

Technical Review Group (TRG)
Tuesday, August 17, 2021
Town Council Chambers
NOTES OF MEETING
74 Main Street Project

TRG members present:

Michael Behrendt, Town Planner
James Bubar, Planning Board Representative
Audrey Cline, Building Official
Brendan O'Sullivan, Fire Marshal
Christine Soutter, Economic Development Director

Applicants present:

Mike Sievert, Horizons Engineering

Mike Sievert presented the project. He said they are still working on some issues with Public Works, including stormwater management and the sewer line. The underground stormwater system takes some drainage from the adjacent lot.

He walked the property yesterday with the Gangwer family (who owns the adjacent Aroma Joes's site) and their attorney. There is a 20-foot easement along the side boundary (with 10 feet on each side) that he was not aware of. It was not shown on the subdivision plan. There was discussion at the walk yesterday whether the building could be built within the easement. Mike said the language of the easement is unclear.

Mike said the Gangwers have issues with parking. He said that Doug Clark, the developer, has various agreements with Jess Gangwer but they were not written down. Jess Gangwer is now deceased. Mike said a purpose of the easement was for access.

There was some discussion about parking on site. Michael said the easement/space between the two lots leads to the existing off site parking area that is owned by the Town of Durham. He said as part of this project he expects that parking area will be removed, the park expanded into that area, the curb cut closed, and a few parallel spaces added to Main Street. He said this is very important as part of the development of the site. Of the proposed parking 9 spaces would be for the new building and 4 for the Gangwers.

Mike said they will use totes rather than have a dumpster. He said that deliveries and construction were also issues with the Gangwers. He said the transformer will serve both buildings. It is on an 8' x 8' pad. The area around it is the minimum clearance required by Eversource though he may be able to tighten it up a little.

The group discussed what impact there would be on the project if the building had to be set back 10 feet from the side lot line. It is presently proposed to the lot line. It was noted that if the building is constructed with many windows on the side, then it would be possible for the

Aroma Joes site to be redeveloped with a multistory building that would block the windows on the current proposed building. Audrey said the first building constructed could go to the lot line and have windows. There are requirements for a second building constructed near to the lot line in terms of windows and fire protection. Michael said this issue should be addressed since it would be a problem if those units had their light blocked, especially if they were purchased as condominiums.

It was noted that the applicant needs to negotiate various issues with the Gangwer family. There was a sense that the applicant should still present the project to the Planning Board at the meeting the following evening but perhaps the applicant should only discuss this issue. There was a sense that it would not be a good use of the board's time to discuss the project in depth with this significant question outstanding. Michael said the project can be accepted as complete but there was some discussion whether the board should hold off on accepting the application and scheduling the public hearing until there is more clarity on these questions with the abutting property owner.

Respectfully submitted,
Michael Behrendt, Durham Town Planner/TRG Chair