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October 10, 2017

Michael Behrendt, Town Planner
Town of Durham
8 Newmarket Road
Durham, NH 03824

Re: Conditional Use Permit for The Riverwoods Group
Excess Parking
Tax Map 11, Lots 8-1 through 8-15

Dear Michael:

The enclosed application for a conditional use permit follows on our formal site plan review application of July 19, 2017 for the proposed Continuing Care Retirement Community. The Applicant requests a Conditional Use Permit to permit parking spaces in excess of 10% of the required spaces under the ordinance.

If you have any questions do not hesitate to contact me.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC

A handwritten signature in black ink that reads "Sharon Cuddy Somers". The signature is written in a cursive style.

Sharon Cuddy Somers
SCS/sac

cc: Justine Vogel, The Riverwoods Group
Jeff Clifford, Altus Engineering
Pat Gleason & Heather George, Greystone

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APPLICATION FOR CONDITIONAL USE PERMIT

This form and all required information per Durham's Zoning Ordinance (Article VII, Section 175-23(C) attached) must be filed at least 20 days before the meeting of the Planning Board with the Planning Staff in person or by mail.

Property Location:

Street Address Stone Quarry Drive
Tax Map # 11 Lot # 8-0 through 8-15 Zone OR

Owner(s):

Name Rockingham Properties 1, LTD (8-1 through 8-15)
Mailing Address PO Box 423, Belmont, MA 02478
Name Land Options, LLC (8-0)
Mailing Address 96 Cliff Road, Portsmouth, NH 03801

If another person or firm will represent this application to the Town, please complete the following (letter of authorization should be included):

Name Riverwoods Group
Mailing Address 7 Riverwoods Drive, Exeter, NH 03833
Daytime Phone _____ Fax _____

Abutters:

Attach a separate sheet listing by Map & Lot number, each owner's name, and mailing address of all abutters within **300 feet** of the property. The list of abutters must include any holders of conservation, preservation, or agricultural preservation restrictions in accordance with RSA 676:4(I)(d).

Name & Address of Licensed Professionals (as applicable):

Engineer Altus Engineering, Jeff Clifford, P.E.
Land Surveyor Adam Fogg, LLS
Attorney Sharon Cuddy Somers, Donahue, Tucker & Ciandella
Soil Scientist Tracy Tarr, GZA Geoenvironmental, Inc.

Proposed Use: Continuing Care Retirement Community

**Please prepare and attach a written description of the proposal.
Length should not exceed three pages.**

I certify that all information provided is, to the best of my knowledge true:

Owner's Signature: Sharon Cuddy Somers Date 10/10/17

**Conditional Use Permit for Relief from Section 175-113 of
Ordinance which Prohibits Parking in excess of 10% of the
Required Spaces**

The applicant seeks relief from the "Required Parking" provision of the Zoning Ordinance in that 225 parking spaces are required and 277 spaces are proposed. The additional spaces are needed to operate Riverwoods at Durham in a manner which will accommodate the needs of Riverwoods residents, staff and visitors.

The request meets Section 175-23 of the zoning ordinance as follows:

1. The site is suitable for use which includes parking in excess of the required amount. The site is zoned for use as a continuing care residential community, and a proposal for same is currently before the Planning Board. The industry norm for parking needs in a CCRC is 1.25 cars multiplied by the total number of units/beds, and which include independent living units, assisted living, memory care and skilled nursing. This multiplier accounts for the following factors: a) regular staff needs in addition to the parking needs generated when there is an overlap of cars due to shift changes of the staff b) some portion of the units will have two cars, particularly during the early years of the project; further, even when the project has stabilized and matured and there is turnover of units, there will still be some portion of units that will have two cars c) residents will want to have gatherings for events such as birthdays as well as holidays such as thanksgiving and religious holidays d) there could be marketing events.
 - a. There is adequate vehicular and pedestrian access for both the surface parking and the underground garage parking.
 - b. Adequate municipal services which are relevant to a 62 year old and over community exist, particularly emergency services.
 - c. No environmental constraints exist, such as steep slopes which constrain the intended use of excess parking.
 - d. The property, including parking, will be served by municipal water and sewer service.

2. The use of the property for parking in excess of that which is required will not create external impacts such as traffic or noise which would be greater than that of abutting properties or for other uses permitted in the zone. The property is situated adjacent to the DPW facility, which creates a certain level of noise and traffic. Further, the permitted uses of the Office Research zone might well lead to a similar amount of required parking particularly for an office building. The trips per day for a CCRC are on average, .9 per unit, which is a lower number than other forms of residential occupancy.
3. The proposed development of the excess parking will not be incompatible with the established character of the neighborhood. The design of the project incorporates a significant amount of underground parking as well as landscaping, all of which will minimize any sense of excessive amounts of parking spaces on site.
4. Character of Buildings and Structures: Not applicable as the excess parking is either underground or surface.
5. Preservation of Natural Resources: The applicant is devoting significant attention to underground parking and this will diminish the impact of surface parking, including any resulting from the excess parking.
6. Impact on Property Values: Not applicable since the excess parking is unlikely to create any impact on tax valuation in and of itself.
7. Availability of Public Services: The applicant will provide private trash removal and other services. Municipal services will be provided in the form of water, sewer and emergency services, however, the existence of excess parking will not place an excessive burden on such public services.
8. Fiscal Impacts: There will be no negative fiscal impact resulting from the excess parking.