

From: [Michael Behrendt](#)
Subject: Main Street #74 - Updated communications between applicant and Public Works *
Date: Tuesday, November 16, 2021 3:26:48 PM
Attachments: [74 Main Street Narrative 10.25.2021 revised 11 01 2021.docx](#)

To the Planning Board,
Rich Reine suggested that I update the board on communication between the Town/Public Works and the applicant. The email from the Gangwer's attorney sent earlier today showed on the attachment a memo from the applicant to Rich Reine dated July 26, 2021 (on page 26). However, there has been significant subsequent back and forth communication between the Town/Public Works and the applicant subsequent to that memo. Please see the emails below and the attached narrative (revised November 1, 2021) for the most recent communication from the Public Works.

Michael Behrendt

Durham Town Planner
Town of Durham
8 Newmarket Road
Durham, NH 03824
(603) 868-8064
www.ci.durham.nh.us

From: Richard Reine <rreine@ci.durham.nh.us>
Sent: Monday, November 01, 2021 4:14 PM
To: Jerry Pucillo <jerrypucillo@gmail.com>; Doug Clark <clarkdouglas66@gmail.com>
Cc: Todd Selig <tselig@ci.durham.nh.us>; Michael Behrendt <mbehrendt@ci.durham.nh.us>; April Talon <atalon@ci.durham.nh.us>; ssylvain@martininorthern.com
Subject: RE: recap of yesterday's meeting

Hello Jerry,

Thank you for your revised narrative. I believe the stricken language needs to be restored and expanded as noted in the attached to reflect the project's restoration responsibilities for all areas impacted by the project. Just one example illustrating this need, the Town has indicated they would consider the use of the sidewalk area along Pettee Brook Lane and the demolition of the sidewalk, placement of barriers, etc. for a truck staging and unloading area. Currently there is no mention of this at all in the narrative and detailed restoration language has not been developed for this and

other areas. The proposed language under bullet No. 4 is intended to commit that the project will bear the responsibility for these impacts. A full restoration plan would be developed and approved by the Town, and as has been done with prior projects, it would be detailed in the Planning Board approval. Once the restoration plan and specifications are completed, the value of the impacts would be calculated by the projects engineer for the Town's review/approval and included within the project's maintenance bond or possibly a separate surety as required in the Town issued excavation permit. The Town views this document as providing the framework for that.

With regard to the language related the triangular park and parking spaces, it was our understanding and expectation that the project would be responsible for all restoration and/or improvements to the area in the event it was determined that the parking would be eliminated and the park expanded, including relocating/construction of on street parking spaces on Main Street. Based on your response and email to Michael it appears that further discussion is needed on that point.

Lastly, I received the updated construction management plan from Stephen last Wednesday with a follow up email on Friday and a request to meet. Aside from some operational and layout changes that we identified after an initial review, that will be needed, it's important to highlight that any final construction management plan will be reviewed and included as part of the Planning Board approval. This will include the restoration items noted above but also resolution of impacts on abutters, easements, access issues, etc. At this point we can agree that the group is working toward developing a plan which will work operationally and safely for all and be protective of Town interests however, there are other project impacts as previously noted that will require resolution before any recommendations for approval from the Town could be made to the Planning Board.

Thank you, Rich



Richard K. Reine, M.S.C.E., CA | Director of Public Works
Tree Warden - ISA Certified Arborist: NE-7337A
Phone (603) 868-5578 | Fax (603) 868-8063 | E-mail rreine@ci.durham.nh.us
Town of Durham, NH | 100 Stone Quarry Drive | Durham, NH 03824

From: Jerry Pucillo <jerrypucillo@gmail.com>
Sent: Thursday, October 28, 2021 10:53 AM
To: Richard Reine <rreine@ci.durham.nh.us>; Doug Clark <clarkdouglas66@gmail.com>
Cc: Todd Selig <tselig@ci.durham.nh.us>; Michael Behrendt <mbehrendt@ci.durham.nh.us>; April Talon <atalon@ci.durham.nh.us>
Subject: RE: recap of yesterday's meeting

Richard,

I am now returning another iteration of the memo. It is the track changes version so you can see my change.

I purposely left out the section you later added back in regarding off site compensation so that has been removed.

I believe the memo already includes the required commitments we are making and therefore this section is not needed.

Once we have determined what, if any, mitigation is needed relative to the Storm water issues We can add in appropriate language to cover that condition only .

Regarding the Park, I sent the following language to Michael this morning as well. If you wish to include this in this narrative I am fine with that.

"I appreciate the clarification. However I think it is important that we are clear about what we are committing too now.

Our position is simply that if we use any portion of the current parking or triangular park extension(all of which was suggested by Richard Reine initially) then we will restore it to what it was before we used it. We will also add protection to the two major trees on the core park property and fence in the core park area to protect it during construction and to create a safe path for pedestrians. We therefore are not planning to do any new site work or establish new curbs or street parking and or landscaping. The Town will ultimately be responsible to design and implement that program once we leave the site.

I have informed our design team that we will not be providing any further design or hoped for collaboration on a new park vision at this time. "

Jerry

On 10/26/2021 4:36:14 PM, Richard Reine <rreine@ci.durham.nh.us> wrote:

Thank you Jerry, We are meeting with Mike Sievert tomorrow to review the stormwater analysis and potential options for the management of increased flows associated with the project.

Also thank you for drafting the updated narrative. I've made some edits in the attached that were previously included which capture the revised opening statement on the purpose along with bullet point 4 "compensation for off-site costs" which was included in your prior draft but was missed in this recent version.

Thank you, Rich



Richard K. Reine, M.S.C.E., CA | Director of Public Works
Tree Warden - ISA Certified Arborist: NE-7337A
Phone (603) 868-5578 | Fax (603) 868-8063 | E-mail rreine@ci.durham.nh.us
Town of Durham, NH | 100 Stone Quarry Drive | Durham, NH 03824

From: Jerry Pucillo <jerrypucillo@gmail.com>
Sent: Tuesday, October 26, 2021 2:21 PM
To: Richard Reine <rreine@ci.durham.nh.us>; Doug Clark
<clarkdouglas66@gmail.com>
Subject: recap of yesterday's meeting

Rich,
Here is our recap of the meeting yesterday.
I have asked our team to be diligent in meeting with you and your team as much as needed to get to resolution on all of these issues.
I look forward to working with you as we move forward.
Please do not hesitate to reach out to me directly if you feel we are not making progress on any of the issues identified in the memo.

Jerry



This email has been checked for viruses by Avast antivirus software.
www.avast.com