



TOWN OF DURHAM
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Town Planner's Recommendation
Wednesday, February 11, 2015

XIII. ***Public Hearing - 257 Newmarket Road – Two New 3-Unit Buildings.*** Application for construction of two multi-dwelling buildings with three two-bedroom units each. The site contains an existing student housing building. A variance was granted in 2009 for the additional units – for a maximum of 15 occupants in the existing building and 24 occupants in the new buildings. Christopher Meyer and Edward Marquardt, Seacoast OPM of Durham, owner; Matt Silva, coordinator; Dennis Quintal, engineer; Roscoe Blaisdell, surveyor; Nick Isaak, architect. Tax Map 18, Lot 3-2. Rural Zoning District.

- I recommend discussion and continuing the public hearing to March 11

Please note the following:

Process

- 1) I think that the applicant has addressed most of the concerns. They have met with April Talon, Town Engineer, and John Powers, Deputy Fire Chief. We will need signoffs from all departments. The applicant needs to come to one more TRG meeting.
- 2) The project should be ready for final action at the next meeting if any outstanding issues are addressed. The February 25 agenda is pretty full so it is up to the board whether to continue to February 25 or March 11.
- 3) The most recent set of drawings were received on January 29.

Traffic, Parking, and Circulation

- 4) **Fire Access.** We will obtain confirmation that revised plans are acceptable for fire access as shown.
- 5) **Newmarket Road.** Approval from NHDOT will be needed to expand the use. The applicant should coordinate with NHDOT to be sure any required improvements will mesh with the bike lane project on Newmarket Road.
- 6) **Parking adjustment.** The plans state the parking spaces at the southerly entrance will be shifted. The plans must show precisely where they will be shifted to.
- 7) **Bicycles.** The plans show bike racks in three locations. We will need details on the proposed bicycle racks. The style should allow for each bicycle to be locked at the front and rear. I can forward an appropriate example to the applicant.

Landscaping

- 8) Landscaping plan. The plan generally looks good. Plantings are placed in three general areas: to screen/buffer parking from Newmarket Road, to screen/buffer the abutter to the south, and to enhance the front of the new buildings. The variance approval for the project in 2009 stated: *“There will be a visual screen to effectively block the parking lot and cars, to preserve rural character as much as possible.”*
- 9) Plant numbers. Correct the legend/plan for the number (symbols?) of yews and azaleas.
- 10) Screening of abutter. Jeff Todd stated this in his email: *“During that discussion [at the ZBA] I believe one of the criteria was to plant a substantial amount of mature shrubs along the property line. We have a private yard and now we will be looking at apartment buildings, parking lots and a drainage ditch if this buffer is not constructed. I believe the Planning Board and Town Planner have the responsibility and obligation to maintain a residents home value not permit new construction to diminish the existing value of abutters.”* A number of arborvitae have been added to the plan. The variance approval for the project in 2009 stated: *“Visual buffering between the applicant and the abutter must be agreed upon by both the applicant and the abutter. If no agreement can be reached, the Planning Board will define the buffering.”* The applicant said that he has reached out to the abutter but has not been able to connect with him.
- 11) Landscaping. Mr. Todd also stated, *“With the comments on the Apartment Building appearance or lack of and minimal site details and appearance, Hopefully the Board will enforce all the requirements so the property will be attractive with some plantings and has minimum impact on the value of my property.”*

Site Issues

- 12) Permeable pavement. Does the board think that permeable paving should be used anywhere on the site? The applicant stated that this is not practical due to the presence of ledge, and points to several ledge outcrops near the parking area.
- 13) Pavers. Pervious pavers are shown in front of the buildings. Provide a detail of how these will be installed.
- 14) Grading. More information is probably needed for grading of the parking lot.
- 15) Drainage. Mr. Todd requested, *“If the contours allow could you request the drainage ditch be on the opposite side of the property or the north side.”* The applicant said this is not practical due to the presence of ledge and existing septic system on the other side of the lot. Note that the outlet for the drainage is located on the opposite side of the lot.

Utilities

- 16) Dumpster. Show more precisely how the dumpster pad will be situated on the site. It is placed at an odd angle behind grass on the site plan. What color should the fencing be? Is 8 foot fencing too tall? There is reference to 2 dumpsters. I see only one location on the plans.
- 17) Transformers/structures. Will there be a new transformer or other utility structures? Where will utility meters be located? Structures should be appropriate screened.

- 18) Septic location. Mr. Todd said, “*With the numerous amount of ledge outcroppings Please review the Septic Design and minimum distances and elevations.*” I will forward this concern to April Talon.

Architecture and Buildings

- 19) Architecture. I have conveyed a number of suggestions about the design to the applicant but have not heard back (I can share those suggestions with the board if desired). The buildings are fairly well buffered visually from Newmarket Road but will be obliquely visible.
- 20) Laundry room. Tom Johnson said there are some additional building code requirements for a separate laundry room. The applicant will look at whether to keep this room or not. If kept it should be shown on the architectural.

Miscellaneous

- 21) Fire Issues. The Fire Department said, “Our records indicate that a housing inspection was conducted on the property prior to ownership changing. There were several code deficiencies noted during the inspection that will need to be addressed. Where there appears to have been a change of use to the garage building, we will need to perform a life safety inspection there as well. From the photos attached to the previous email, it would also appear that the dumpster is too close to the combustible exterior wall of the garage building. Also, there is combustible storage (pallets) stacked up against the building that will need to be addressed.” The applicant said they have moved the dumpster per this requirement.
- 22) Property management. A property management plan is needed. The Police Chief said he did not need one but the variance approval states: “*The Planning Board will address property management to provide adequate security.*”
- 23) Outdoor space. The Planning Board chair asked me about providing some outdoor space for the residents, such as a patio in the rear. I think that the residents should have some attractive outdoor space.
- 24) Lighting. A shield should be installed at the back of the light fixtures to provide additional screening of the light source from the residential abutter to the south. The plans show a boundary for lighting around the lights with a 0.5 footcandle. This is low level and appropriate, but it should be confirmed by the lighting supplier/contractor. The 2009 variance approval states, “*The ZBA directs the Planning Board to pay particular attention to directional lighting to minimize light pollution on the abutter.*”
- 25) Energy checklist. The applicant needs to meet with a representative of the Energy Committee to discuss the checklist.