

Technical Review Group (TRG)
Tuesday, July 2, 2019
Town Council Chambers
NOTES OF MEETING

60 MAIN STREET CONDOMINIUM

TRG members present:

Michael Behrendt, Town Planner
James Bubar, Planning Board Representative
Audrey Cline, Building Official
Dave Emanuel, Fire Chief
Jim Rice, Assessor
Christine Soutter, Economic Development Director

Applicants present:

Doug Clark

Michael called the meeting to order. Doug Clark explained the project. He is buying unit #1 which is the original 2-story building. Pete Murphy will retain the first floor of the adjacent Town and Campus building which was built in 1957 as unit #2. Peter Murphy will retain the second floor of that building as unit #4 and the three storefronts on Jenkins Court as unit #3.

Pete Murphy will have the right to redevelop unit #3 in the future.

Jim said the unit numbers in the letter of intent are different from the drawings. Doug Clark said the unit on the second floor of Town and Campus is unit #4.

Michael said the documents should include clear language that the Town's zoning ordinance applies. The documents say there is a maximum of 4 residents in a unit and it should be clear that the zoning ordinance may not allow that, such as where there are unrelated occupants. Also, this should refer to apartment or dwelling unit not unit.

Audrey said it should be clear how many occupants are allowed. Michael said we do not need to address this question as part of the condominium conversion but rather it should be clear that the Town's zoning applies. Audrey said he may lose grandfathering status with the conversion. Michael questioned this but said he did not know. Perhaps the Town Attorney should be consulted. He said still it need not be determined now if the applicant wishes to proceed at his own risk. This could be spelled out in an approval.

James said addresses should be clarified. Doug Clark said the restaurant will be 56, the apartments above the restaurant will be 58, Town and Campus will be 60, and the apartments above Town and Campus will be 62. He said the entrance to the apartments above Town and

Campus is the stairway for 58. There is a separate stairway to the apartments above Town and Campus but it is located inside the entrance to Town and Campus and is currently blocked off. It may be reopened in the future. It would require some reconfiguration so there is direct access from the street.

Doug Clark said there are no physical changes being made as part of this condominium conversion.

Michael asked about the common area for the site plan and floor plans for Jenkins Court unit #3 and the trash area. There seems to be a discrepancy between the two plans.

Michael asked Doug Clark about access, utilities, and trash and if there were any challenges for anybody using them and gaining access. Doug Clark said this is all addressed in the documents. Michael said everybody gets an equal 25% vote. He asked what happens if there is a 50-50 deadlock. Doug Clark said they would have to deal with that. Pete Murphy will retain 3 or the 4 units for now but might sell one in the future.

Audrey said any letters for zoning violations would be sent to the condo association. Doug Clark said the Town could deal with the president if there are issues.

Michael questioned a reference in the documents about the number of stories for a redevelopment on Jenkins Court. They will check the documents.

Michael asked about the sewer for the project. Doug Clark said they did a camera check of the existing sewer line. It hit a wall where the sewer turns and they are doing another check from the opposite end. They hope they can insert a new line there. He said most of it seems to be 6 inches.

Doug Clark would like to use this existing line now and then when Pete Murphy redevelops Jenkins Court later they would install a new line. He spoke with Kostas about reusing the existing line and Kostas seemed to be receptive. Doug Clark said if this does not work he would like to cross Main Street and tie into the line that was built several years ago when Pauly's Pockets was developed. He thinks he could close Main Street one lane at a time. He said UNH was not excited about him using their private line across Main Street. If UNH redevelops Hetzel Hall for a hotel that line would be closed off during construction which would be a problem for him. Doug Clark hopes to have clarity today. Michael said the packets are being written up tomorrow so we should have any answer by the end of Wednesday.

Respectfully submitted,

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Michael Behrendt, Durham Town Planner/TRG Chair