



**TOWN OF DURHAM**  
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IX. **Harmony Homes – amendments.** Application for modification to several requirements of approved site plan for completed building pertaining to landscaping/planting, trail, and screening. Harmony Homes Eldercare Facility, Route 4. John Randolph, applicant. Tax Map 11, Lot 27.

➤ I recommend approval as stated below.

I think that the requests are reasonable given the generous amount of landscaping that was proposed by the applicant and which has been installed (significantly more than is required under the Site Plan Regulations).

The dogwood trees were incorporated due to a requirement from NHDES as mitigation for the path due to activity within the wetlands. If the applicant does not build the path and NHDES no longer requires the dogwoods it seems reasonable to remove this requirement for the site plan. Regarding the path at the rear, the path would serve the residents and, given the significant amount of open space and access around the building already, it seems reasonable for the applicant to determine what is appropriate for the residents. Note that the path could also serve the public under the site plan approval but it is questionable how much the public would use it and such use raises various issues for the applicant (including potential liability and impact on residents). Regarding fencing for the dumpster, the dumpster is not visible from any public way nor neighboring property and it is only obliquely visible at a distance from the front of the building.

**\*Draft\***

### **NOTICE OF DECISION**

<b>Project Name:</b>	<b>Harmony Homes modification for planting, screening, and trails</b>
<b>Action Taken:</b>	<b>Approval with conditions, below</b>
<b>Address:</b>	Briggs Way
<b>Applicant:</b>	John Randolph
<b>Map and Lot:</b>	Map 11, Lot 27
<b>Date of approval:</b>	<b>March 14, 2018</b>

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The Planning Board approved the four requested modifications subject to the terms and conditions below. The applications were submitted as amendments but the board determined to treat these as modifications. Each of the items specified below may still be installed at the discretion of the applicant. See the document with the request from the applicant and accompanying plans marked as A, B, C, and D.

Modification A. The request to remove the requirement for 154 gray dogwoods was approved with the provision that if the trails are installed such that planting is needed for mitigation as specified by NHDES, then the dogwoods shall be installed.

Modification B. The request to remove the requirement for installation of the path at the rear of the building was approved.

Modification C. The request to remove the requirement for planting to the right of the building was approved for the bulk of the landscaping. The applicant shall still install some landscaping to buffer the view toward the utility structures located near the dumpster with the amount and type of landscaping to be agreed to by the applicant and the Town Planner. This landscaping shall be installed by October 1, 2018 and is included in the surety being retained for infrastructure.

Modification D. The request to remove the requirement for installation of fencing to screen the dumpster was approved.

In addition, the requirement for screening along the entry drive near the building to the north of the parking area for six spaces and around the utility situated to the north of the entrance to the circular driveway is significantly reduced. The applicant shall install some landscaping in these two areas to buffer the view toward them along the main driveway with the amount and type of landscaping to be agreed to by the applicant and the Town Planner. This landscaping shall be installed by October 1, 2018 and is included in the surety being retained for infrastructure.