



**TOWN OF DURHAM**  
8 NEWMARKET RD  
DURHAM, NH 03824-2898  
PHONE: 603/868-8064  
www.ci.durham.nh.us

RECEIVED  
Town of Durham  
SEP - 2 2015

Planning, Assessing  
and Zoning

### APPLICATION FOR SITE PLAN REVIEW

Note: This form and all required information must be filed at least 21 days before the date of the meeting at which it is to be submitted to the Board. Filing is to be done at the Planning Office, Durham Town Office Building or by mail to 15 Newmarket Road, Durham NH 03824.

**1. Name and mailing address of applicant**

Harmony Homes by the Bay c/o John Randolph  
1 Stagecoach Road  
Durham, NH 03824  
Phone Number: (603)834-2317  
Email Address:

**2. Name and mailing address of owner of record if other than applicant**

Grant Development, LLC  
3 Penstock Way  
Newmarket, NH 03857  
Phone Number: (603)868-5995  
Email Address: ECHINBURG@chinburgbuilders.com

**3. Location of Proposed Project** W. Arthur Grant Circle

Tax Map 11 Lot Number 27-1 thru 27-7 Zoning District Commercial

**4. Name of Proposed Project** Harmony Homes by the Bay

**5. Number of units for which approval is sought** 35 units / 141 beds

**6. Name, mailing address and telephone number of surveyor and/or agent**

MJS Engineering, P.C. (603)659-4979  
P. O. Box 359 Newmarket, NH 03857  
Phone Number: (603)659-4979  
Email Address: mjs@mjs-engineering.com

**7. Abutters:** Attach a separate sheet listing the Durham Tax Map number, Lot number, name, and mailing address of all abutters, including those across a street, brook or stream. The list of abutters must also include any holders of conservation, preservation, or agricultural preservation restrictions in accordance with RSA 676:4(I)(d). Names should be those of current owners as recorded in the tax records five (5) days prior to the submission of this application. *Note: Names submitted on the Request for Preapplication Review may not be current. No application shall be heard unless all abutters as described herein have been notified.*

8. Items on the attached Site Plan Review Application Submission Checklist

9. Payment of all applicable fees:


submittal fees	\$ 1,000.00
advertising/posting costs	150.00
abutter notification (each) \$7 x 19	133.00
proposed road (per foot)	
administrative and technical review costs	

TOTAL \$ 1,283.00 *pd. 9/2 Check # 2126*

9. The applicant and/or owner or agent\*, certifies that this application is correctly completed with all attachments and requirements, and that any additional costs for engineering or professional services incurred by the Planning Board or the Town of Durham, in the site plan review process of this property, shall be borne by the applicant and/or owner.
10. Within five (5) business days of submitting a formal application, the applicant shall meet with the Director of Planning and Community Development to discuss issues related to completeness and acceptance of the application. If this review discloses that all requirements specified on the Site Plan Application Checklist have not been met, the applicant will be notified in writing what specific items are still needed.
11. Prior to the next regularly scheduled meeting of the Planning Board, the applicant, at the discretion of the Director of Planning and Community Development, shall meet with the appropriate Department Heads of the Town of Durham to discuss the implications the application will have on the various Departments of the town.
12. If this application is determined by the Planning Staff to be complete, it will be placed on the Planning Board agenda on 09/23/15 for acceptance.

**\*If the applicant is an agent of the owner, a separate signed letter from the owner of record is required which clearly states the authority of the agent or representative for this application. If the agent does not have the power of attorney of the owner, all documents shall be signed by the owner.**

"I hereby authorize the Durham Planning Board and its agents to access my land for the purpose of reviewing the proposed site plan, performing road inspections and any other inspections deemed necessary by the Board or its agents, to ensure conformance of the on-site improvements with the approved plan and all Town of Durham ordinances and regulations."

Date 2 Sep 15 Applicant, Owner, or Agent 



**ENGINEERING, P.C.**  
CIVIL • STRUCTURAL • ENVIRONMENTAL

5 Railroad Street • P. O.Box 359  
Newmarket, NH 03857  
Phone: (603) 659-4979  
Email: [mjs@mjs-engineering.com](mailto:mjs@mjs-engineering.com)

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Letter of Intent – Site Plan Review and Conditional Use Application  
For  
Harmony Homes By the Bay  
Eldercare Facility at the Durham Business Park  
Tax Map 11 / Lots 27-1 - 27-7

September 2, 2015

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### **The Subject Property**

The subject property known as, “The Durham Business Park”, is located in the Durham Business Park Zone (DBP). The parcel is also within the Shoreland Protection Overlay District, the Wetland Protection Overlay District and Flood Hazard Overlay District. The parcel is bordered on the east by Johnson Creek, the south by the Oyster River, the west by the Town of Durham Wastewater Treatment Facility and the north by NH Route 4. The property is serviced by municipal water and sewer and has an existing roadway ending in a cul-de-sac. Overhead utilities are also currently provided to the site from Route 4 on the west side of the existing roadway. The existing overhead utilities currently end within the Route 4 right of way.

The parcel is currently subdivided into 7 commercial lots, as approved by the Durham Planning Board on March 28, 2012. The lots all have frontage on the existing town road know as Arthur Grant Circle. All of the lots within the subdivision are currently undeveloped. The design proposal will include merging the 7 lots together into one lot. There is currently a gravity sewer collection system within the roadway which flows into an existing sewer pump station. There is an existing force main from the pump station westerly across the property and onto the Town sewage treatment facility property. This entire sewer system is approximately 25 years old but has never been used. The system was investigated during the previous subdivision proposal and some repairs were noted for the use of the entire system, however with this proposal only part of the system will be used and the appropriate repairs will be completed. The pump station and force main system will also be tested for this proposal and recommendation will be made for repairs as necessary. Municipal water is also at the site coming from the sewage facility and onto the subject property. There is one fire hydrant and then the main is stubbed at the roadway near the sewage pump station. There are also a few catch basins within the existing roadway which collect runoff from the roadway and discharge into existing swales.

### **Harmony Homes By the Bay Proposal**

Mr. John Randolph the owner and operator of Harmony Homes in Durham, NH is proposing to develop a new eldercare facility at the Durham Business Park. The name of the proposed development will be Harmony Homes By the Bay. The first two single story buildings will be constructed in two phases with a maximum occupancy of 60 residents in building one and up to

60 residents in the building #2. The total number of residents on the site will not exceed the permitted number for the intended use based on the density calculations in the zoning regulations referenced in section 175-56.A.1.

Harmony Homes is an existing assisted living facility in Durham. Harmony Homes provides an affordable living atmosphere for seniors that is comfortable, fun, safe and caring. This is the mission of the owners and this mission will be extended to this proposed facility. This facility will provide living for all needs, including memory care. The setting for this proposed facility will be picturesque in its setting with views of the Oyster River, walking trails, outdoor access for all residents and guests and a horse farm. The owners strive to create a unique and high quality setting for seniors that are not done enjoying life.

Access to the facility will be via the existing road. The proposed changes to the existing roadway will include removing a portion of the existing cul-de-sac and constructing a new driveway loop road providing vehicle access to the front entrances of each building with parking and service roads for deliveries and maintenance. The proposed buildings will be connected into the existing municipal utilities and these utilities will be extended and upgraded as necessary. The site development will also include, landscaping, walking trails, conservation easement, horse barn and stables, dock and accessory structures. The building layout will include a maximum of 3 single-story buildings that encompass the eldercare facility and one detached single family building for age restricted living. The two single story buildings will provide elderly residents with a full package of services. Both buildings will be designed with an exterior internal court yard, dining facilities, activity areas and a combination of single and double occupancy rooms. In addition, there is one single family unit located at the south easterly end of the parcel for 55 and older occupancy. This detached unit will be accessed from the internal road and provide separate parking.

### **Approvals Being Requested from the Planning Board**

The Site Plan Review Regulations (S.P.R.R.) will require the following approvals based on the current proposed development scope of work.

1. Planning Board Approvals:
  - a. Site Plan Approval per Site Plan Review Regulations pursuant to Article V, Section 175-16.F and RSA 674:43, with intent of requesting consideration of the following:
    - i. Full Waiver of Public School Impact Fees for this Development: This is supported by the following:
      1. The development project is restricted to an elderly population not capable of living independently and requiring assistance with activities of daily living. The development will not generate school age children.
  - b. Approval for uses permitted in the WCO district Article XIII, Section 175-60B.2 construction of water impoundments with a surface area of less than 10,000 SF and Section 175-60B.12 the construction of nature trails and paths. The planning board is required to approve these uses within the WCO district in accordance with this section.
  - c. Conditional Use Permit, pursuant to Article XIII, Section 175-61.A.1 and A.3, of the Wetland Conservation Overlay District for construction of streets, roads access ways, bridge crossings and utilities including pipelines, power lines

and transmission lines; and the construction of a non-residential building within the upland buffer strip in a commercial or office-residential zoning district. This CU permit is needed to allow the development of the property as proposed for access to the duplexes, the construction of the retaining walls and the construction of the horse barn.

- d. Approval for uses permitted in the SPO district Article XIV, Section 175-71B.2 construction of water impoundments with a surface area of less than 10,000 SF and Section 175-71B.6 the construction of seasonal docks, and Section 175-71B.11 the construction of nature trails and paths. The planning board is required to approve these uses within the WCO district in accordance with this section.
- e. Conditional Use Permit, pursuant to Article XIV, Section 175-72.A.1 & A.3, of the Shoreland Protection Overlay District for construction of streets, roads access ways, bridge crossings and utilities including pipelines, power lines and transmission lines and the construction of accessory structures. This CU permit is required to allow the development of the property as proposed for the access to the duplexes, utilities, and the construction of the retaining walls.

In addition to the above approvals from the planning board, MJS Engineering formally requests the approval for this proposed site plan and conditional use permit application to be granted as one approval to construct everything except for building #3 and its associated improvements. The project will be constructed in phases and the construction phases are shown on the phasing plans. Phase 1 will include the construction of building #1, the horse barn and upgrade to the pump station, all utilities, associated parking, access drives, landscaping and some walking paths. Phase 2 will include the construction of building #2, the detached age restricted building and its associated parking, service access, landscaping, and additional walking paths. The phasing plan identifies each site improvement that is to be constructed with each phase. The reason for the phasing is two-fold. First the project is being phased for financing purposes and secondly for timing purposes with respect to state permitting. The schedule for construction is to begin phase 1 in November of 2015 with a completion by November 2016 and possibly begin phase 2 as early as spring of 2017. Obtaining a NH Department of Environmental Services wetlands permit for a construction start in November of 2015 is not achievable, therefore the project is being phased to only require the wetland permit for the second phase of the project. The proposed site plan does show the future build out of the site and the owner will apply for an additional site plan and conditional use permit for the construction of building #3. In addition, the owner is willing to return to the planning board for approval of any architectural changes to the buildings in phase 2.

#### Department Approvals

- a. Public Works relative to water and sewer connections, pump station upgrade and force main installation, drainage, and other design considerations.
- b. Fire & Police Departments relative to safety, fire protection, and other design considerations.
- c. Building department relative to building codes and ADA requirements.

*A. Request for Site Plan Approval*

In accordance with the site plan review regulations, this submission package includes the Site Plan Review Checklist, CUP Checklist, Also, the following plans are included:

1. Cover Sheet
2. Existing Conditions Plan
3. Overall Site Plan
4. Site Plan
5. Phasing Plans
6. Grading, Drainage & Erosion Control Plans
7. Utility Plans
8. Plan and Profiles
9. Detail Sheets
10. Site Landscape Plan
11. Architectural Plans

*B. Conditional Use Permit for conditional uses in the WCO and SPO Districts*

The following outlines how this project complies with the provisions of the general conditions for a Conditional Use Permit contained within Section 175-23.C and specific conditions for a CUP contained within Section 175-61.B for the Wetlands Conservation Overlay (WCO) and Shoreland Protection Overlay (SPO) Districts of the Town of Durham Zoning Ordinance. The numbering below coincides with the applicable sections. We anticipate that this application will be presented to the Conservation Commission at September 10, 2015 meeting in order to obtain their advice and comments for the Planning Board relative to approval of the CUP.

As previously stated, the project requires a CUP for the construction of access ways, utility lines, retaining walls and the horse barn in the WCO and SPO Districts. The statements below demonstrate how this development project complies with the CUP criterion. The plans incorporate best management practices for the construction and thereby satisfy the CUP criterion.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely;

A handwritten signature in black ink that reads "Michael J. Sievert". The signature is written in a cursive, flowing style.

Michael J. Sievert PE  
MJS Engineering



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### **SITE PLAN REVIEW APPLICATION CHECKLIST**

Name of Project: Harmony Homes by the Bay

Name of Applicant: Harmony Homes by the Bay c/o John Randolph

Location of Property: W. Arthur Grant Circle

Tax Map and Lot Number: Map 11/Lots 27-1 thru 27-7

Date: 09/02/15

#### **Basic documentation:**

- A letter of intent detailing the proposal
- A list of the names and addresses of all the abutters, as shown in town records not more than five (5) days before the day of filing; and a listing of all holders of conservation, preservation, or agricultural preservation restrictions on the subject property
- Copies of the current deed, purchase and sale agreement, and copies of all easements, deed restrictions, rights-of-ways, or other encumbrances currently affecting the property.
- Five copies, 24" x 36" and ten additional copies at 11" x 17" of the plat.

#### **Information on the plan:**

- Title Block with title, owner's name and address, date, scale and name, address and seal of the preparer of the plan
- Names of owners of abutting properties
- North Arrow and bar scale
- Locus plan sat a minimum scale of one (1) inch equals one thousand (1,000) feet showing required information
- Surveyed property lines of the parcel showing their bearings;

- Location and layout of existing and proposed structures and buildings;
- ~~Existing~~ and proposed contours at two (2) foot intervals for the entire site. Where a change in grade is proposed, existing contours shall be dotted lines and finished elevations solid;
- Area of entire parcel in acres and square feet;
- Zoning and special district boundaries;
- Deed reference and tax map number;
- Location width, curbing and paving of access ways, egress ways and streets within the site;
- Location and layout of all on-site parking and loading facilities;
- Location and size of all municipal and non-municipal utilities and appurtenances including: water, sewer, electric, telephone, gas lines and fire alarm connections, indicating whether overhead or underground, and the location of wells and septic systems;
- Type and location of solid waste disposal facilities;
- Location, elevation and layout of catch basin and other surface drainage features;
- Location of all physical/natural features including: water bodies, watercourses, wetlands, vegetation/foilage lines, soil types, railroads, rock outcroppings and stone walls;
- N/A* Dimensions and area of all property to be dedicated for public use of common ownership;
- Location of 100 year flood hazard boundaries;
- Partly* Date and permit numbers of all required state and federal permits.
- Location of all buildings, wells and leach fields within one hundred and fifty (150) feet of the parcel;
- N/A* Dimensions, area and minimum setback requirements on all existing and proposed lots;
- Proposed landscaping plan including size and type of plant material;
- Pedestrian walks providing circulation through the site;
- Location and size of proposed and existing signs, walls and fences;
- Location and type of lighting for outdoor activities; and
- Location, widths and purposes of any easements or rights-of-way.
- Total on-site square footage of impervious surfaces.



**Other Requirements:**

- Streets and Access meet Section 9.02 of the Site Plan Review Regulations for the Town of Durham.
- Storm Water Drainage meets Section 9.03 of the Site Plan Review Regulations for the Town of Durham.
- Water Supply meets Section 9.04 of the Site Plan Review Regulations for the Town of Durham.
- Sewerage meets Section 9.05 of the Site plan Review Regulations for the Town of Durham.
- Non-Municipal Utilities meets Section 9.06 of the Site Plan Review Regulations for the Town of Durham.
- Signs meet Section 9.07 of the Site Plan Review Regulations for the Town of Durham.
- Special Flood Hazard Areas meet Section 9.09 of the Site Plan Review Regulations for the Town of Durham.
- Independent Studies and Investigations meet Section 10 of the Site Plan Review Regulations for the Town of Durham.
- Energy Considerations Checklist (required to be filled out; encouraged but not required to comply with items)
- Architectural design (See subsection 7.02 G.)
- Submission of Utility Connection Application to the Department of Public Works

**Other Plans and Studies, if needed as determined by the Planning Board:**

- Traffic Study
- Parking Study
- Fiscal Impact Study

**Waivers from these requirements may be requested if justified per the requirements of Section 12.02 of the Site Plan Review Regulations. Please use the Waiver Request form.**