



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, December 11, 2024

- XI. **3 Dover Road – New Dunkin Donuts.** Preliminary design review for new Dunkin Donuts on ¼ acre lot with vacant one-story building located between the Holiday Inn Express and the Mobil Station. JESP Enterprises, LLC, property owner. Jim Mitchell c/o Tropic Start Development, LLC, applicant. Matt Perry, Civil Engineer, The Engineering Corp. Jeffery Dirk, Traffic Engineer, Vanasse & Assoc. Courthouse District. Map 108, Lot 38.
- I recommend that the board discuss the proposal and schedule the public hearing for January 8.

Please note the following:

- 1) **Site.** The subject site has been vacant for many years. There was a Cumberland Farms store and a gas station located here.
- 2) **Dunkin Donuts.** The Irving Station wants to use more space at their site so Dunkin Donuts will be leaving. They are looking at the subject property to relocate. The current Dunkin Donuts has about 900 square feet. They would have 1,500+ square feet at the subject property. They would not do any baking at this site. There would not be a drive-through window as zoning does not allow drive-through windows except for financial institutions.\
- 3) **Traffic study.** The applicant hired Vanasse & Associates as the traffic engineer. They held a coping meeting with NHDOT on the traffic impacts. Route 108/Dover Road is a state highway so NHDOT has jurisdiction over the road. Vanasse expects to produce a traffic study toward the end of Christmas. This will be a key document in reviewing the proposal. NHDOT will review the traffic study and provide their own comments. We will also ask the Durham Public Works, Police, and Fire Departments to review the study along with NHDOT comments and provide their own comments. The Planning Board could hire a consultant to review the traffic study (with the fees to be paid by the applicant) at its option. There would be delivery from a tractor trailer site once each week. The truck would need to back into the site. The tractor trailer could come at a very off hour. Regular deliveries would be by box trucks.
- 4) **Holiday Inn access.** There is a 12-foot wide access easement (not shown on the existing conditions survey) next to the site on the Holiday Inn property. Details will be needed about exactly how the adjacent property would be used.

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- 5) Technical Review Group. The TRG met on Tuesday, December 3. Notes of the meeting were shared with the Planning Board and are posted on the website.
- 6) Preliminary Design Review. The application is for a preliminary design review, which usually involves a presentation and then a public hearing at a second meeting. The applicant or the Planning Board can close the review at any time. It is likely that we will need more time beyond January 8 to allow for NHDOT and staff to review the traffic study. The design review is not binding and the Planning Board will probably not take any vote about the project during the review. However, it will be valuable for the board members to provide feedback to the applicant, about traffic and circulation, in particular. After the design review the applicant can submit a formal engineered application at their convenience should they decide to proceed.
- 7) Parking spaces.* The site is nonconforming with regard to the location of the parking spaces. Under the zoning ordinance parking spaces are considered “structures” and structures must meet setbacks. The location of the parking spaces within the setbacks are nonconforming and may continue as long as the nonconformity is not increase anywhere. The proposed plans shows the spaces extending further into the setbacks so a variance would be needed for the proposed plan. Alternatively, the Planning Board might consider whether some kind of zoning amendment regarding setbacks for parking spaces would be in order. Two accessible parking spaces are shown though only one is required for this site.
- 8) Stormwater. The applicant said there will be a net decrease in impervious surface, bringing them below the maximum. The maximum allowed is 80% impervious. There will be two catch basins on site.
- 9) Environmental conditions. There have been monitoring wells on the site for many years since it was an old gas station/Cumberland Farms. The applicant has engaged an environmental consultant to conduct a Phase 1 analysis (a basic study of written records of the site).
- 10) Other elements. Landscaping, lighting, signage, architecture, etc. would be reviewed with the regular application. The architecture regulations apply in the Courthouse District. A recycling plan would be required.
- 11) Site Plan Regulations. It is possible that some waivers from the Site Plan Regulations would be needed, such as regarding landscaping. The Planning Board, of course, has flexibility in considering waivers, especially for a tight site like this one.



Lot 38: