



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, April 15, 2020

- X. **Harmony Homes – Mixed-Use Building.** 40 Briggs Way (off Route 4). Site plan application for new building with office space, child care and 7 one-bedroom residential units on site with existing eldercare building. John Randolph, Harmony Homes, applicant. Mike Sievert, MJS Engineering, Engineer. Tax Map 11, Lot 27-. Durham Business Park Zone. *Recommended action:* ******Request from applicant to postpone. See Other Business, below.***
- I recommend that the board simply accept the request with an understanding that the application would be considered null and void if it is not presented to the Planning Board within a year of when the postponement was requested (See **Postponements** under Other Business). The applicant expects to present it much sooner.

This proposed building would be located on the same parcel as the existing Harmony Homes eldercare building on Briggs Way off Route 4. The applicant's intent is to house employees of Harmony Homes who could then walk a short distance to the facility.

The Durham Business Park zone allows only senior housing so the applicant applied for a variance because these units would not be age restricted. The variance was granted. Like many health care facilities across the state, Mr. Randolph has struggled to find employees. He decided to try to address the issue by erecting some housing on site.

The site plan for Harmony Homes was approved by the Planning Board November 18, 2015. The approved plan included the existing 60-bed facility and a second similar facility that is not built yet. The plans also contemplate a future third facility but a site plan review will be needed for that in the future. The plans also show a single family or duplex dwelling in the spot where this new 7-unit building is proposed, so the former is no longer planned.

(over)

The 2015 approval states:

- 35) *Density*. Based on a parcel area of 28.4 acres (as shown on the plans as determined by Doucet Survey), or 1,235,700 square feet:
35.3 dwelling units are permitted. The total number of beds permitted for all three phases is:
141 with no separate house
139 with a single-family house
137 with a two-family house [four beds are allowed for each dwelling unit under zoning]

So it was understood at that time that future development could be constrained and some adjustments (or possibly zoning amendments, at least in my mind) might be needed. It was not a big concern because the plans for the second and third building were somewhat speculative contingent upon various factors in the future and it was uncertain at the time how many beds would be incorporated into those buildings.

The current building has 60 beds. With a single-family or duplex a second facility could still accommodate 60 beds. But if a seven-unit building is constructed that would limit the number of beds in the second facility to 53 beds. No density would remain for a third building.

I pointed this out to the applicant and he questioned whether he should go forward with this project now. Christine Soutter, Economic Development Director, became involved. Christine, Todd Selig, and I believe that a simple zoning amendment increasing the density in the zone would address the issue in a reasonable and appropriate manner. We informed Mr. Randolph and he asked that his application be placed on hold now pending this prospective zoning amendment. The proposal is included on the April 15 Planning Board agenda (Item XIII) for consideration.

When the Town of Durham sold this property to a private developer years ago, the Town incorporated a set of design guidelines applicable specifically to this property to ensure quality development (functioning effectively as a private covenant). The guidelines provide for a committee composed of the Town Administrator, Town Planner, a Town Council representative, and a Planning Board representative to review any proposals for conformance with the guidelines. A committee reviewed and approved the original design for Harmony Homes. Even though Mr. Randolph has requested a postponement on his site plan application he requested that this committee start its review as soon as possible in order that his project not be delayed.

See my separate write up about the committee under Other Business.