



TOWN OF DURHAM
15 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064 603/868-8065
FAX 603/868-8033
www.ci.durham.nh.us

Town Planner's Recommendation
Peak Development
Wednesday, May 8, 2013

X. **Peak Campus Development, LLC.** Approved Site Plan and Conditional Use for 142-unit/460 bed apartment-style housing development. Tax Map 13, Lots 6-1, 10-0, 3-0. Office Research/Light Industry Zoning District.

1. Update on project

2. Request for an extension to meet precedent conditions

➤ I recommend approval of the applicant's request for an extension. See the enclosed extension request.

3. Request for approval of phasing plan

➤ This is before the Planning Board for a modification. Note that the board determined that treating this as a modification without notices or a public hearing was appropriate as the changes are internal and should not have any meaningful impact upon abutters or the broader public. We discuss the phasing plan with the TRG and Tom Johnson and I had several conversations with the applicant. I recommend approval with the Notice to read as follows:

Draft

NOTICE OF MODIFICATION

Applicant:	<u>Peak Campus Development, LLC</u> , applicant
Application:	Phasing Plan
Project:	Site Plan and Conditional Use for 142-unit/460 bed apartment-style housing development.
Engineer:	Joseph Persechino, Tighe & Bond
Property Owners:	Chet Tecce Jr., John & Patricia McGinty, and UNH
Assessor's Map:	Tax Map 13, Lots 6-1, 10-0, 3-0 UNH and 4-0 UNH
Zoning:	Office Research/Light Industry Zoning District
Date of Site Plan approval:	November 28, 2012
Date of Phasing approval:	May 8, 2013

The Planning Board approved the request for a modification for a phasing plan, as shown on the plan submitted by the applicant April 19, 2013 (shown in the file as "Phasing Plan"), with the following terms and conditions:

- 1) Certificates of occupancy for Phase 1 shall be issued upon completion of the infrastructure necessary for Phase 1 and satisfactory inspection of the Phase 1 improvements.
- 2) Prior to completion of Phase 1, the developer shall provide evidence of financing for Phase 2.
- 3) Phase 2 of the project shall be completed within one year of completion of Phase 1 subject to force majeure.
- 4) Certificates of occupancy for Phase 2 shall be issued upon completion of the remaining improvements shown on the site plan and satisfactory inspection of these Phase 2 improvements.
- 5) All off-site road improvements shall be satisfactorily completed prior to the issuance of any certificates of occupancy (or subject to any satisfactory arrangements made with NHDOT and the Town).
- 6) Subject to the conditions in the original Notice of Decision, if the developer is able to obtain necessary approvals in a timely manner then the off-site path shall be completed with Phase 1. If not, it shall be completed with Phase 2 subject to force majeure.
- 7) The Town staff may make minor adjustments in the requirements herein to accommodate construction constraints, as appropriate.
- 8) The developer may install gates across the two driveways at the phase lines if approved by the Fire and Building Departments. The Fire or Building Department may also stipulate installation of gates here, if appropriate.
- 9) A temporary driveway access must be obtained from NHDOT as shown on the phasing plan (or as modified by the applicant and NHDOT).
- 10) All other conditions of approval shall apply unless superseded herein.