pavers/cobblestones will be porous. We should see samples.
- 2) There will be decorative lamps and wall sconces. The lamp posts are 9.5 feet high and quite attractive (matching Town posts?). Some clarification is needed on the sconce detail.
- 3) We should see a sample of the proposed iron fence. Preferably, the design has a solid character, as many of these fences are quite flimsy.
- 4) We will need a sign plan soon.

Landscaping

- 1) * Additional street trees are needed in front, along Main Street.
- 2) * What steps will be taken to protect existing trees, both on site and on the adjacent lots?

- 3) The arborvitae along the easterly property line are right up against the adjacent 21 Main Street (white house), and should probably be removed.
- 4) An arborist should probably be on site at appropriate times to oversee tree protection during construction.

Traffic

- 1) * Are any improvements at the Main Street/Madbury Road intersection in order?
- 2) * Are any other off-site improvements in order?
- 3) The new study is on the web. I am in contact with Steve Pernaw, Traffic Engineer, about doing a peer review on the plan, as stipulated by the Planning Board. The fees would be paid by the applicant.
- 4) The driveway will be one way, likely with vehicles moving in an easterly direction.
- 5) The intent is that the courtyard not be actively used for parking.
- 6) From Chief Kurz – [If not already part of the study] I would recommend that a traffic engineer, hired by the applicant, provide the Town with a viable traffic pattern for the complex considering the Main Street patterns and volumes.

Parking

- 1) * Pursuant to the Planning Board's recent discussions at the workshop a parking plan should be submitted.
- 2) * It might make sense to use one of Orion's other sites, particularly one across Main Street, for customers of the businesses.
- 3) 4 spaces proposed are proposed on site now.
- 4) The Planning Board would need to approve the reduction in parking from the existing.
- 5) The plan for parking in the applicant's lot on Mill Pond Road was withdrawn.
- 6) From Chief Kurz - While the parking lot will undoubtedly provide delivery and temporary parking for tenants and deliver persons, all parking should be clearly defined with no parking that would hinder emergency vehicles.
- 7) From Chief Kurz - It is imperative that the applicant understand that there is no overnight parking for any potential apartment renters on any adjacent streets or property owned and/or controlled by the Town of Durham.
- 8) From Chief Kurz - While the Town will not provide parking permits for residential apartment dwellers, there is the opportunity to purchase annual business permits for those associated with the commercial enterprises located in the area. This will enable employees to park at several satellite locations reserving the closest parking for customers.

- 9) I believe that there are 51 parking spaces on existing site, a number of which are leased to people not living on site.

Pedestrian Ways and Bicycles

- 1) * The new plans show the applicant replacing the existing sidewalk along the entire frontage with a new 8 foot wide sidewalk. This is a good improvement.
- 2) * Covered bike storage is needed. It should be very accessible, safe, and inviting to use. Where should this be?
- 3) * What is the appropriate number of bike slots?
- 4) Several bike racks are shown on the plans now.
- 5) The bike rack changed on the updated drawing to a swerve type rack. The earlier detail showed ribbon racks. Robin Mower said that that ribbon racks are not effective.

Public Safety

- 1) * The management plan has been submitted. This needs to be reviewed.
- 2) Grand Campus Living acts as Orion's property manager.
- 3) We need to ensure that access for emergency vehicles will be maintained during construction.
- 4) The Fire Department will continue its review for access. It is expected that the ladder truck could pull into either entrance but not navigate through the driveway.
- 5) From Chief Kurz - Video monitoring in any interior common stairwells or hallways or exterior walkways would be helpful for theft prevention, resident safety as well as enhancing the police department's ability to resolve criminal acts. [recommended]
- 6) From Chief Kurz - Hardware should feature window locks, dead bolts for doors, interior door hinges and well lit interior corridors. All common building entrances should have locks that automatically catch when the door closes. [recommended]
- 7) 1 hydrant is shown on the updated plans.
- 8) The large buildings will be fully sprinkled. Will the two new small buildings be sprinkled?

Environmental Issues

- 1) The applicant will meet with a representative of the Energy Committee to discuss the energy checklist.
- 2) Is there an opportunity for solar panels?
- 3) The applicant expects to make the two large buildings (and possibly the two new smaller buildings) Energy Star.
- 4) Could the project qualify for LEED?

Commercial Uses

- 1) * The applicant has applied for a variance for the first floor commercial and a few other items. See Process, above.
- 2) The total square footage of all 6 buildings, not including the basement is 74,960. The first floor is 35.6% of that total square footage (a little higher than 33-1/3% probably because the square footage of the top floor may a little smaller under the sloped roofs). The entire first floor for all 6 buildings is 26,667.
- 3) The applicants are offering membership in Wildcat Fitness free for tenants.

Utilities

- 1) * One dumpster is shown at one side of the site. Is there a way to add another dumpster or trash storage area?
- 2) Snow will be removed from the site, as needed.
- 3) Dave Cedarholm will review the drainage plan.
- 4) Dave Cedarholm says that we need to look at the condition of the drainage line that extends to Pettee Brook.
- 5) There is a newer water line in Main Street. There is a section of sewer line that is new but the route for sewer is a little tricky. We will get more information from Public Works.
- 6) All of the utilities will be underground and extend in conduit under Main Street. The existing overhead lines will be removed.

Construction

- 1) * How would ledge and blasting be handled in this tight sight, especially for the adjacent house to the left?
- 2) * Is any additional information is needed for the retaining wall? While the blocks are quite large it would be beneficial to see a sample of the material.
- 3) * All outside construction activity related to the development of this site should be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday. Robin Mower requested that there be no construction on weekends and evenings. Was any activity contemplated for Saturdays?
- 4) A construction plan has been submitted.
- 5) The applicant has not taken any soil borings yet. The site has ledge and clay. There may be no processing of stone on site.
- 6) The applicant hopes to start construction Spring 2014 and open in the Fall 2015.
- 7) From Chief Kurz - Any construction and/or delivery that will result in the closure and/or blockage of the traffic lanes on Main Street must be approved with ample notice to the Durham

Police Department who will be the sole determination as the traffic control required. The Durham Police will not allow any construction/delivery that would cause any lane closure during the period of the last week in August through Labor Day weekend that would coincide with UNH “move-in”.

- 8) The applicant will need to pay for a construction inspector who will work for the Town.
- 9) Because of the historic character of the buildings that will be demolished, no buildings should be demolished on site until the building permit is issued.
- 10) The limits of construction should be shown on the plans (if not already indicated).
- 11) Will the applicant need to go onto an adjacent lot for construction?

Housing

- 1) * Should any additional access be provided for basement units?
- 2) There will be 1, 3, and 4 bedroom units with at least 390 square feet of habitable area per occupant.
- 3) 52 dwelling units are proposed. About 180 beds are proposed. There are around 65 beds on site now.
- 4) There will be handicap accessible units. These should be shown on the final plans.
- 5) Each bedroom will have its own bathroom and there will be a washer/dryer in all units.

Plan Drawings

The next set of plans should be shown without the existing conditions depicted on the same sheets, for ease of reading.

Other Issues

- 1) * There is a sidewalk shown along the easterly boundary. This is a tight area close to the adjacent white building. It would seem better for students to enter Building A from the entrance in the courtyard.
- 2) * Zoning. The applicant has applied for three variances – for first floor commercial, for building height (two buildings exceeding 35 feet), and for dumpster/parking location.
- 3) The applicant is protected against the two recent zoning amendments – 300 square feet per occupant and the 5 amendments currently being reviewed by the
- 4) From Chief Kurz - The Durham Police would suggest that all apartment numbers be prominently displayed and developed so that police personnel can easily and quickly locate units, i.e. 2A for unit A on the 2nd floor and 3C for unit C on the 3rd floor.
- 5) The Planning Board voted on October 9 to not request a fiscal impact analysis.
- 6) The lighting plan looks good. There is a maximum of 5.8 footcandles, which is fairly low.