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Town Planner's Recommendation
Wednesday, November 4, 2015

- IX. ***Public Hearing - Harmony Homes - Eldercare Facility***. Durham Business Park off Route 4. Site plan and conditional use for an eldercare (assisted-living) facility with 3 single-story buildings with parking and associated improvements. The conditional use is for activity within the Wetland and Shoreland Overlay Districts and for an elderly single family on site. John Randolph, Harmony Homes, applicant; Eric Chinburg, Grant Development, LLC, property owner; Mike Sievert, MJS Engineering, Engineer; Steve McHenry, Brandon Holben, and Mary Brake, McHenry Architecture, Architects. Tax Map 11, Lot 27-1 through 27-7. Durham Business Park Zone.
- I recommend the board keep the public hearing open for at least one more meeting (as some additional information will come in) and continue the review to November 18.

Please note the following:

Updated information

- 1) Pursuant to my comments and other comments and issues the applicant has updated the plans. An 11x17 updated set is included in the packets. There are several sheets shown in color at the end of the plan set.
- 2) The applicant included a memo providing responses to my comments. The applicant also included test pit logs and proposed terms for the conservation easement.
- 3) We will need updated architectural renderings incorporating conditions made by the Design Committee for a final review by the committee. Otherwise, I do not believe we will need any more iterations of the plans for the Planning Board's review, except for any individual sheets where specifically noted (such as the Lighting Plan which is difficult to read). Once/if approved, additional changes – per standard conditions to be incorporated and all changes as now specified by the Planning Board - can be incorporated into one final plan set to be provided as precedent conditions.

- 4) Note that an updated landscaping plan is included in the electronic version but not in the hard copy.
- 5) The applicant has an aerial photo of the site showing the basic elements which he will forward. The only other item that comes to mind now which would be useful is to get a revised lighting plan, as the one submitted is difficult to read.

Process

- 6) Technical Review Group. The TRG will review the revised plans at the meeting on November 10. I will ask for signoffs then or shortly afterward.
- 7) Draft conditions. I will prepare draft conditions of approval for the board to review on November 18.
- 8) Public hearing. The public hearing was opened on October 14. The additional documentation that we should receive includes revised architectural drawings, the traffic study, perhaps some updated individual sheets in the plan set, and any additional items that board requests. Thus, it is best to keep the public hearing open longer.
- 9) Schedule. The applicant is now planning on breaking ground in the spring but is hoping for final action in December in order to obtain his financing.
- 10) Site Plan Regulations. Because the design review was held prior to the adoption of the new site plan regulations, this project need comply only with the prior set of regulations. ^I reviewed them and do not see anything at variance.
- 11) Zoning. I do not see anything in the plans that is at odds with the zoning ordinance, except where specifically noted.
- 12) Conditional Use. A conditional use will be needed for activity within the Wetland Conservation and Shoreland Protection Overlay Districts. The applicant met with the Conservation Commission on October 8 and we received a recommendation from the commission. The conditional use will be for various drainage structures (including gravel wetlands and a culvert under the road), footpaths, retaining walls, possibly a gazebo at the proposed outlook, the generator and transformer for Building #1, expansion of the existing sewage pump station for a horse barn, sewer upgrades, the fence for the paddock. A conditional use is also needed for the senior single family or duplex. Are there any particular concerns with the conditional use request that the applicant should address?
- 13) State approvals. The following approvals will be needed: NHDOT access permit, NHDES alteration of terrain, NHDES sewer discharge permit, NHDES wetland permit for activity within 100 feet of a tidal wetland (no wetland filling is proposed), NHDES Shoreland Protection, and approval for the eldercare facility to be issued through NH Health and Human Services.

- 14) Department reviews. Though this is a large project the Public Works Department will be able to review this in house, rather than sending to an outside consultant. We have a memorandum from the Police Chief, and will obtain other department signoffs prior to approval.

Other Issues

- 15) Residence. The applicant would like to keep it flexible whether this is a single family or duplex. Appropriate language can be incorporated into an approval.
- 16) Design Committee. The committee will meet again, probably for one last time, for a review of the revised site design and to approve the final site and architectural designs. There are some outstanding items to review – lighting, the fence for the paddock, a sign for the project, review of the duplex, and any other outbuilding, such as a gazebo, that might be added. Some of these can be reviewed later, after Planning Board final action, through conditions on the approval.
- 17) Floor plans. The applicant said that the plan for Building #2 will be the same or virtually the same as for Building #1. I do not think that we need a specific floor plan for Building #2 unless there is a particular element that the board is concerned about. It will likely change some when built later.
- 18) Permeable pavement. Mike Sievert does not believe this is practical due to clay soils within 4 feet of the surface. Test pit information has been submitted.
- 19) Horse manure. The plans have been revised to show a stockpile area near the barn – labeled as “manager” rather than “manure.” The manure would be removed from the site.
- 20) WWTP notification and PILOT. I think we should have notices in the leases and in a deed for the property. The applicant is checking with his attorney.

Views toward the project

- 21) Conservation Easement. The applicant has agreed to establish a conservation easement for the front portion of the property in order to minimize the visual impact from Route 4. Proposed language/terms have been submitted. Does the board have any concerns? I recommend that the board endorse the basic terms as part of the site plan review but that the final document be prepared as a precedent condition based on those terms.
- 22) From Route 4. The Design Guidelines state that buildings shall be sited to preserve significant views from Route 4. Several views are shown from Route 4 on Sheet A306. The plans should indicate the vantage points for these views. No additional landscaping is proposed.
- 23) From the Oyster River. The Design Guidelines state that buildings shall be sited to preserve significant views from the Oyster River. The views from the river are fairly open to the site, at least for the stretch of river alongside the site. The site is well

landscaped. Are there any particular concerns? There will be 2 retaining walls that will be landscaped.

Site Design

- 24) Path through woods. The few existing treed areas will be largely retained. One area that will be impacted is a cluster where the path would extend through the middle. According to Mike Sievert this is the best location due to the grades nearby. I think we will want to oversee the cutting for the path carefully. Should this be stone dust or asphalt? Stone dust would have less impact but could be difficult to maintain.
- 25) Building #3. A conditional use may be needed for building #3 in the future due to its proximity to the buffer. We should be aware of this going forward.
- 26) Street trees. The applicant proposes to plant an avenue of maple trees along both sides of the entry road. Although the setting is fairly rural this formal design should be very attractive and serve as an inviting entrance to the project. The applicant proposes to look at these again after phase 1 is built to see if appropriate. The applicant intends to plant these in a later phase.

Landscaping

- 27) Drawing. See the electronic copy which is colored. It is easier to read. The colors do not mean anything in particular; they are given only to help visually differentiate among plants.
- 28) Parking area. In the updated plan (shown electronically but not in the paper copies), additional plantings are shown to buffer the parking area near the pump station and the number of cedar trees has been increased from 19 to 26.
- 29) Irrigation. No irrigation is proposed. Hose bibs will be used.

Traffic, Circulation, and Parking

- 30) Bicycle racks. These have been added. I think the locations should be adjusted so they are closer to the buildings. Only open spaces are shown, not any indoor or covered. I trust that is appropriate for this use.
- 31) Traffic study. The applicant has hired Steve Pernaw as his traffic engineer. Mr. Pernaw will prepare a study for NHDOT. The TRG did not think a separate traffic study for the Planning Board was in order other than to see Mr. Pernaw's report. This can be submitted to the Planning Board prior to site plan approval. It was the sense of the board that nothing is needed other than what is provided to DOT. The study should be submitted soon.
- 32) One way loop. The loop is now proposed as a 1-way loop. It can be designed though for conversion to 2 way if preferred in the future.

Pedestrian Connections

- 33) Sidewalks. The paths are shown variously as concrete, asphalt, and stone dust. I think the path along the road is best as asphalt rather than stone dust. Most of the rear path is asphalt due to the steeper grades. Should it all be asphalt?
- 34) Public access. The applicant is receptive to allowing public access to the footpaths and the riverfront but would want to restrict hours for the public. The purchase and sales agreement from the Town contained this language but it was not included in the deed. The applicant prefers to not have an easement. We can explore some kind of agreement with the Town to provide for the access.
- 35) Old Piscataqua Road. It would be desirable to connect with Old Piscataqua Road if practical. This walking and bicycle path might run within the Route 4 right of way or across intervening properties if easements can be obtained. The TRG discussed this earlier, being perhaps 7 feet wide +/- . The surface would need to be determined – gravel, crushed stone, or asphalt. There are plans for a potential sewer force main running to Piscataqua Road, along which a path could more readily be constructed, but those plans are a few years off.
- 36) The applicant does not believe that such a path would serve his residents since this is an assisted living facility and the residents will leave only with staff people (except in the case of couples living together where one partner is independent; or visitors?) Generally, a Planning Board can require the property owner to develop an off-site improvement only if it serves the users of the site. Thus, the best approach is to try to work with the applicant in partnership to try to get a path built. The applicant suggested that this be worked on as part of Phase 3.
- 37) Other information. ****Is there other information, studies, or analyses that would be useful for the Planning Board to have when reviewing this project.*
- 38) Other issues. ****Are there any other particular issues that should be discussed?*