



**TOWN OF DURHAM**  
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**Town Planner's Project Review**  
**Wednesday, April 12, 2023**

- VIII. **74 Main Street – Amendment.** Amendment to approved site plan and conditional use for construction of a 4-story mixed-use building with office, retail/restaurant, and residential units. Changes to building footprint, upper floor plans, drainage plan, and minor site changes. Doug Clark and Jerry Pucillo of Foundation for Civic Leadership/Democracy House, applicants. Mike Sievert, Horizons Engineering. Jason Cohen and Tim Digan, Bergmeyer Architects. Map 106, Lot 59. Central Business Zone.
- I recommend the board discuss the proposed amendment and set the public hearing for April 26.

Please note the following:

- 1) This application is an amendment to the site plan and conditional use for the project at 74 Main Street that was approved on October 26, 2022. The notice of decision is enclosed.
- 2) Mike Sievert outlines the items changing from the final plans from October: 1) increasing the footprint of the building on the ground; 2) decreasing the area of the upper floors; and 3) changing the drainage plan. The revised drainage plan is being reviewed now by Public Works. The applicant stated that the reason for the changes to the building is to move the entire building (including upper floors) out of the easement area located between the subject lot and the adjacent Gangwer lot. The plans show the building set back 6' 9" from the side lot line.
- 3) There are no changes being made to the utilities except for the drainage plan.
- 4) Review of this application should focus on the items that are being changed and not evaluate aspects of the application that were approved before. If there are other areas where the original plan can clearly be improved or where errors can be corrected it would be appropriate to discuss those now.
- 5) If the amendment is approved I will modify the October 26, 2022 to incorporate the amendment. No other conditions of that notice will change unless specific items are changed now as part of this current review. Note that there are numerous conditions in that approval for changes to be made to the plans. The applicant has not made any of those changes yet but will do after this amendment is finalized.

- 6) We do not have an acceptance requirement for amendments. But the board will need to vote on the amendment and it will need to take a new vote on the two conditional uses 9as required in the ordinance): for a mixed-use building and for the height to exceed 30 feet. I do not see anything in the revised materials which has any meaningful impact on the conditional use that was approved earlier.
- 7) There are some items which are changing or which should change or be clarified: the curbed island should have sloped granite sides so that trucks could go over it; a dumpster is shown in the revised plans but a dumpster will not be used (there will be trash and recycling areas included in side the building); 3 bicycle stands that were to be in the rear will be removed (4 stands shown on the northerly side will remain); the striped area at the northeast where one enters the site from Pettee Brook Lane is changed; the east and west elevations of the building will be narrower since the upper floors will be narrower.
- 8) The revised site plan, Sheet C102, shows the overhang extending into the Town's Pettee Brook Lane right of way and the sidewalk on the westerly side. I don't believe this was shown in the earlier plans. We need to clarify the review process for this overhang.
- 9) Mike Sievert will prepare turning templates to show movement for garbage and delivery trucks entering the subject property and the adjacent Gangwer property from Pettee Brook Lane.
- 10) The temporary easement shown at the upper right across the Town's lot needs to be clarified.
- 11) At the TRG meeting we discussed the parking and loading area behind the building at the northeasterly part of the site. There will be one parking space dedicated to the Gangwer lot per that easement, the (2) will be removed from the drawing, the line to the left of that parking space will be shown on site with a different color paver, and the diagonal lines behind the building will be shown with that same different color paver. The Gangwer parking space will be clearly marked on the sign. I will email the TRG notes to the board.