

Technical Review Group (TRG)
Tuesday, July 17, 2018
Town Council Chambers
72 Main Street – Two-lot subdivision
NOTES OF MEETING

TRG members present:

Michael Behrendt, Town Planner, chair
Barbara Dill, Planning Board representative
Audrey Cline, Building Official
Mary Ellen Humphrey, Economic Development Director
Dave Kurz, Police Chief
Mike Lynch, Public Works Director
John Powers, Deputy Fire Chief
Randall Trull, Assistant Fire Chief

Applicants present:

Doug Clark

Doug Clark presented the plan. He wants to open a restaurant. Lots of people spend money out of town. This project started as a restaurant but has become more. He wants to help make the downtown a village of adults. There are no living options for downsizing adults.

He is cutting the lot down the middle for two 9,500 square foot lots. The buildings were built on what was Ballard Street but it is now a sidewalk. The only access to the four Town parking spaces is through the rear, through the private lot [According to Mike Lynch there is not an easement to the Town for use of the driveway.] The question arises whether this land can be used to meet the frontage requirement for the lot that will have Aroma Joe's.

Doug will build a new building on the lot. The lot with Aroma Joe's will be retained by Jess Gangwer. The building will be setback 5 feet from the side lot line. The entrance is from Pettee Brook.

Doug said the building should be an icon for the town as discussed in the B. Dennis Plan.

Mike said that Ballard Street is now a park. Dave said Aroma Joe's was always

considered to be on Main Street. He said it would be better to eliminate the drive through. The park could be made larger.

Doug said he hired architect Lisa DeStefano to do schematic drawings.

Audrey said the Town could possibly convey 20 feet along Main Street to provide frontage.

Doug said there is a dumpster at the back. We need to figure out about deliveries. Could there be a loading zone on Main Street during some hours.

Dave suggested talking to the bank about getting access through their property. Audrey asked about room for maneuvering in the rear. Doug said he will talk with the bank.

Doug said the new building will have a footprint of 6,500 square feet. There will be a restaurant on the first floor. The second floor will have one bedroom apartments and offices. The third floor will have four 850 square foot two bedroom units and four 850 square foot offices. The fourth floor will have a penthouse for him, garden space, and special event space. Michael said the zoning ordinance allows only two floors of residential. Doug said he could have some office space on the second floor so that half the building would be commercial. Michael said that might make sense since there would be the same amount of commercial but we would need to amend zoning to allow that. He said a variance might be needed.

Dave said Durham should encourage this kind of project. It may take some creative thinking. Mary Ellen said we have been looking at various potential tweaks to the Zoning Ordinance and this might be made part of that.

Audrey said there can be unintended consequences to zoning amendments as they affect other properties, whereas a variance is limited to the property. She said Doug could apply for a variance while exploring an amendment.

Doug said he needs to close on the property by September 1. He said he may have schematic architectural designs by August 8.

Dave said this is a an anchor location. It could help define downtown. At some juncture the Town got rid of Ballard Street. It is unfortunate that little nuances like this can tie up a project.

Michael said ideally this would remain as one parcel to give more flexibility in development. Doug said he disagrees. He said the B. Dennis plan recommends smaller buildings. Doug said the goal is to have a new icon for Durham at this entrance way. He needs to have at least three floors. He said the density standard of 1,200 square feet of lot area per dwelling unit allows only 8 units. It would not be affordable. Reducing this standard to 900 square feet would allow 10 units.

Doug said he wants to redevelop the land in a way that the Town wants. Given the uncertainties about the project, he feels okay about it as long as there is some level of support.

Doug said the classic student unit is 75% bedrooms and 25% living room/space. They are rented by the bed. For adults it is the opposite – 25% bedrooms and 75% living room/space. Under zoning [600 square feet of minimum habitable area per person does not apply to families], he said the biggest challenge is about related couples. Many couples are not married. Mary Ellen said the Economic Development Committee also discussed this. Doug said he believes there is a market for these units.

Audrey said the timeline is a concern. He might consider applying for a variance now. Michael gave the dates for upcoming ZBA meetings and deadlines.

John Powers said he doesn't see any big concerns right now. Aroma Joe's has sprinklers which increase allowable distance for fire access to the building. Doug said he expects to sprinkle the new building. John said he may or may not need to sprinkle the restaurant.

Doug said he would call it "Clark's American Bistro." He would serve steak and red meat. There would be a wine bar. He is also planning to open a second restaurant, Mediterranean style, downtown. He said he would like to have customers get take out to eat in the park in front.

Mike said the sewer line is in the rear and the water is in the front.

Respectfully submitted,
Michael Behrendt, Durham Town Planner/TRG Chair