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March 7, 2019

Zoning Board of Adjustment
ATTN: Chris Sterndale, Chair
Michael Behrendt, Planner
Town of Durham
8 Newmarket Road
Durham, NH 03824

RE: Appeal of Durham Historic District Commission Denial of a Certificate of Approval for 18 Main Street parking lot expansion project with drainage, landscape screening and other improvements located on abutting portion of 12 Cowell Drive
Tax Map 4, Lots 55 and 38-5
Applicant: **Toomerfs, LLC**

Dear Chairman Sterndale and Members of the Durham Zoning Board of Adjustment:

This office, together with MJS Engineering, P. C. (Michael J. Sievert), and Woodburn and Company, Landscape Architecture (Robbi Woodburn), represent **Toomerfs, LLC**, a New Hampshire limited liability company having a business address of 37 Main Street, Unit O, Durham, NH 03824.

Applicant/Application

On February 13, 2019, Toomerfs obtained the unanimous approval of the Durham Planning Board to expand an existing 17 space parking lot at its 18 Main Street property to 43 spaces behind the existing 4-unit student rental residential structure, and to make related access, drainage, landscaping and other improvements. Because a portion of its property is located within Durham's Historic District, a "Certificate of Approval" is required to be granted by the Durham Historic District Commission ("**HDC**"), or by Durham's Zoning Board of Adjustment ("**ZBA**") on appeal, for the unanimous Planning Board approved project to proceed.

On February 7, by a 3 to 2 vote, the HDC approved a motion to deny granting Toomerfs a Certificate of Approval. HDC Chair Michael Bradley had recused himself from participation and vote because of a conflict of interest (being the rector to the abutting St. George's Episcopal Church property). HDC member (and Planning Board representative) Bill McGowan was absent at the February 7 meeting. Members Bradley and McGowan had previously participated in the HDC December 6, 2018 meeting when the project was first reviewed by the HDC. Mr. McGowan was present for the Durham Planning Board Site Review and CUP approval and voted for approval.

Toomerfs made changes to its plan (as originally submitted to HDC), and made further factual investigations regarding it in response to the HDC's December 6 inquiries and requests.

ZBA Appeal

This appeal of the HDC's denial is timely filed with the ZBA pursuant to Durham ZBA Rules of Procedure Rule D, 1, b, the Durham Zoning Ordinance Article XVII (the Durham Historic Overlay District Ordinance) Section 175-95, D and State statutes.

RSA 674:33, I (a)(1), RSA 676:5 and RSA 677:17 grant the ZBA power to hear appeals of the HDC. RSA 674:33, II authorizes the ZBA to reverse or affirm, wholly or in part, the HDC's decision, and grants to the ZBA "all the powers of the administrative official" (in this case, the HDC, per RSA 676:5, I and II (a)) "from whom the appeal is taken." As such, it is appropriate for the ZBA to fully re-hear the case and make its decision based on the standard of review addressed below.

Requested Remedy

Because the Applicant's project has been modified (and improved since the HDC denial) for Planning Board presentation/approvals, and because the Planning Board's Notice of Decision approving Toomerfs' Site Plan and Conditional Use Permit is conditioned on minor plan improvements being made and upon other terms and conditions, Toomerfs specifically requests that the ZBA:

grant a Certificate of Approval for the project as unanimously approved by the Durham Planning Board's February 13, 2019 Notice of Decision (attached).

HDC's Reasons for Denial

Section 175-95, C, 4 requires the reasons for the HDC's denial to be "conveyed to the Applicant and clearly stated in the minutes of the Commission." Both the minutes and the HDC's February 15, 2019 Notice of Denial state as "reasons" the verbatim text of Section 175-96, A, 1, 2, 3 and 4 of the Historic District Ordinance. Despite a fully documented record and elaborate multiple presentations of a project that has evolved through presentations first to this ZBA in November, 2018, then conceptually to the Planning Board, then formally to the Planning Board, then to the HDC (twice), no specific factual "reasons" are stated for the three members voting to deny the motion. No specific objections to the project presentation are articulated.

A fresh review by the ZBA of the record, as addressed below, is appropriate. Statutorily authorized to use all the same powers of the HDC, it is appropriate for the ZBA to apply Durham's Historic District Ordinance standard of review to the entire record as developed and to be presented by Applicant and its representatives at hearing.

Standard of Review

Approval of the HDC is required for certain activity within the Historic Overlay District. The “Purview of the Board” is outlined at Ordinance Section 175-94.

As required by Ordinance Section 175-95, A, Toomerfs submitted a complete and thorough Application for a “Certificate of Approval.” The same application, as further developed and unanimously approved by the Planning Board (with conditions and some required modifications) is now before the ZBA for a determination of appropriateness, specifically by determining whether the project conforms to the provisions of the Durham Historic District Ordinance. See Section 175-95, B, 1. The ZBA’s standard of review is specifically set forth in the Ordinance at Section 175-96. The record as developed and to be presented supports the granting of a Certificate of Approval.

Record

Because the ZBA’s standard of review requires consideration of Toomerfs’ design being appropriate considering alternative design options, the development of the project over time, initially before the ZBA, then on to the Planning Board and HDC, is important to consider. As such, the cumulative records of:

1. the ZBA’s November 13, 2018 variance denial (of a slightly bigger parking lot expansion with alternatively designed access)
2. the HDC’s February 7, 2019 denial, and
3. the Planning Board’s February 13, 2019 unanimous Site Plan and Conditional Use Permit approval,

all for the same project on the same property, are relevant. Printouts of all three completed applications’ records, as compiled on the Town’s website, are attached. All, including all referenced submissions, are available on the Town’s website. Planner Behrendt may well provide you with e-mail links to these components of the record. All are incorporated herein by reference for submission. Absent from the Town Planning Board record is Robbi Woodburn’s revised landscape plan. It will be re-presented and is submitted.

For convenience, the following critical portions of the record are attached (electronically and hard copy to Town) for members’ ease in review in advance of the hearing:

1. February 13, 2019 (5 page) Planning Board Notice of Decision approving Site Plan and Conditional Use Permit
2. Revised plans as submitted/approved by Planning Board
3. Revised Letter of Intent for Planning Board Site Plan and CUP Application (originally dated November 29, 2018, updated and revised February 5, 2019 by MJS Engineering)
4. January 28, 2019 revised submission cover letter to HDC from MJS Engineering
5. January 28, 2019 letter to HDC from the undersigned
6. Photo renderings of existing/proposed access (as submitted to the Planning Board)
7. Parking presentation (by Toomerfs, as submitted to the Planning Board)
8. Landscape plan (by Woodburn, as submitted to the Planning Board)

9. Landscape presentation (by Woodburn, as submitted to the Planning Board)
10. Entrance design options (by MJS, as requested by HDC)

MJS Engineering is currently updating Toomerfs' approved Site Plan as requested/required by the Planning Board's approval. Every effort will be made to present this updated plan to the ZBA at the night of hearing, if not sooner. Planning Board required changes will certainly be explained (as they improve the project).

Summary

The record, and presentations previously made both to the HDC and Planning Board, fully support the granting of a Certificate of Approval for Toomerfs' project as unanimously approved by the Planning Board. The project as designed, and approved with conditions by the Planning Board, conforms to the provisions of Durham's Historic District Ordinance. To deny a Certificate of Approval for the project would be unreasonable and illegal.

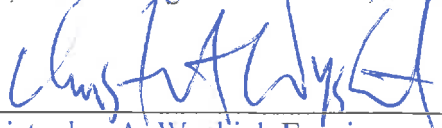
As the record before the Planning Board supports, confirmed by that Board's deliberations (and minutes), the project is good for Durham, and needed. It addresses dire parking needs of the community. It is reasonable for the site. It is the most appropriate design among the evolution of alternatives considered and presented. Screened and located in conformance with specific Historic District Ordinance requirements, it is appropriate to be approved. The access, drainage and landscaped screening improvements to be made are overall improvements to the site, improvements for abutters and their properties, and a betterment to the community.

For all the above reasons, Toomerfs, LLC requests the ZBA grant a Certificate of Approval of the Planning Board approved Site Plan and Conditional Use Permit approved February 13, 2019, upon the same terms and conditions of the Planning Board's February 13, 2019 Notice of Decision.

Respectfully submitted,

Toomerfs, LLC
by its attorneys,

Wyskiel, Boc, Tillinghast & Bolduc, P. A.

By: 
Christopher A. Wyskiel, Esquire

CAW/ml
Enclosures

cc: Toomerfs, LLC
Michael J. Sievert

DURHAM

New Hampshire

Variance Application for 18 Main Street & 12 Cowell Drive

November 13, 2018 - DENIED

PUBLIC HEARING on a petition submitted by MJS Engineering, P.C., Newmarket, New Hampshire, on behalf of the Toomerfs, LLC, Durham, New Hampshire for an **APPLICATION FOR A VARIANCE** from Article XII.1, Section 175-53III(3) of the Durham Zoning Ordinance to permit a driveway on Lot 38-5 as an accessory use to access a surface parking lot on Lot 55-0. The properties involved are shown on Tax Map 4, Lots 38-5 & 55-0, are located at 12 Cowell Drive and 18 Main Street respectively, and are in the Residence A and Church Hill Zoning Districts.

Supporting Documents

 Final Notice of Decision (107 KB)

 Application (1 MB)

 Site Plan (591 KB)

-  [Comments from Sridharan Gopal \(108 KB\)](#)
-  [Comments from Nina & Ira Berlin \(82 KB\)](#)
-  [Comments from Susan & David Richmond \(463 KB\)](#)
-  [Comments from Susan Herhold \(418 KB\)](#)

Web Links

[Historic District Commission Application](#)



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New Paved Parking Lot for 18 Main Street

February 7, 2019 - DENIED

Public Hearing - 18 Main Street – Parking lot. Parking lot to be located behind house at 18 Main Street with new entrance from 12 Cowell Drive. Toomerfs LLC, c/o Peter Murphy, property owner. Mike Sievert, MJS Engineering, engineer. Map 4, Lot 55 (also Map 4, Lot 38-5 not located in Historic District)

Supporting Documents

-  [Notice of Denial \(123 KB\)](#)
-  [Updated Application Cover Letter 1-28-19 \(150 KB\)](#)
-  [Updated Plans 1-28-19 \(3 MB\)](#)
-  [Letter from Attorney Wyskiel 1-28-19 \(270 KB\)](#)
-  [Alternative Options for Entrance \(661 KB\)](#)

-  Entrance Rendering Options (2 MB)
-  Parking Presentation 1-28-19 (2 MB)
-  Application (631 KB)
-  Site Plan (2 MB)
-  Additional Information from Site Plan Application (577 KB)

Web Links

Zoning Board Application



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Historic District Map

Historic District Ordinance

Historic District Master Plan

Heritage Commission

DURHAM

New Hampshire





Site Plan & Conditional Use for 18 Main Street






















February 13, 2019 - APPROVED












Continued Public Hearing - 18 Main Street - Parking Lot. Including drainage structures to be placed on 12 Cowell Drive. Site plan and conditional use to expand existing 17-space parking lot to 43 spaces behind existing 4-unit building.

Toomerfs, LLC c/o Peter Murphy, property owner. Mike Sievert, MJS Engineering, engineer. Robbi Woodburn, landscape architect. Chris Wyskiel, attorney. Map 4, Lot 55 – parking lot, Church Hill District. Map 4, Lot 38-5 – drainage structures, Residence A District. Recommended action: Discussion. Note that the Historic District Commission denied the related application on February 7.

Supporting Documents

-  Final Notice of Decision (225 KB)
-  Planner's Review 2-13-19 (192 KB)
-  Revised Letter of Intent (241 KB)
-  Revises Plans 2-5-19 (5 MB)

-  Photo Renderings (2 MB)
-  Parking Presentation 2-5-19 (2 MB)
-  Draft Notice of Decision (367 KB)
-  Applicant Response to Planner's Notes (1 MB)
-  Updated Site Plan 1-3-19 (6 MB)
-  Drainage Report 1-3-19 (1 MB)
-  Site Walk Minutes 12-19-18 (72 KB)
-  Planner's Review 12-12-18 (768 KB)
-  TRG Minutes 12-4-18 (185 KB)
-  Application & Supporting Documentation (2 MB)
-  Site Plan (2 MB)
-  Photo of 18 Main Street (2 MB)
-  Comments from Nina Berlin 1-8-19 (335 KB)
-  Comments from Doug Karo 1-9-19 (89 KB)
-  Letter from St. Georges Episcopal Church 1-9-19 (823 KB)
-  Comments from Nancy Sandberg 1-9-19 (415 KB)
-  Comments from Janet Mackie 1-9-19 (719 KB)
-  Comments from Robin Mower 1-9-19 (960 KB)
-  Comments from Susan Richman 1-11-19 (89 KB)
-  Comments from Robin Mower 2-11-19 (7 MB)
-  Additional Information from Robin Mower - "Trees for Parking Lots" (465 KB)

-  [Comments from Reggie Lalmond 2-13-19 \(124 KB\)](#)
-  [Comments from James Hollister 2-13-19 \(92 KB\)](#)
-  [Comments from Allison Nartiff 2-13-19 \(108 KB\)](#)
-  [Comments from JoAnn Watson 2-13-19 \(86 KB\)](#)
-  [Comments from Richard Many 2-13-19 \(158 KB\)](#)
-  [Comments from Leslie Schwartz 2-13-19 \(87 KB\)](#)
-  [Comments from Richard Whitney 2-13-19 \(179 KB\)](#)
-  [Comments from Peter Stanhope 2-13-19 \(89 KB\)](#)
-  [Comments from Tom Elliott 2-13-19 \(155 KB\)](#)
-  [Comments from Nancy Sandberg 2-13-19 \(762 KB\)](#)
-  [Comments from Janet Mackie 2-13-19 \(921 KB\)](#)

Web Links

- [Historic District Commission Application](#)
- [Planning Board Conceptual Consultation](#)
- [Zoning Board Appeal of Administrative Decision - Denied](#)
- [Zoning Board Variance Request - Denied](#)



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TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064
www.ci.durham.nh.us

NOTICE OF DECISION

Project Name: 18 Main Street Parking Lot
Action Taken: APPROVAL
Project Description: Site plan and conditional use for expansion of existing parking lot behind the building from 17 to 43 spaces, related site changes, and construction of drainage facilities on rear lot at 12 Cowell Drive.
Property Owner: Toomerfs, LLC c/o Peter Murphy
Engineer: Mike Sievert, MJS Engineering
Landscape Architect: Robbi Woodburn, Woodburn and Company
Map and Lot: Map 4, Lot 55 – parking lot; Map 4, Lot 38-5 drainage structures
Zoning: 18 Main Street - Church Hill; 12 Cowell Drive – Residence A
Date of approval: February 13, 2019

[Office use only. Date certified: _____; Use of site signed off _____;
As-builts received? _____; All surety returned: _____]

“Applicant,” herein refers to the applicant and his/her/their/its agents, successors and assigns.

CONDITIONS PRECEDENT

All of the conditions precedent below must be met by the applicant prior to the plans being certified by the Town Planner. Certification of the plans is required prior to performing any significant site work. Once these conditions precedent are met and the plans are certified the approval is considered final.

Please note. If all of the precedent conditions are not met within 6 calendar months to the day of the board’s approval - by August 13, 2019 - the Planning Board's approval will be considered to have lapsed. Extension(s) may be granted by the Planning Board for reasonable cause. It is the sole responsibility of the applicant (or his/her agent) to ensure that the precedent conditions are met by this deadline. See RSA 674:39 on vesting. No changes to the plans that were reviewed and approved by the Planning Board on February 13, 2019 may be made except for the specific required changes that follow.

Plan Modifications

- 1) Plan modifications. Make the following modifications to the plans/plan set that were reviewed and approved by the Planning Board:

- a) Path. Label gravel path to be 5 feet wide.
- b) Lighting. Submit revised lighting details to ensure the fixtures on the building are fully shielded.
- c) Signage. Show heights of new freestanding signs. Lower height of accessible parking sign.
- d) Details. Include details for all signs on the plan set.
- e) Dumpster. Show fencing on all four sides of dumpster. Modify the fence detail to show a cedar stockade fence with a flat board top.
- f) Pavers. Submit a cross section for the pavers to be placed in the driveways.
- g) Rear lighting and path. Add one or more pedestrian-oriented light structure at the rear of the parking lot to provide low level lighting along the rear foot path. The foot path may be relocated along the spillway within the drainage basin at the option of the applicant (Show revision if the location will be changed).
- h) Fencing. The 4 foot high cedar fencing along the side lot line is to have a flat board top.
- i) Tree protection. Submit a tree protection plan as discussed at the Planning Board meeting on February 13. The plan shall be overseen on site by the landscape architect.

Other Conditions Precedent

- 2) Historic District approval. This approval is subject to approval of the historic district application by the Durham Historic District Commission or by another body having jurisdiction on appeal (The Historic District Commission denied the application on February 7, 2019). If any terms of approval of the historic district application are in conflict with this approval and design herein the parties shall work to resolve those differences as appropriate.
- 3) Blasting. Determine if any blasting will be necessary. If so, provide a plan for blasting pursuant to Fire Department requirements, incorporating appropriate elements from the procedure established by the Planning Board (for the Orion project) to be approved by Town staff.
- 4) Driveway Permit. The Durham Driveway Permits must be obtained.

- 5) Recycling plan. Submit written recycling plan to be approved by the Director of Public Works. The Integrated Waste Management Advisory Committee may provide suggestions at its option.
- 6) Construction Guarantee. The applicant shall post an acceptable surety to be approved by the Town Engineer (and the Town Business Manager for form and type). The surety shall be in an amount sufficient to ensure the completion of the project or reclamation if needed.
- 7) Final drawings. The following complete sets of final approved drawings shall be submitted for signature (except the electronic version) by the Town Planner: a) one large set of black line drawings (plus a second set if the applicant wants a signed set); b) one set of 11"x17" drawings; plus c) one electronic version by pdf. Each individual sheet in every set of drawings must be stamped and signed by the engineer responsible for the plans.
- 8) - Signature. Signature by the applicant at the bottom acknowledging all terms and conditions of this approval herein.

CONDITIONS SUBSEQUENT AND GENERAL TERMS

All of the conditions below are also attached to this approval. All work shall be completed and all required conditions shall be met prior to use of the parking lot unless otherwise specified or a surety acceptable to the Town is posted.

Conditions to be met prior to commencing site work

- 9) Site work. No significant site work (including any significant clearing of the site) or ground disturbance may be undertaken until:
 - a) all of the conditions precedent are met;
 - b) the preconstruction meeting with Town staff has taken place (Contact Town Planner Michael Behrendt to arrange for the meeting);
 - c) limits of clearing have been established in the field and approved by the Public Works Department; and
 - d) all appropriate erosion and sedimentation control structures are in place.
- 10) Easement. Record an appropriate document at the registry of deeds ensuring that an easement will be in place if and when the two lots are conveyed separately to allow for the drainage structures on the rear lot.

Conditions to be met prior to use of the new parking lot

- 11) As-built drawings. One set of full size, one set of 11" x 17", and one electronic copy of as-built ("record") drawings of structures and other pertinent elements. The plans shall

be stamped and signed by the Engineer or Surveyor and include the following language or comparable: “This as-built drawing substantially conforms with the final plans approved by the Town of Durham Planning Board and certified by the Planning Department except for the following significant modifications:”. If no significant modifications were made simply state “none”.

- 12) Improvements. All on-site and off-site improvements included in this approval shall be completed unless an acceptable surety is posted.
- 13) Other applicable requirements. All other applicable requirements of this site plan, this Notice of Decision, and other terms and conditions must be satisfied.
- 14) Landscaping Guarantee. The applicant shall post an acceptable surety for the landscaping for a period of two years. If the landscaping fails or dies at any time, however, the applicant shall replace it.

Other terms and conditions

- 15) Start of construction. Substantial construction must commence within 12 months unless an extension is granted by the Planning Board (per Section 175-22 E of the Zoning Ordinance).
- 16) Recording. This notice of decision must be recorded at the Registry of Deeds within 14 days of certification of the plans.
- 17) Concrete pavers. This approval includes use of gray concrete pavers in the apron at the bottom of the access ways (A sample was presented to the HDC on February 7.)
- 18) Waivers. This approval includes two waivers from the Site Plan Regulations – Section 10.4.3 (c) of the aisle width of the lot to allow for 22 feet rather than 24 feet and Section 16.2.2 (a) Spacing of Driveways for the spacing of the new entrance – and one waiver from the Road Construction Regulations – Section 3.11 for the spacing of the new entrance.
- 19) Parking lot. The parking lot is intended to serve users beyond the on-site residents and is thus considered a principal rather than an accessory use. A parking lot as a principal use is allowed by conditional use in the Church Hill District. All 43 parking spaces must be leased on a minimum weekly basis (except for any spaces that may be used for electric charging).
- 20) Charging Station. The applicant is encouraged to convert one or more space to electric charging stations. If the applicant provides electric charging stations, no site review will be required provided any plan is approved by the Public Works Director.
- 21) Execution. The project must be built and executed exactly as specified in the approved application package unless changes are approved by the Town.

Findings of fact. As part of this review and approval the Durham Planning Board finds the following: **A)** The applicant submitted an application, supporting documents, and plans for the project; **B)** The Planning Board held a preliminary review on November 14 and accepted the application as complete on December 12, 2018; **C)** The Planning Board held a site walk on December 13 and public hearings on January 9 and February 13, 2019; **D)** The applicant revised and updated the plans on February 5, 2019 pursuant to comments from the Planning Board, staff, and public; **E)** The project was presented to the Technical Review Group on November 6 and December 4, 2018; **F)** The Planning Board reviewed the application in accordance with state law, the Durham Zoning Ordinance, the Durham Site Plan Regulations, and other applicable law and found that the application meets all requirements (except where waivers may have been granted); **G)** the Planning Board found that the eight criteria for conditional uses outlined in the Zoning Ordinance section 175-23 C. are adequately addressed in the applicant's application for a conditional use as a parking lot as a principal use in the Church Hill District; **H)** This project is not considered to be a Development of Regional Impact; and **I)** The Planning Board duly approved the application as stated herein, including the conditional use. Substantial records are maintained of the process and documentation submitted in the Planning Department. A record of documentation and a timeline of the project will be prepared as needed.

Signature(s). As the applicant, I/we accept and acknowledge all of the terms and conditions of this approval herein.

COPY

Signature of applicant

date

COPY

Printed name of applicant

Paul N. Rasmussen

Signature of Planning Board Chair

Feb 21, 2019

date

PAUL N RASMUSSEN

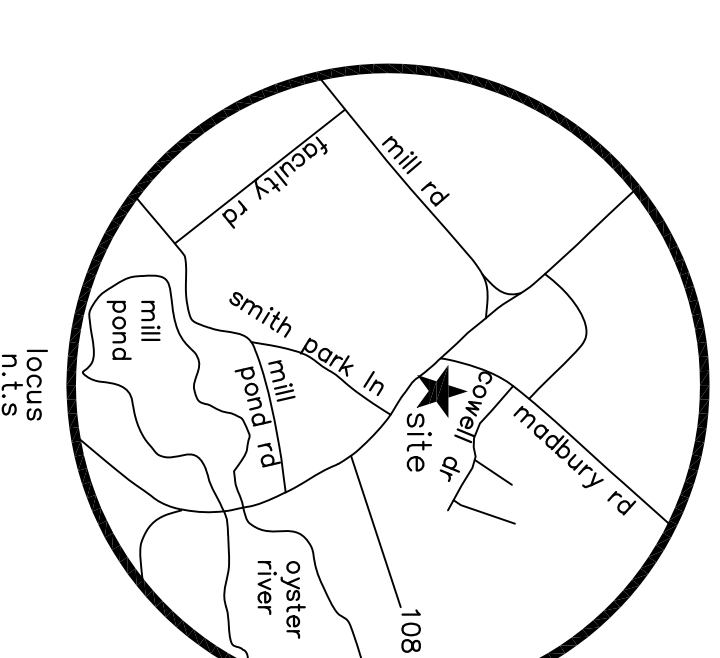
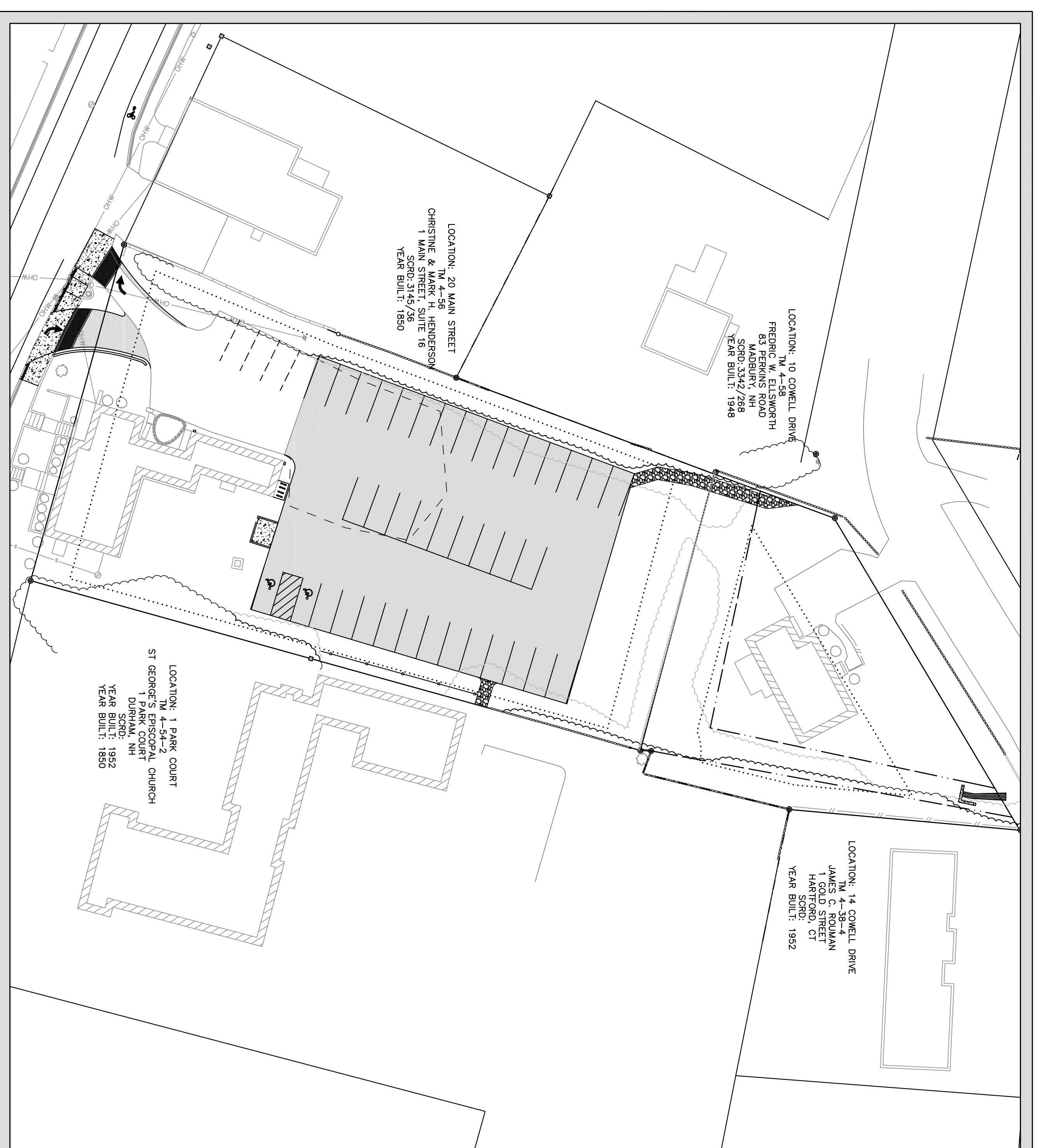
Printed name of Planning Board Chair

SITE PLAN

for
TOOMERFS, LLC
 18 MAIN STREET & 12 COWELL DRIVE
 DURHAM, NH
 REVISED FEBRUARY 5, 2019

LEGEND

| | |
|-------|---------------------------|
| | EXISTING PROPERTY LINE |
| ----- | SEBACK EDGE OF GRAVEL |
| ----- | EXISTING EDGE OF PAVEMENT |
| ----- | EXISTING TREE LINE |
| ----- | PROPOSED TREE LINE |
| ----- | TO BE REMOVED TREE LINE |
| ----- | PROPOSED TREE LINE |
| ----- | PROPOSED PARKING SPACES |
| ----- | PROPOSED SILT SOCK |
| ----- | PROPOSED PAVEMENT RADIIUS |
| ----- | PROPOSED CONTOUR LINE |
| ----- | EXISTING CONTOUR LINE |

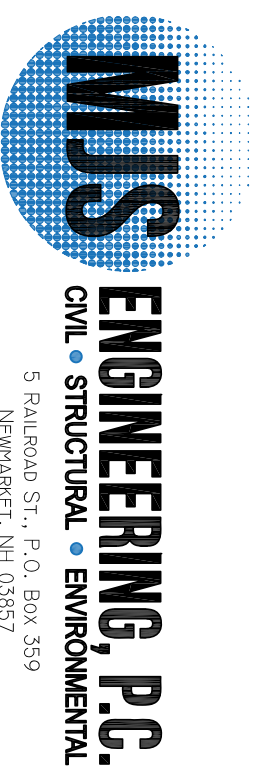


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| LIGHTING PLAN | |
| CONSTRUCTION DETAILS | D1-D3 |

OWNER

TOOMERFS, LLC
 37 MAIN STREET
 UNIT 0
 DURHAM, NH 03824

CIVIL ENGINEER



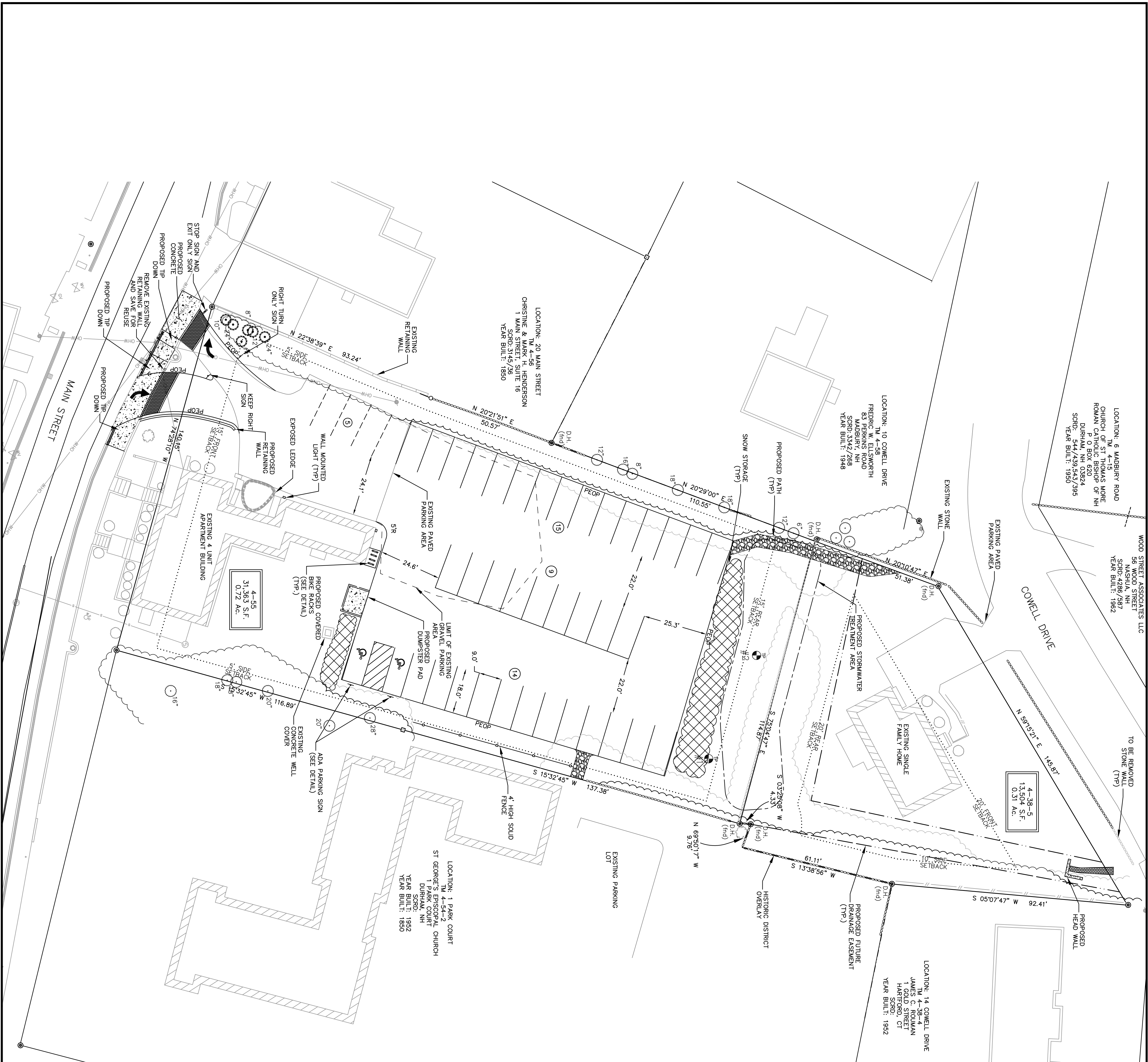
SURVEYOR

NORWAY PLAINS ASSOCIATES, INC.
 2 CONTINENTAL BOULEVARD
 ROCHESTER, NEW HAMPSHIRE
 03867 (603) 335-3948

LANDSCAPE ARCHITECT

WOODBURN & COMPANY
 103 KENT PLACE
 NEWMARKET, NEW HAMPSHIRE
 (603) 659-5949

| NO. | REVISIONS | DATE | INT. |
|-----|---|----------|------|
| 3. | DESIGN AND GRADING CHANGES | 2/6/19 | EHK |
| 2. | DESIGN REVISIONS PER FIRST PLANNING BOARD MEETING | 1/23/19 | EHK |
| 1. | PLAN UPDATES | 11/29/18 | EHK |
| 0. | INITIAL SUBMISSION TO DURHAM PLANNING BOARD | 10/5/18 | EHK |



- GENERAL NOTES:**
- OWNER OF RECORD: DURHAM, NEW HAMPSHIRE 03824 S.C.R.D. BOOK 4486, PAGE 213
 - OWNER OF RECORD: TOOMERS, LLC DURHAM, NEW HAMPSHIRE 03824 S.C.R.D. BOOK 4486, PAGE 213
 - LOT AREA: 72 ACRES (31,363 S.F.)
 - REFERENCE PLANS:
 - A. EXISTING FEATURES PLAN MAIN STREET AKA NH ROUTE 108 AND COWELL DRIVE, DURHAM STRAFFORD COUNTY, NH PREPARED FOR TOOMERS, LLC, PREPARED BY NORWAY PLANS ASSOCIATES, INC. DATED AUGUST, 2018.
 - B. VERTICAL DATUM IS ASSUMED.
 - C. UNPERVIOUS SURFACE RATIO FOR LOT 4-55: EXISTING = 28.6% (6,960 S.F.) PROPOSED = 63.9% (20,032 S.F.) DISCONNECTED IMPERVIOUS COVER = 0 S.F. EFFECTIVE IMPERVIOUS AREA (EIA) = 20,032 S.F.
 - D. ALL OUTSIDE CONSTRUCTION RELATED ACTIVITY RELATED TO THE DEVELOPMENT OF THIS SITE IS RESTRICTED TO THE HOURS OF 7:00 A.M. TO 6:00 P.M. MONDAY THROUGH FRIDAY AND 8:00 A.M. TO 5:00 P.M. SATURDAY.
 - E. FOR MORE INFORMATION ABOUT THIS SITE PLAN, OR TO SEE THE COMPLETE PLAN SET, CONTACT THE TOWN OF DURHAM PLANNING DEPARTMENT, 8 NEWMARKET ROAD, DURHAM, NH 03824, (603) 888-8064.
 - F. ALL EXTERIOR LIGHTING MUST BE FULLY SHIELDED AND NOT PROJECT GLARE TOWARD ANY ADJUTING PROPERTIES.
 - G. ACCESS INTO THE SITE FOR FIRE APPARATUS SHALL BE MAINTAINED AT ALL TIMES DURING THE CONSTRUCTION PROCESS. PLEASE CONTACT THE TOWN OF DURHAM PLANNING DEPARTMENT WITH ANY QUESTIONS ABOUT ACCESS REQUIREMENTS.
 - H. SNOW SHALL NOT BE PUSHED AGAINST TREES OR SHRUBS IN ANY MANNER THAT COULD DAMAGE THEM.
 - I. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY ALL DIMENSIONS, ELEVATIONS AND CONDITIONS AT THE SITE. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER OF RECORD BEFORE PROCEEDING WITH THE PROPOSED WORK. THIS INCLUDES DISCREPANCIES BETWEEN THESE PLANS AND ANY OTHER PLANS OR CONTRACT DOCUMENTS.

SITE DATA BLOCK
 PLAN INTENT: THE PROPOSAL IS TO CONSTRUCT A NEW PAVED PARKING LOT ON THE SUBJECT PARCEL.
 ZONE: CH - CHURCH HILL
 OVERLAY DISTRICTS: HISTORIC DISTRICT
 USE: COMMERCIAL

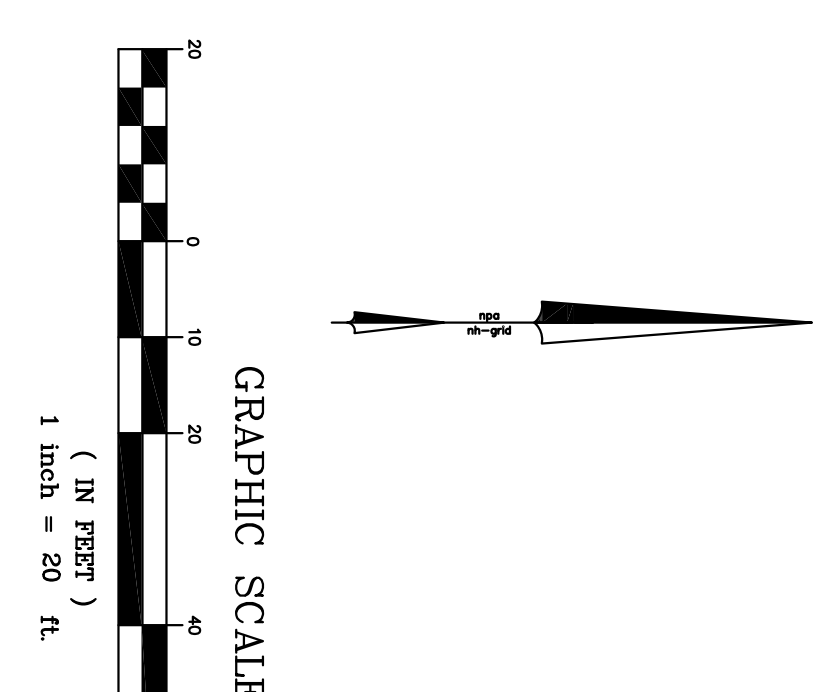
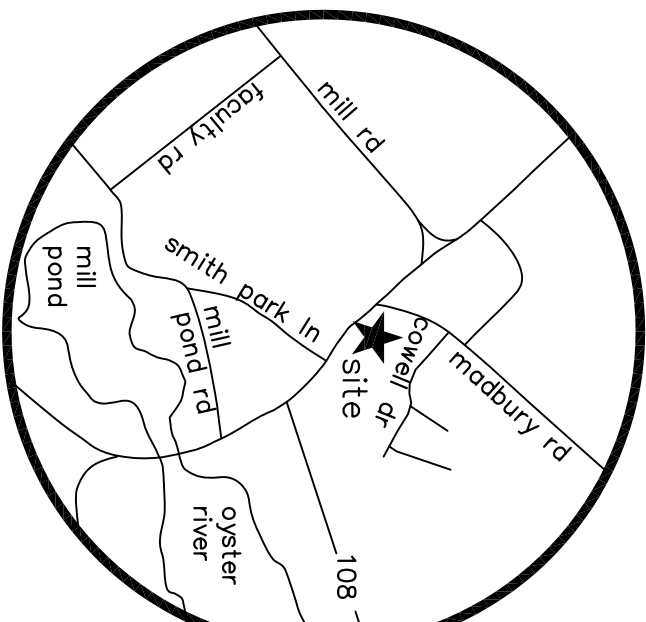
| MINIMUM LOT SIZE (SQUARE FEET) | REQUIRED IN CH DISTRICT | REQUIRED IN EA DISTRICT |
|--|-------------------------|-------------------------|
| 5,000 SF | 50 | 20,000 SF |
| MINIMUM FRONTAGE (FEET) | 50 | 100 |
| MINIMUM LOT SETBACKS | 15' | 30' |
| FRONT (FEET) | 5' | 10' |
| SIDE (FEET) | 15' | 20' |
| REAR (FEET) | 15' | 15' |
| MAXIMUM ROAD STREETCROSS (FEET) | 35' | 35' |
| MAXIMUM HEIGHT W/ P.B. APPROVAL (FEET) | 35' | 35' |
| IMPERVIOUS SURFACES RATIO | 80% | 33% |

PARKING REQUIREMENTS

| USE | OCCUPANTS | REQUIRED | EXISTING | PROPOSED |
|--|-----------|------------------------------|-----------|------------|
| LOT 4-55 | | | | |
| DWELLING UNITS - PERMITTED FOR 3 OR MORE UNRELATED OCCUPANTS | 15 | 1 SPACE/OCCUPANT = 15 SPACES | 17 SPACES | 43 SPACES* |

*PER ARTICLE 10, SECTION 10.2.2, PARKING LOTS MAY CONTAIN UP TO THE PERCENT (17%) OF THE REQUIRED MINIMUM CONDITIONAL USE REQUIRED.

NOTE: ADDITIONAL PARKING SPACES FOR USE BY LOTS 1-9, 1-10, AND 11-19 MAY BE REQUIRED FOR CONDITIONAL USE.



FINAL APPROVAL BY DURHAM PLANNING BOARD.
 CERTIFIED BY MICHAEL BEHRENDT, TOWN PLANNER
 DATE _____

UTILITIES NOTE:
 ALL ELECTRICAL, GAS, TELEPHONE, WATER, SEWER AND DRAIN SERVICES ARE SHOWN IN SCHEMATIC FASHION. THEIR LOCATIONS ARE NOT PRECISE OR NECESSARILY ACCURATE. LOCATIONS ARE APPROXIMATE. CONSULT WITH THE PROPER AUTHORITIES CONCERNED WITH THE SUBJECT SERVICE LOCATION FOR INFORMATION REGARDING SUCH. CALL DIG-SAFE: 1-888-DIG-SAFE (1-888-344-7233)

| | | | | |
|--|---|---|--|--|
| <p>MJS ENGINEERING, P.C. CIVIL • STRUCTURAL • ENVIRONMENTAL 5 RAILROAD ST., P.O. BOX 3559 NEWHAMPTON, NH 03857 PHONE: (603) 659-4979, FAX: (603) 659-4627 E-MAIL: MJS@MJS-ENGINEERING.COM</p> | <p>SITE PLAN prepared for TOOMERS, LLC TAX MAP 4, LOTS 38-5 AND 55 18 MAIN ST AND 12 COWELL DR., DURHAM, NH</p> | DATE: 10/5/18 SCALE: 1"=20' DESIGNED BY: EHK DRAWN BY: EHK APPROVED BY: MJS DWG FILE: 18-040 CIVIL.dwg | 4. DESIGN REVISIONS PER PUBLIC HEARING ON 1/9/19 3. DESIGN REVISIONS PER FIRST PLANNING BOARD MEETING 2. PLAN UPDATES 1. REDESIGN PARKING LOT ENTRANCE AND DRAINAGE 0. INITIAL SUBMISSION TO DURHAM PLANNING BOARD | 1/28/19 EHK 1/3/19 EHK 11/29/18 EHK 11/26/18 EHK 10/5/18 EHK |
| | | NO. | REVISIONS | DATE INT. |

Plant heavily from the base of planting. Prune only crossover limbs, codominant leaders, and broken or dead branches. Some pruning may be required. Pruning may be done in winter. Pruning should be done on a regular basis of branches that extend to the edge of the crown.

These trees less than 3" in caliper shall be staked around the trunk with 12 gauge wire. Plastic hose sections shall be used at a maximum of 24" stakes or metal drive anchors shall be used to anchor the guy wires. Stakes shall be placed in into stable soil. Remove all staking NO LATER than the end of the first growing season after planting.

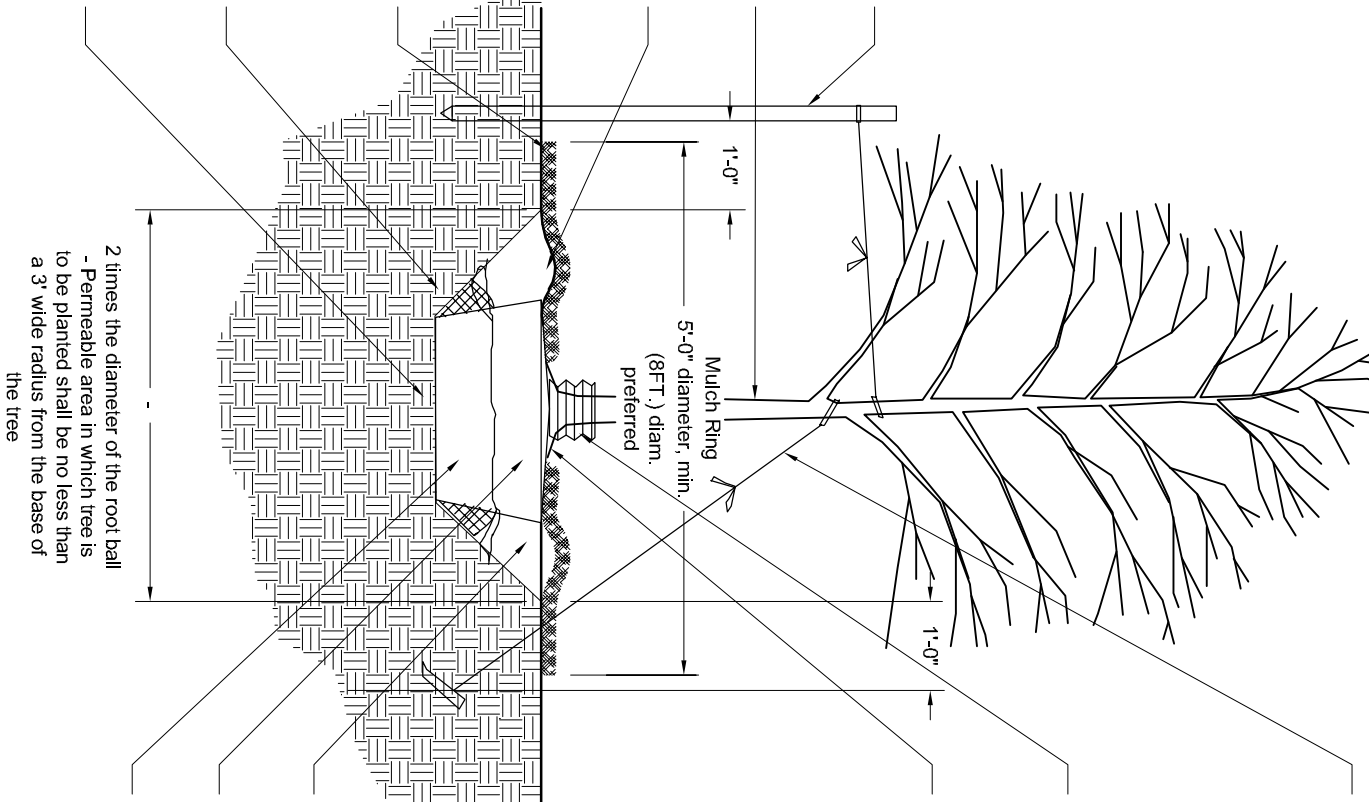
Mark the north side of the tree in the nursery. Rotate the tree to face north at the site whenever possible.

4 in. high stem sash beyond edge of root ball

2 IN. MAX. MATCH DO NOT PLACEMATCH IN WEED-FREE for a minimum of three years after planting

Temp soil around root ball base firmly with foot pressure so that root ball does not shift

Place root ball on unexcavated or tamped soil



Each tree must be planted such that the original trunk line is visible at the top of the root ball. Trees where the cover the top of the root ball with soil. Do NOT Before planting Contractor shall inspect the rootball for its net visible at the ground line root ball when the Contractor shall then gently remove from the top of the root ball any excess soil from nursery operations that may be covering the root ball. The Contractor shall ensure that the root ball shall be removed prior to planting. Trees with 2" or more of excess soil and/or additional roots greater than original root line at or slightly (2-3" above surrounding finished grade.

These greater than 3" in caliper shall be staked with 12 gauge wire. Plastic hose sections shall be used at a maximum of 24" stakes or metal drive anchors shall be used to anchor the guy wires. Stakes/anchors shall be placed in into stable soil. Remove all staking NO LATER than the end of the first growing season after planting.

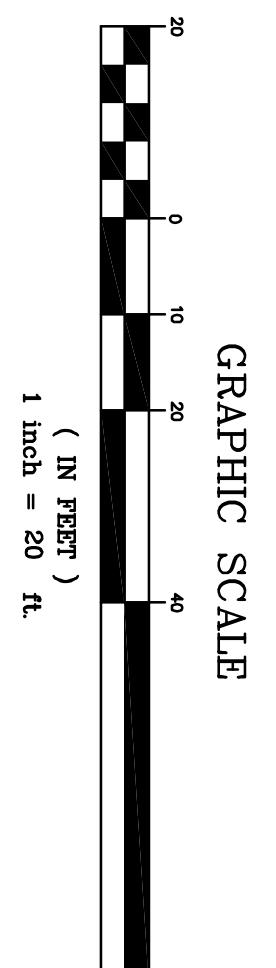
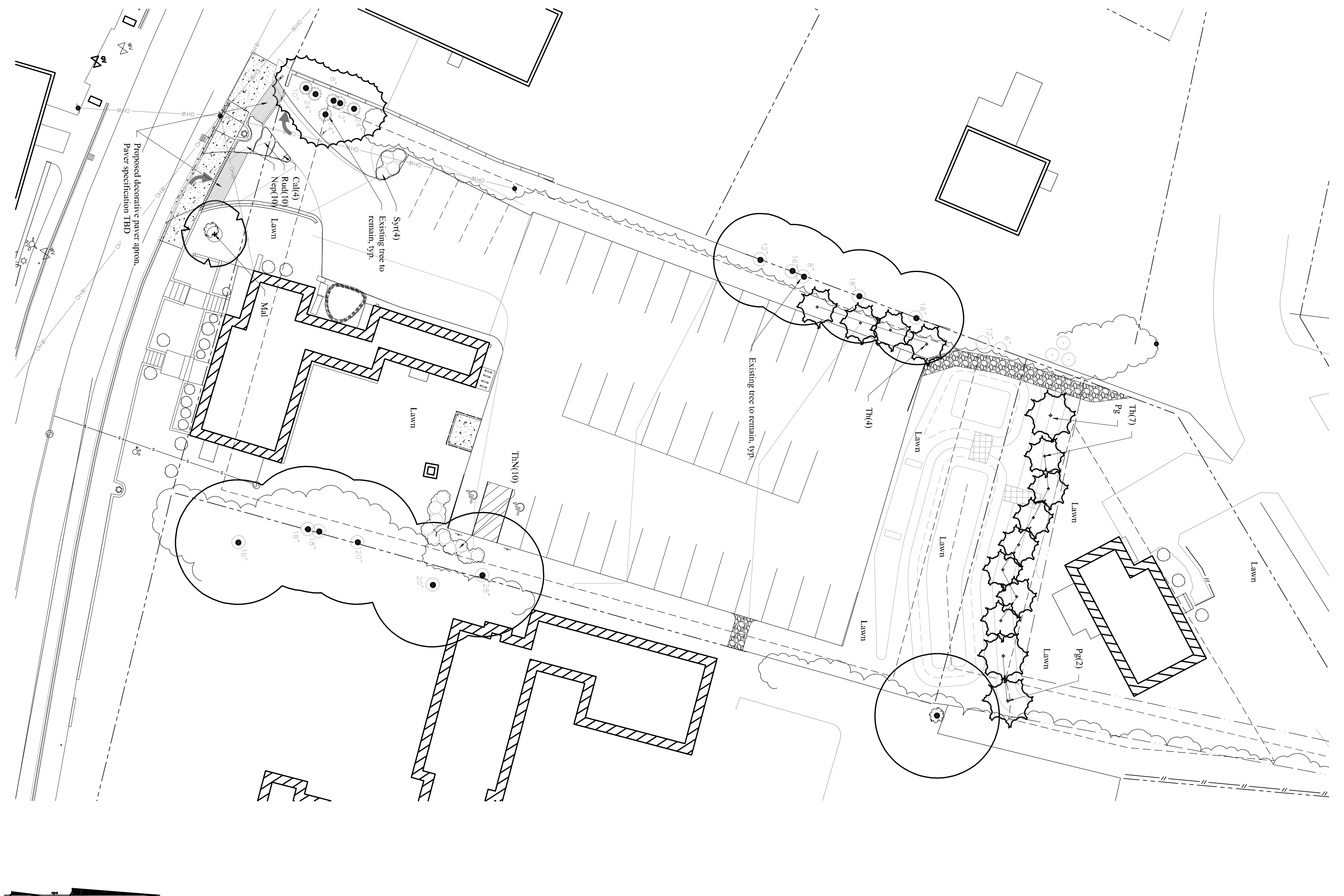
Tree Planting Detail, Typ.

Landscape Notes

- Design is based on drawings by MJS Engineering dated December, 2018 and may require adjustment due to actual field conditions. Contractor shall follow best management practices during construction and shall take all means necessary to stabilize and protect the site from erosion.
- Erosion Control shall be in place prior to construction.
- Contractor shall verify layout and grades and inform the Landscape Architect or Client's Representative of any discrepancies or changes in layout and/or grade relationships prior to construction.
- The Contractor shall verify layout and grades and inform the Landscape Architect or Client's Representative of any discrepancies or changes in layout and/or grade relationships prior to construction.
- graphic scale bar has been provided on each sheet for this purpose. If it is determined that the scale of the drawing is incorrect, the landscape architect will provide a set of drawings at the correct scale, at the request of the contractor.
- Contractor shall ensure that all plants are delivered to the site in a suitable means of protection to be approved by the Landscape Architect or Client's Representative. Snow/fence shall be located at the top line at a minimum and shall include any and all surface roots. Do not fill or mulch on the trunk flare. Do not cut or trim roots in order to protect the integrity of the roots, branches, trunk and bark of the tree(s) no vehicles or construction materials or portables within the tree protection area.
- Caution, support, protection, and restoration of all existing utilities and appurtenances shall be the responsibility of the Contractor. The Contractor shall verify exact location and elevation of all utilities with the respective utility owners prior to construction. Call DUGSAFE at 1-888-364-7233.
- The Contractor shall procure any required permits prior to construction.
- For lawns and plant beds using a thorough sampling throughout the supply. Soil testing shall indicate levels of pH, nitrate, macro and micro nutrients, texture, soluble salts, and organic matter. Contractor shall provide landscape architect with test to three. All loam to be used on site shall be amended as approved by the Landscape Architect prior to placement.
- Contractor shall notify landscape architect or owner's representative immediately if at any point during demolition or construction, unknown subsurface conditions, and discrepancies between the plan and the site. If a contractor is aware of a potential issue, and does not bring it to the attention of the landscape architect or owner's representative immediately, they may be responsible for the labor and materials associated with correcting the problem. The contractor shall be responsible for the cost of any remediation or reconstruction of the site.
- under climatic conditions similar to those in the locality of the project. Plants shall conform to the botanical names and standards of size, culture, and quality for the highest grades and standards as adopted by the American Association of Nurserymen, Inc. (A.A.N.), the American Society of Horticultural Science, American Standards Institute, Inc. (ANSI), and the American Society of Landscape Architects, Inc. (ASLA).
- A complete list of plants, including a schedule of sizes, quantities, and other requirements is shown on the drawings. In the event that quantity, appearance or material condition occur in the plant materials list, the planting plans shall govern.
- Owner or Owner's Representative will inspect plants upon delivery for conformity to Specification requirements. Such approval and/or select all trees at the place of growth and reserves the right to approve a representative sample of each type of shrub, herbaceous perennial, annual, and ground cover at the place of growth. Such sample will serve as a minimum standard. No substitutions of plants may be made without prior approval of the Owner or the Owner's Representative for any reason.
- All undesigning shall be provided with either of the following:
 - An underground sprinkling system.
 - If an automatic irrigation system is installed, all irrigation valve boxes shall be located within painting bed areas.
- The contractor is responsible for all plant material from the time that work commences until final acceptance. This includes but is not limited to: watering, staking, and other maintenance. Plants shall be appropriately watered prior to during and after planting. It is the contractor's responsibility to provide water from off site should it not be available on site.
- All shrub stems will be dressed with 3" of topsoil and packed as noted on the plans or seeded except plant beds. Plant beds not longer than 4' in length and 3/4" in width, free of woodchips and stumps. Mulch for ferns and herbaceous perennials shall be no longer than 1" in height. Trees at stem areas shall be finished in a 6" diameter rim, sash. Color of mulch shall be black.
- Driveway shall extend to 6" beyond roof overhang and shall be edged with 3/4" thick metal edge.
- Height of 6" to show curb and safe passage of vehicles and pedestrians travel ways shall be turned up to a minimum of 2" above the top of the curb.
- Landscape Architect is not responsible for the means and methods of the contractor.

Plant List

| Symbol | Botanical Name | Common Name | Quantity | Size | Comments |
|--|-------------------------------------|-----------------------|----------|------------|----------|
| Bal | <i>Malus Sargentii</i> | White Spire Crabapple | 3 | 3-3.5' Cal | B&B |
| Pc | <i>Prunella</i> | White Spire | 3 | 6-10H | B&B |
| Th | <i>Thuja plicata Atrovirens</i> | Atrovirens Arborvitae | 11 | 7-8' Ht | B&B |
| SHRUBS | | | | | |
| Symbol | Botanical Name | Common Name | Quantity | Size | Comments |
| Syr | <i>Syringa meyeri Palmar</i> | Dwarf Korean Lilac | 4 | 2-3' Ht | B&B |
| Thy | <i>Thuja occidentalis Techny</i> | Techny Arborvitae | 10 | 6-7' Ht | B&B |
| PERENNIALS, GROUND COVERS, WHEES and ANNUALS | | | | | |
| Symbol | Botanical Name | Common Name | Quantity | Size | Comments |
| Cal | <i>Calamagrostis canadensis</i> | Feather Reed Grass | 4 | 1 gal | |
| Nep | <i>Nepeta racemosa</i> | Walker's Low Catmint | 10 | 1 gal | |
| Rud | <i>Rudbeckia fulgida Goudsourin</i> | Black-Eyed Susan | 10 | 1 gal | |



FINAL APPROVAL BY DURHAM PLANNING BOARD.
 CERTIFIED BY MICHAEL BEHRENDT, TOWN PLANNER
 DATE _____

woodburn & company
 LANDSCAPE ARCHITECTURE
 103 Kent Place
 Newmarket, New Hampshire
 Phone: 603.659.5849

| NO. | REVISIONS | DATE | INT. |
|-----|--|----------|------|
| 2 | PER REVISED SITE PLAN | 01-24-19 | |
| 1 | PER REVISED SITE PLAN | 12/27/18 | VM |
| 0 | INITIAL SUBMISSION TO LEE PLANNING BOARD | 9/28/18 | VM |

| | |
|--------------|---------|
| DATE: | 9/28/18 |
| SCALE: | 1"=20' |
| DESIGNED BY: | VM |
| DRAWN BY: | VM |
| APPROVED BY: | RW |
| DWG FILE: | |

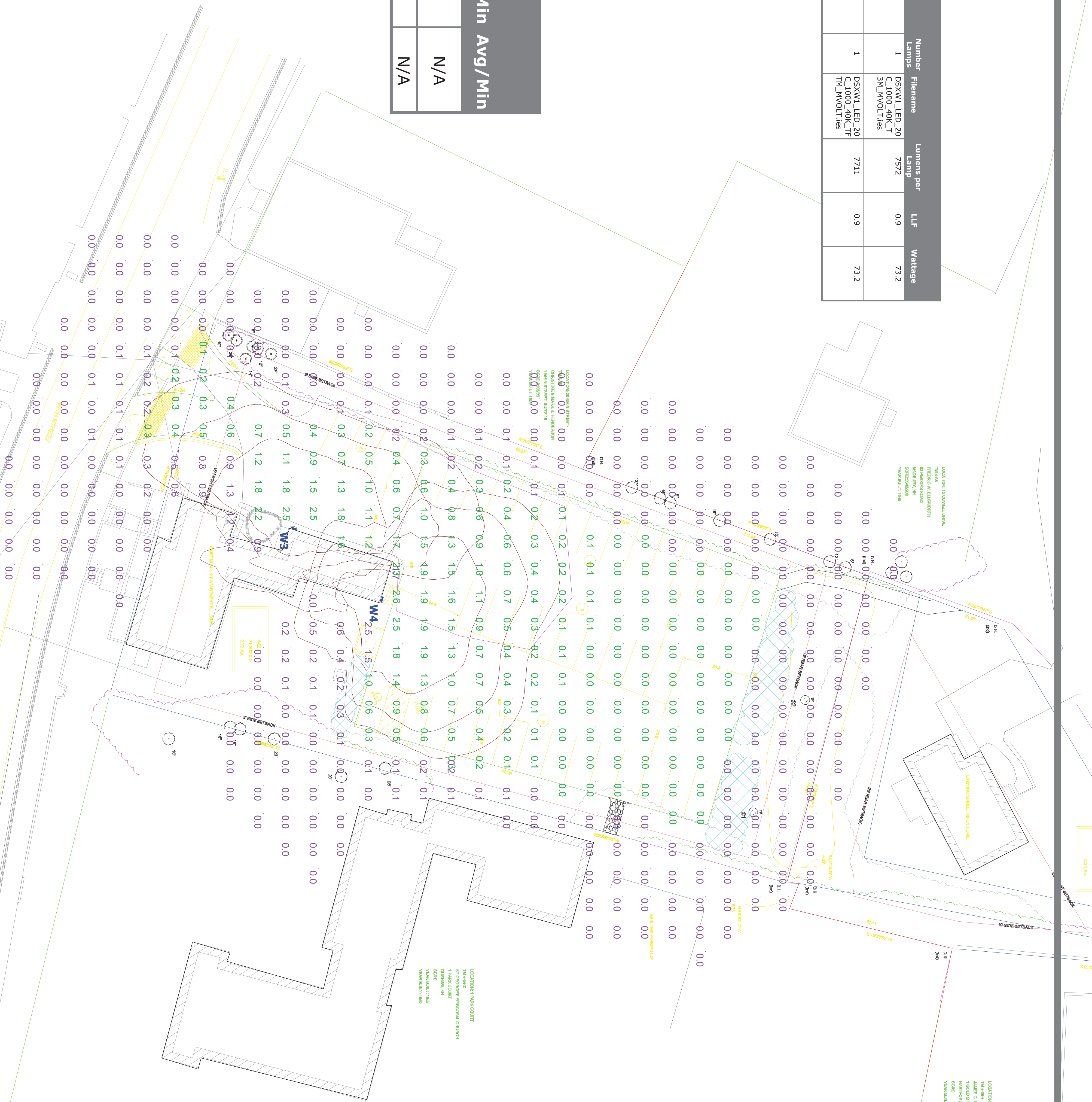
LANDSCAPE PLAN
 prepared for
TOOMERFS, LLC.
 TAX MAP 4, LOTS 38-5 AND 55
 18 MAIN ST AND 12 COWELL DR., DURHAM, NH

MJS ENGINEERING, P.C.
 CIVIL • STRUCTURAL • ENVIRONMENTAL
 5 RAILROAD ST., P.O. Box 359
 NEWMARKET, NH 05857
 Phone: (603) 659-6779, Fax: (603) 659-4627
 E-MAIL: MJS@MJS-ENGINEERING.COM

JOB: 18-040
 11

| Symbol | Label | QTY | Manufacturer | Catalog Number | Description | Lamp | Number Lamps | Filename | Lumens per Lamp | LLF | Wattage |
|--------|-------|-----|-------------------|---|---|------|--------------|--|-----------------|-----|---------|
| | W3 | 1 | Lithonia Lighting | DSXW1 LED 20C 1000 40K T3M MVOLT | DSXW1 LED WITH (2) 10 LED LIGHT ENGINES, TYPE T3M OPTIC, 4000K, @ 10000mA; mounted at 16ft | LED | 1 | DSXW1_LED_20_C_1000_40K_T3M_MVOLT.rvs | 7572 | 0.9 | 73.2 |
| | W4 | 1 | Lithonia Lighting | DSXW1 LED 20C 1000 40K T3FM MVOLT DD8XD | DSXW1 LED WITH (2) 10 LED LIGHT ENGINES, TYPE T3FM OPTIC, 4000K, @ 10000mA; mounted at 16ft | LED | 1 | DSXW1_LED_20_C_1000_40K_T3FM_MVOLT.rvs | 7711 | 0.9 | 73.2 |

| Statistics | | Symbol | Avg | Max | Min | Max/Min | Avg/Min |
|-------------|------------------------|--------|--------|--------|--------|---------|---------|
| Description | Outside of Parking Lot | + | 0.1 fc | 2.5 fc | 0.0 fc | N/A | N/A |
| | Parking Lot | + | 0.5 fc | 2.6 fc | 0.0 fc | N/A | N/A |



VISUAL

18 MAIN ST Durham, NH Site Lighting Layout

Designer

Heidi G. Connors
Visible Light, Inc.
24 Stickney Terrace
Suite 6
Hampton, NH 03842

Date

1/24/2019

Scale

1"=40'

Drawing No.

Summary

AREA OF DISTURBANCE/STABILIZATION

1. THE AREA OF UNSTABILIZED SOIL EXCEEDS 5 ACRES AT ANY ONE TIME BEFORE THE AREA IS STABILIZED.
2. AN AREA SHALL BE CONSIDERED STABLE IF ONE OF THE FOLLOWING HAS OCCURRED:
 1. OF NHPOT STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION, 2008, ITEM NO. 304.1 OR 304.2 HAVE BEEN INSTALLED.
 2. A MINIMUM OF 65% VEGETATED MATERIAL SUCH AS STONE OR RIPRAP HAS BEEN INSTALLED.
 3. DISTURBED AREAS SHALL BE TEMPORARILY STABILIZED WITHIN 45 DAYS AND PERMANENTLY STABILIZED NO LATER THAN 3 DAYS AFTER FINAL GRADING.

EROSION CONTROL PRACTICES

1. INSTALLATION: ALL EROSION CONTROLS AS SHOWN ON THE GRADING PLAN, TYPICAL DETAILS AND MANUFACTURER'S SPECIFICATIONS SHALL BE FOLLOWED.
2. INSPECTION: ALL EROSION CONTROLS WEEKLY AND AFTER EVERY RAIN EVENT OF 0.5 INCHES OR GREATER UNLESS OTHERWISE NOTED.
3. TEMPORARY STABILIZATION PRACTICES SHALL BE INSPECTED ONCE PER WEEK DURING CONSTRUCTION.
4. ANY SIGNS OF RILL OR GULLY EROSION SHALL BE IMMEDIATELY REPAIRED.
5. MAINTENANCE: EROSION CONTROLS PER THE TYPICAL DETAILS AND IN CONFORMANCE WITH THE MANUFACTURER'S SPECIFICATIONS SHALL BE MAINTAINED AS FOLLOWS:
 1. ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED ONCE 85% VEGETATIVE COVER IS ESTABLISHED.
 2. AFTER REMOVAL, ALL DISTURBED AREAS SHALL BE REPAIRED, FERTILIZED, AND RESEED TO MAINTAIN OR EXCEED VEGETATIVE COVER IS ESTABLISHED.

COLD WEATHER SITE STABILIZATION

1. TO ADEQUATELY PROTECT WATER QUALITY DURING COLD WEATHER AND DURING SPRING RUNOFF, THE ADDITIONAL STABILIZATION TECHNIQUES SPECIFIED IN THIS SECTION SHALL BE EMPLOYED DURING THE PERIOD FROM OCTOBER 15 THROUGH MAY 1.
2. SUBJECT TO (G) BELOW, THE AREA OF EXPOSED UNSTABILIZED SOIL SHALL BE:
 1. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 2. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 3. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 4. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 5. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 6. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
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 8. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 9. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
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 17. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 18. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 19. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.
 20. PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO THE ANY THAW OR SPRING MELT EVENT.

TEMPORARY VEGETATION

1. SITE PREPARATION
 - 1.1. INSTALL EROSION AND SEDIMENT CONTROL MEASURES AS SPECIFIED ABOVE.
 - 1.2. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.3. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.4. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.5. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.6. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.7. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.8. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.9. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
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 - 1.11. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.12. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.13. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.14. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.15. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.16. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.17. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.18. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.19. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
 - 1.20. ALL PROPOSED STABILIZATION IN ACCORDANCE WITH (G) OR (E) ABOVE, SHALL BE MAINTAINED FOR A MINIMUM OF 90 DAYS.
2. SEEDING
 - 2.1. SEED PER THE FOLLOWING RECOMMENDATIONS

| SEASON | APPLICATION DATE | MIXTURE TYPE | QUANTITY (lb./Ac.) |
|-----------------------|----------------------------|---------------|--------------------|
| EARLY SPRING | NO LATER THAN 5/15 | OATS | 80 |
| LATE SPRING/ FALL | 4/1 TO 6/1 & 8/15 TO 9/15 | PERENNIAL RYE | 30 |
| EARLY SPRING/ FALL | 4/1 TO 5/15 & 8/15 TO 9/15 | ANNUAL RYE | 40 |
| FALL | 8/15 TO 9/15 | WINTER RYE | 112 |

APPLY SEED UNIFORMLY BY HAND, CYCLONE SEEDER, DRILL, CULTRIPACKER TYPE SEEDER OR HYDROSEEDER (SLURRY INCLUDING SEED AND FERTILIZER). NORMAL SEEDING DEPTH IS FROM 1/2 TO 3/4 INCH. HYDROSEEDING THAT INCLUDES MULCH MAY BE LEFT ON SOIL. TEMPORARY SEEDING SHALL OCCUR PRIOR TO SEPTEMBER 15TH IN THE YEAR IN WHICH THE AREA BEING SEEDING WAS DISTURBED. LATEST 15TH SHALL BE COVERED WITH HAY OR STRAW MULCH MEETING THE FOLLOWING CRITERIA:

1. HAY AND STRAW MULCHES SHALL BE ANCHORED WITH MULCH NETTING OR TACKIFIER SO THAT THEY ARE NOT BLOWN AWAY BY WIND OR WASHED AWAY BY FLOWING WATER.
2. MULCH MATERIALS SHALL BE SELECTED BASED UPON SOILS, SLOPE, FLOW CONDITIONS, AND TIME OF YEAR.
3. MULCHES SHALL BE APPLIED AT A RATE OF 1.5 TO 2 TONS PER ACRE. EQUIPMENT TO 70 TO 90 POUNDS PER 1,000 SQUARE FEET.
4. IF VEGETATED GROWTH COVERING AT LEAST 85% OF THE DISTURBED AREA IS NOT ACHIEVED PRIOR TO OCTOBER 15TH, ONE OR MORE ADDITIONAL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED.

TEMPORARY SEEDING SHOULD BE INSPECTED WEEKLY AND AFTER ANY RAINFALL. SEEDING SHOULD BE REAPPLIED AS NECESSARY TO MAINTAIN VEGETATIVE COVER. ADDITIONAL SEEDING IS REQUIRED TO PROVIDE STABILIZATION OVER THE WINTER PERIOD. BASED ON INSPECTION, AREAS SHOULD BE RESEED TO ACHIEVE FULL STABILIZATION OF THE AREA. TEMPORARY STABILIZATION MEASURES SHOULD BE IMPLEMENTED AT A MINIMUM, 85% OF THE SOIL SURFACE SHOULD BE COVERED BY VEGETATION. VEGETATION SHOULD BE RESEED WITH OTHER TEMPORARY SEEDING MIXTURES (E.G. MULCH) USED TO PROVIDE EROSION PROTECTION DURING THE PERIOD OF VEGETATION ESTABLISHMENT.

PERMANENT VEGETATION

1. SITE PREPARATION
 - 1.1. REFER TO SEED BED PREPARATION FOR TEMPORARY SEEDING.
 - 1.2. SEED BED PREPARATION
 - 1.3. SEED BED PREPARATION
 - 1.4. SEED BED PREPARATION
 - 1.5. SEED BED PREPARATION
 - 1.6. SEED BED PREPARATION
 - 1.7. SEED BED PREPARATION
 - 1.8. SEED BED PREPARATION
 - 1.9. SEED BED PREPARATION
 - 1.10. SEED BED PREPARATION
 - 1.11. SEED BED PREPARATION
 - 1.12. SEED BED PREPARATION
 - 1.13. SEED BED PREPARATION
 - 1.14. SEED BED PREPARATION
 - 1.15. SEED BED PREPARATION
 - 1.16. SEED BED PREPARATION
 - 1.17. SEED BED PREPARATION
 - 1.18. SEED BED PREPARATION
 - 1.19. SEED BED PREPARATION
 - 1.20. SEED BED PREPARATION
2. SEEDING
 - 2.1. UNLESS OTHERWISE NOTED, GRASS SEED MIXTURE 'C' SHALL BE APPLIED AT THE SPECIFIED RATE AS NOTED IN THE SEED MIXTURES FOR PERMANENT VEGETATION TABLE.
 - 2.2. HYDROSEEDING (SLURRY INCLUDING SEED AND FERTILIZER), NORMAL SEEDING DEPTH IS FROM 1/2 TO 3/4 INCH. HYDROSEEDING THAT INCLUDES MULCH MAY BE LEFT ON SOIL SURFACE.
 - 2.3. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.4. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.5. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.6. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.7. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.8. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
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 - 2.14. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.15. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
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 - 2.18. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.19. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.
 - 2.20. SEEDING OPERATIONS SHOULD BE ON THE CONTOUR.

MULCHING & EROSION CONTROL MATTING

1. GENERAL
 - 1.1. MULCHING SHALL BE PERFORMED PRIOR TO A STORM EVENT.
 - 1.2. MULCHING SHALL BE PERFORMED PRIOR TO A STORM EVENT.
 - 1.3. MULCHING SHALL BE PERFORMED PRIOR TO A STORM EVENT.
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 - 1.20. MULCHING SHALL BE PERFORMED PRIOR TO A STORM EVENT.
2. EROSION CONTROL BLANKET OR MATTING
 - 2.1. EROSION CONTROL BLANKET OR MATTING SHALL BE PERFORMED PRIOR TO A STORM EVENT.
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 - 2.20. EROSION CONTROL BLANKET OR MATTING SHALL BE PERFORMED PRIOR TO A STORM EVENT.

SOIL DRAINAGE

1. STOCKPILES MUST BE LOCATED 50 FEET FROM DITCHES AND CULVERT INLETS.
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SEED MIXTURE SELECTION BASED ON SOIL TYPE

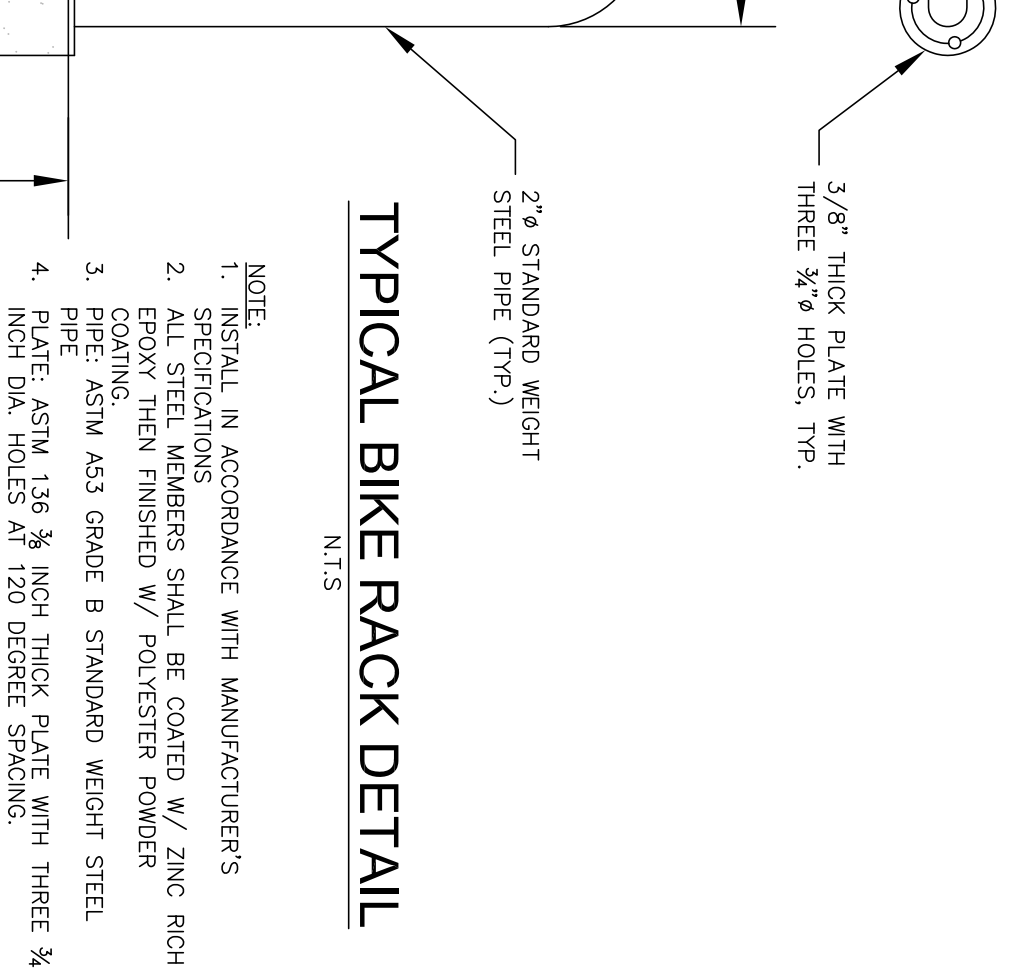
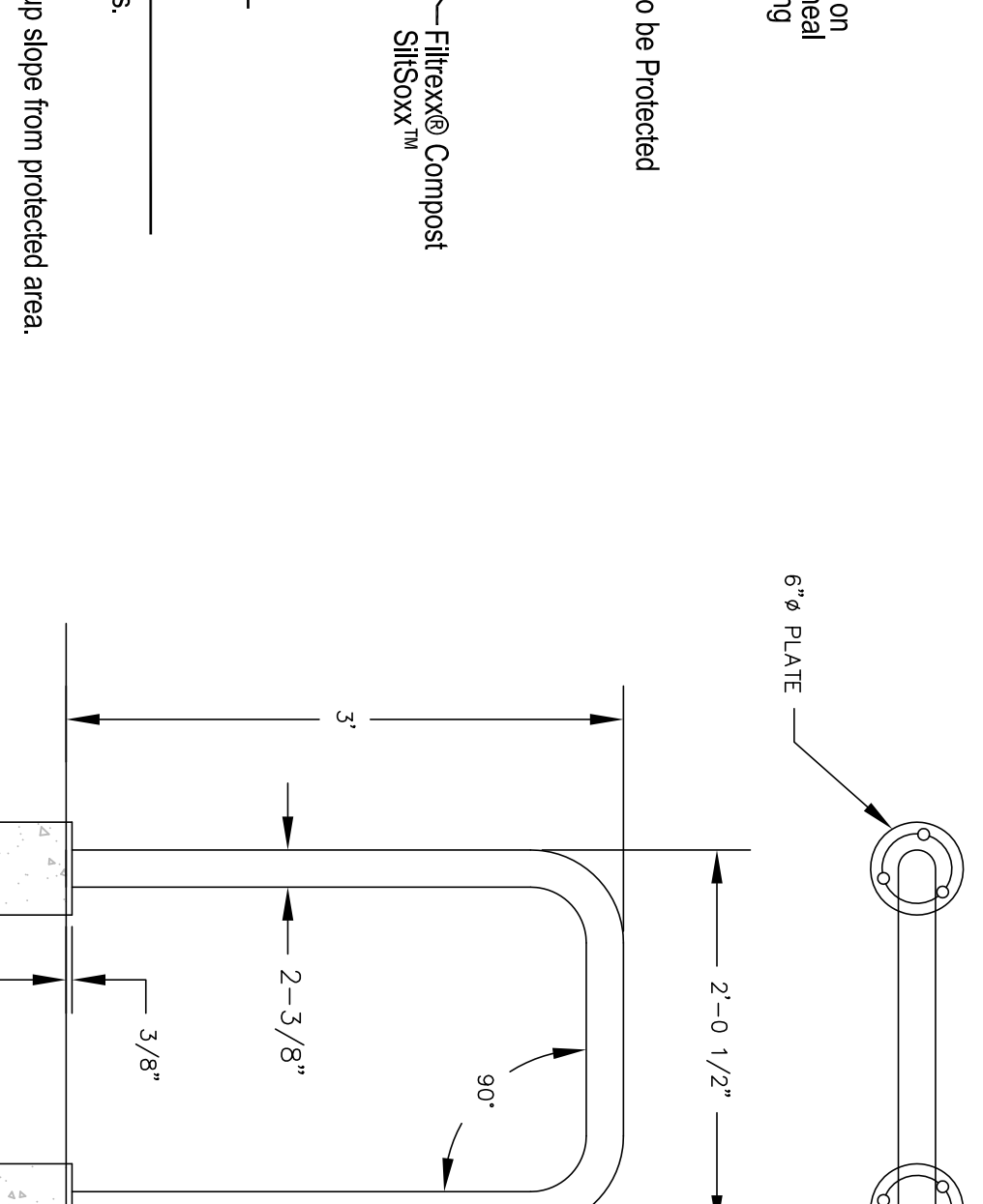
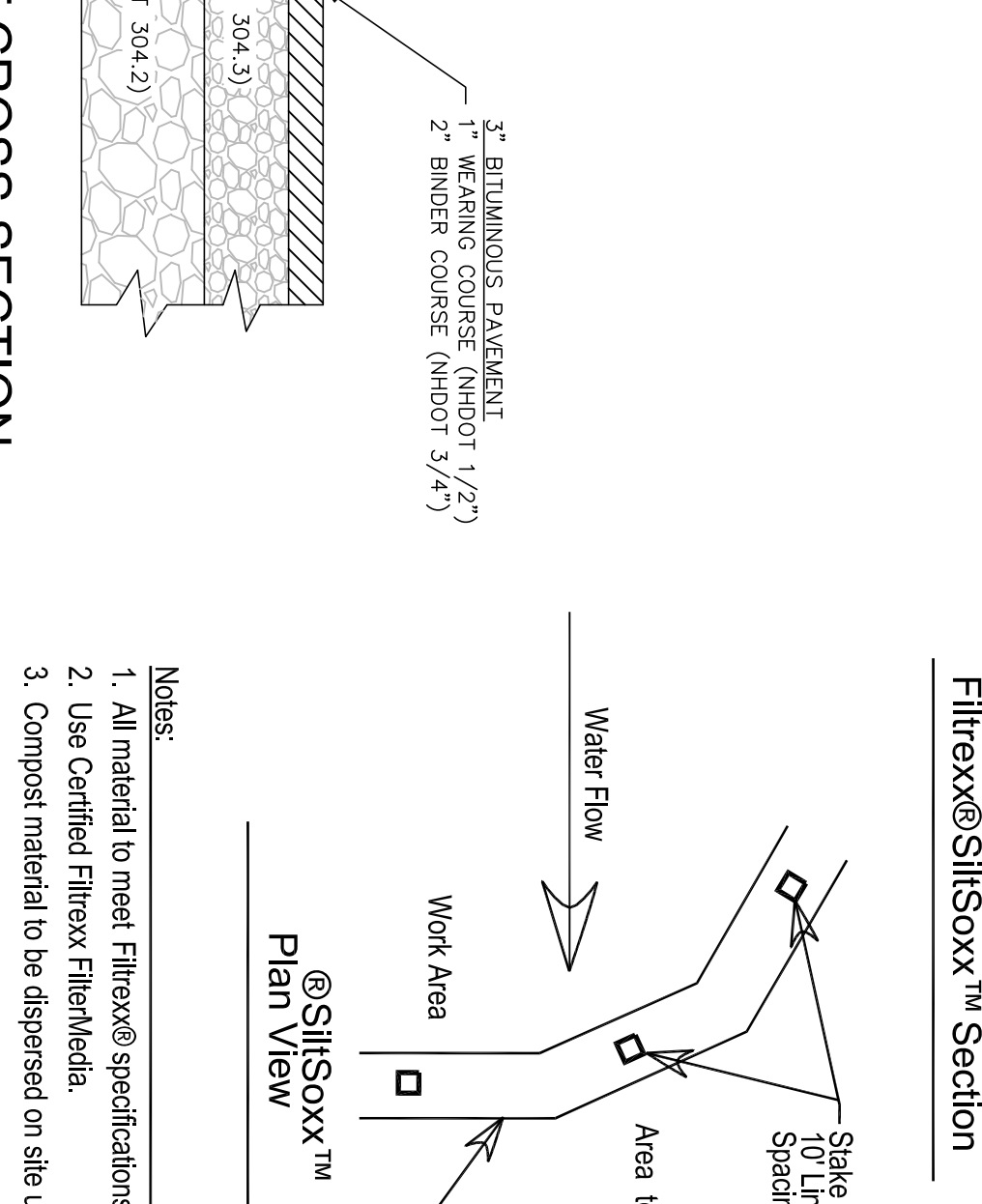
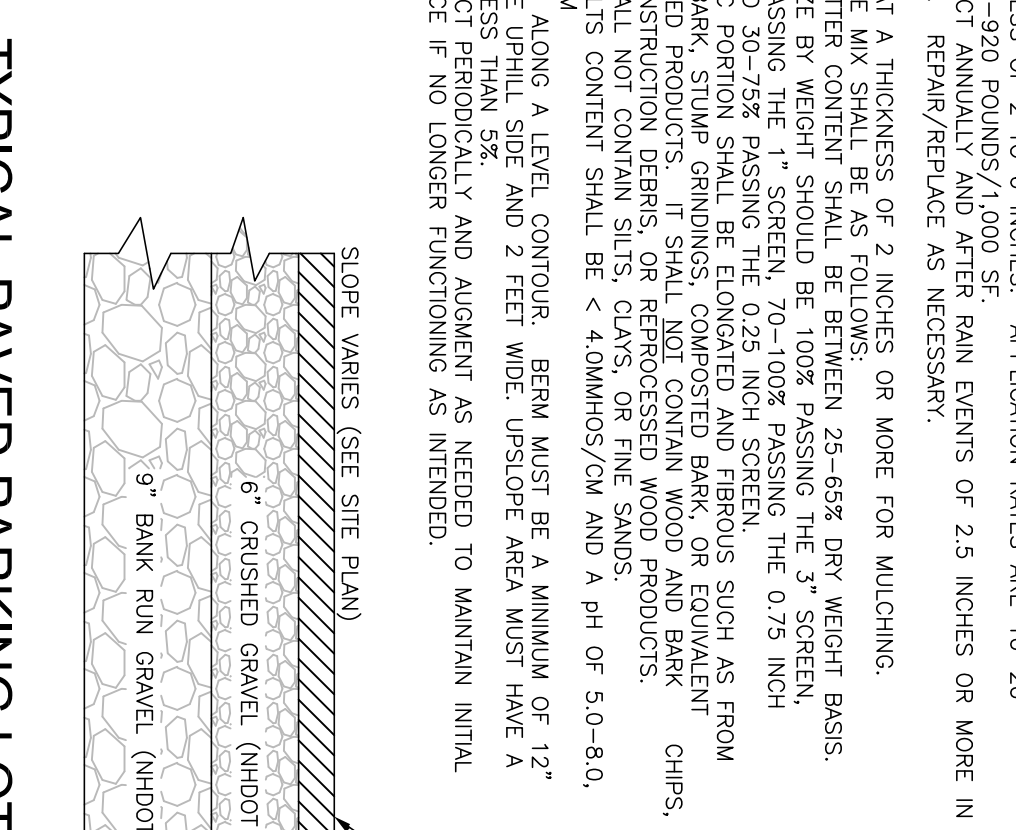
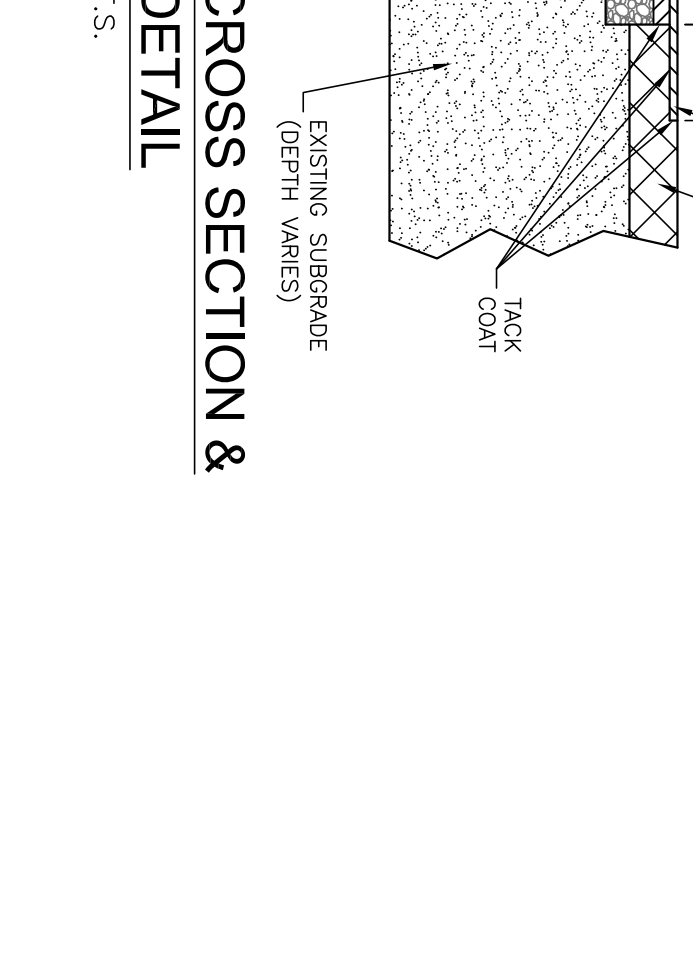
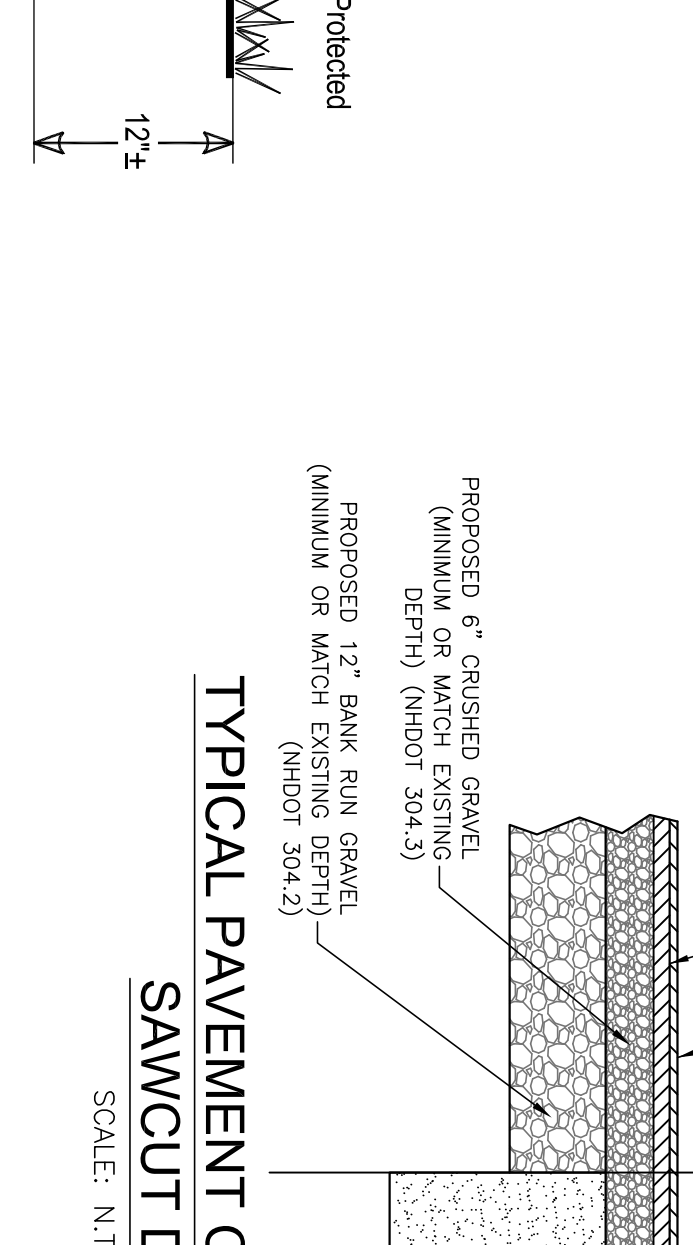
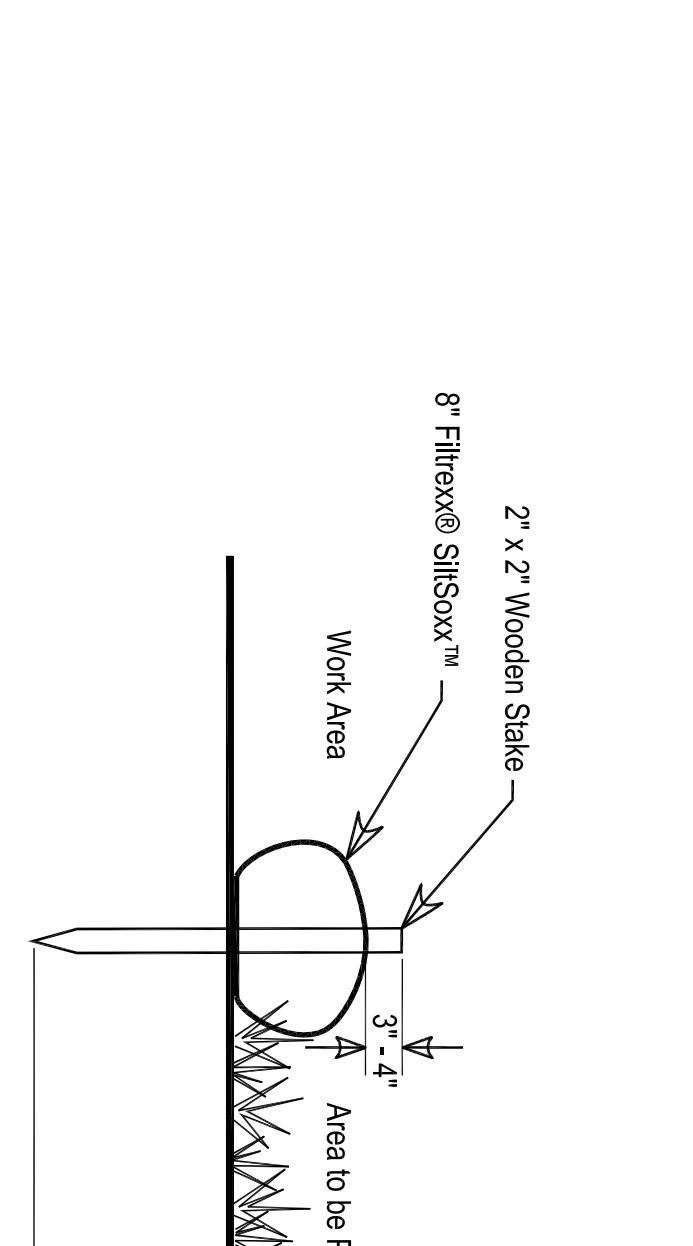
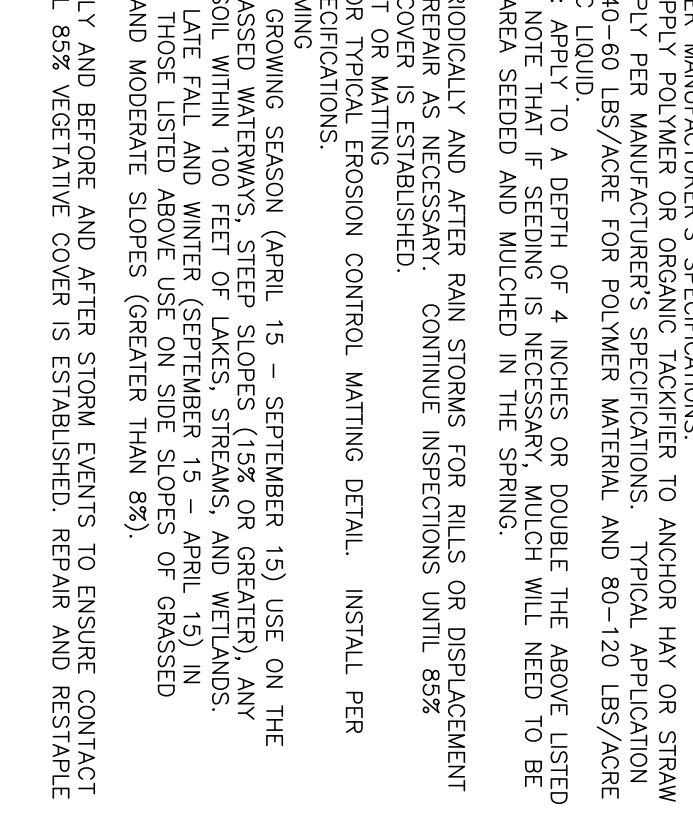
| SEED MIXTURE | USE | SEEDING MIXTURE | DROUGHT | WELL DRAINED | MODERATELY WELL DRAINED | WELL DRAINED |
|--------------|---|-----------------|---------|--------------|-------------------------|--------------|
| A | STEEP CUTS AND FILLS, BORROW AND DISPOSAL AREAS | A | POOR | GOOD | GOOD | GOOD |
| B | WATERWAYS, EROSION CONTROL, AND OTHER CHANNELS WITH FLOWING WATER | B | POOR | GOOD | GOOD | GOOD |
| C | LIGHTLY USED PARKING LOTS, GOOD AREAS UNUSED LOTS, AND LOW INTENSITY USE RECREATION SITES | C | POOR | GOOD | GOOD | GOOD |
| D | PLAY AREAS AND ATHLETIC FIELDS, (TOPSOIL IS ESSENTIAL FOR GOOD TURF) | D | POOR | GOOD | GOOD | GOOD |
| E | NOTE: POORLY DRAINAGE SOILS ARE NOT DESIRABLE FOR USE AS PLAYING AREAS AND ATHLETIC FIELDS. | E | POOR | GOOD | GOOD | GOOD |
| F | | F | POOR | GOOD | GOOD | GOOD |

CONSTRUCTION SEQUENCING

1. SCHEDULE A PRE-CONSTRUCTION MEETING WITH CITY OFFICIALS, OWNER, AND CONTRACTORS IF REQUIRED BY THE CITY.
2. CONTACT DC-SAFE, INDIVIDUAL UTILITIES, AND CITY DEPARTMENTS TO GET ALL UTILITIES MARKED PRIOR TO START OF CONSTRUCTION.
3. STABILIZE AND STABILIZE ALL TEMPORARY AND PERMANENT EROSION CONTROL AREAS.
4. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.
5. AREAS THAT CAN BE WORKED AND STABILIZED WITHIN 45 DAYS OF REMOVAL.
6. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.
7. AREAS THAT CAN BE WORKED AND STABILIZED WITHIN 45 DAYS OF REMOVAL.
8. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.
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10. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.
11. AREAS THAT CAN BE WORKED AND STABILIZED WITHIN 45 DAYS OF REMOVAL.
12. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.
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15. AREAS THAT CAN BE WORKED AND STABILIZED WITHIN 45 DAYS OF REMOVAL.
16. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.
17. AREAS THAT CAN BE WORKED AND STABILIZED WITHIN 45 DAYS OF REMOVAL.
18. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.
19. AREAS THAT CAN BE WORKED AND STABILIZED WITHIN 45 DAYS OF REMOVAL.
20. CLEAR/GRUB ONLY WITHIN THE LIMITS OF GRADING AS SHOWN ON THE PLANS.

ADDITIONAL NOTES

1. DURING CONSTRUCTION DUST SHALL BE PREVENTED FROM BECOMING A SAFETY OR HEALTH HAZARD BY THE IMPLEMENTATION OF ACCEPTED CONTROL METHODS SUCH AS WATERING.
2. ALL CONSTRUCTION MATERIALS THAT ARE SPILLED OR DEPOSITED ON THE PUBLIC ROADWAYS, DO NOT BEGIN CONSTRUCTION UNTIL ALL LOCAL, STATE, AND FEDERAL PERMITS HAVE BEEN APPLIED FOR AND RECEIVED.
3. RESPONSIBILITY TO VERIFY ALL DIMENSIONS, ELEVATIONS AND CONDITIONS AT THE SITE, ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN ENGINEER BEFORE PROCEEDING WITH THE AFFECTED PART OF THE WORK.
4. NO CONSTRUCTION VEHICLES SHALL USE MAIN ST. ENTRANCE.
5. CONSTRUCT BOREHOLE SYSTEM AFTER UP SLOPE AREAS ARE STABILIZED.
6. EROSION CONTROL NOTES ON THIS SHEET.
7. REMOVE ALL TEMPORARY EROSION CONTROL MEASURES ONCE INITIAL GROWTH IS ESTABLISHED.



FINAL APPROVAL, BY DURHAM PLANNING BOARD, CERTIFIED BY MICHAEL BEHRENDT, TOWN PLANNER

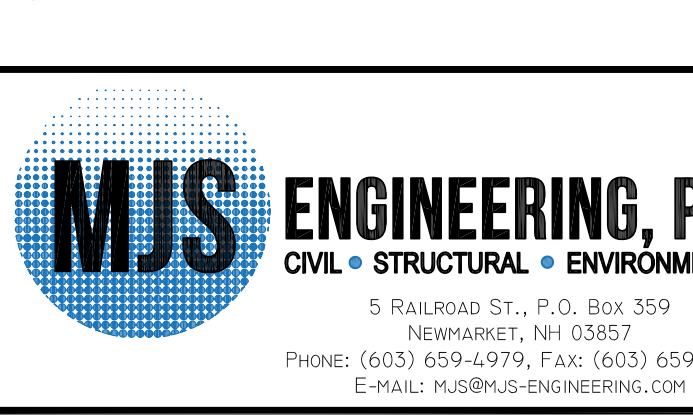
DATE _____

NOTE: 1. MAIN SHALL BE REMOVED TO A MINIMUM DEPTH OF 15\"/>

NOTE: 1. ALL MATERIAL TO MEET FilteXsox™ specifications. 2. Use Certified FilteXsox FilteMedia. 3. Compost material to be dispersed on site up slope from protected area.

NOTE: 1. INSTALL IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS. 2. ALL STEEL MEMBERS SHALL BE COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER. 3. PIPE ASTM A53 GRADE B STANDARD WEIGHT STEEL. 4. PIPE ASTM 133 3/4\"/>

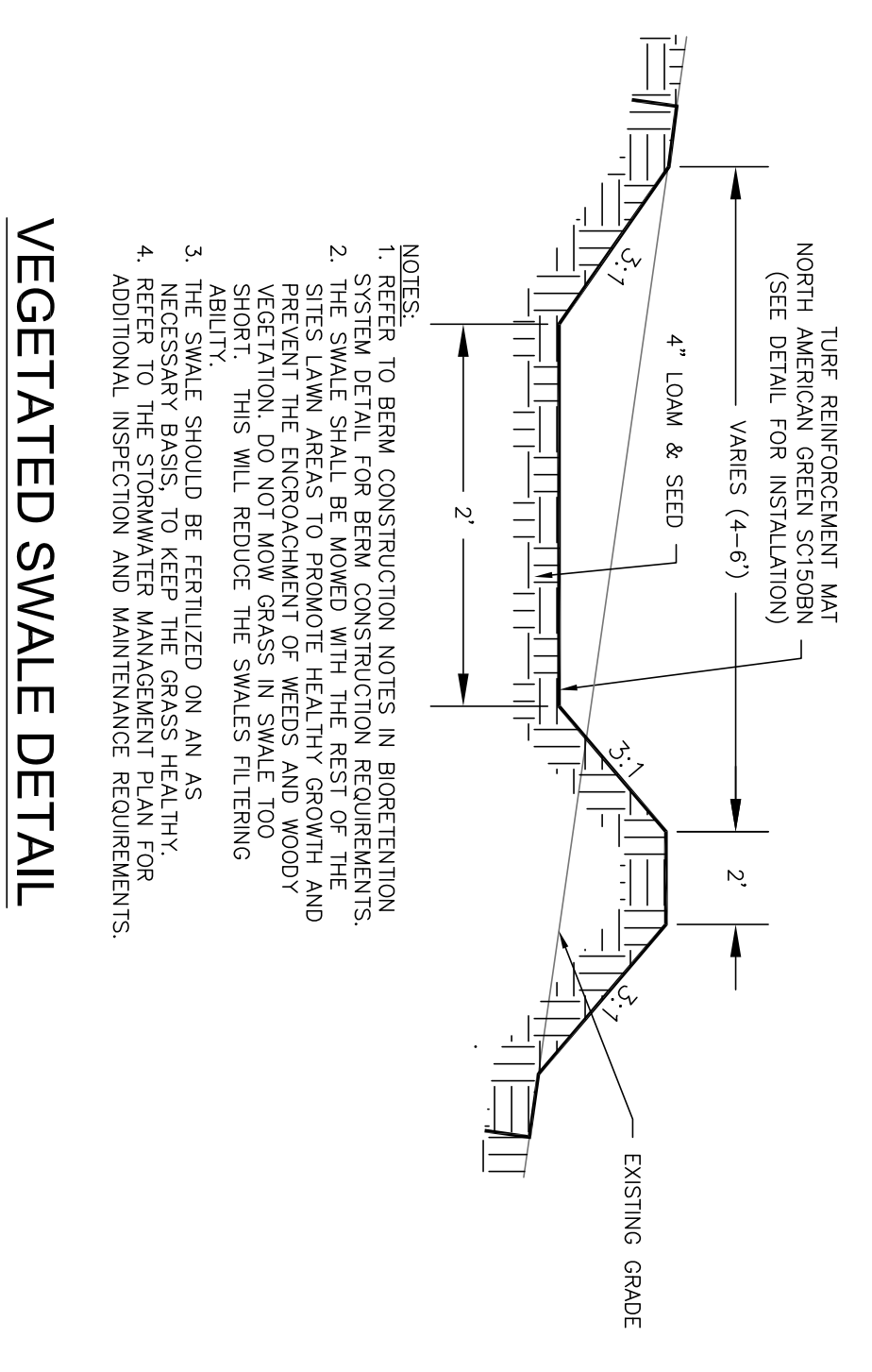
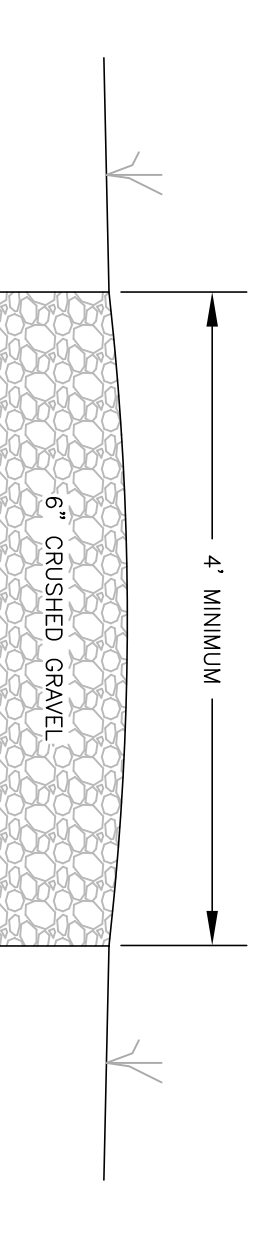
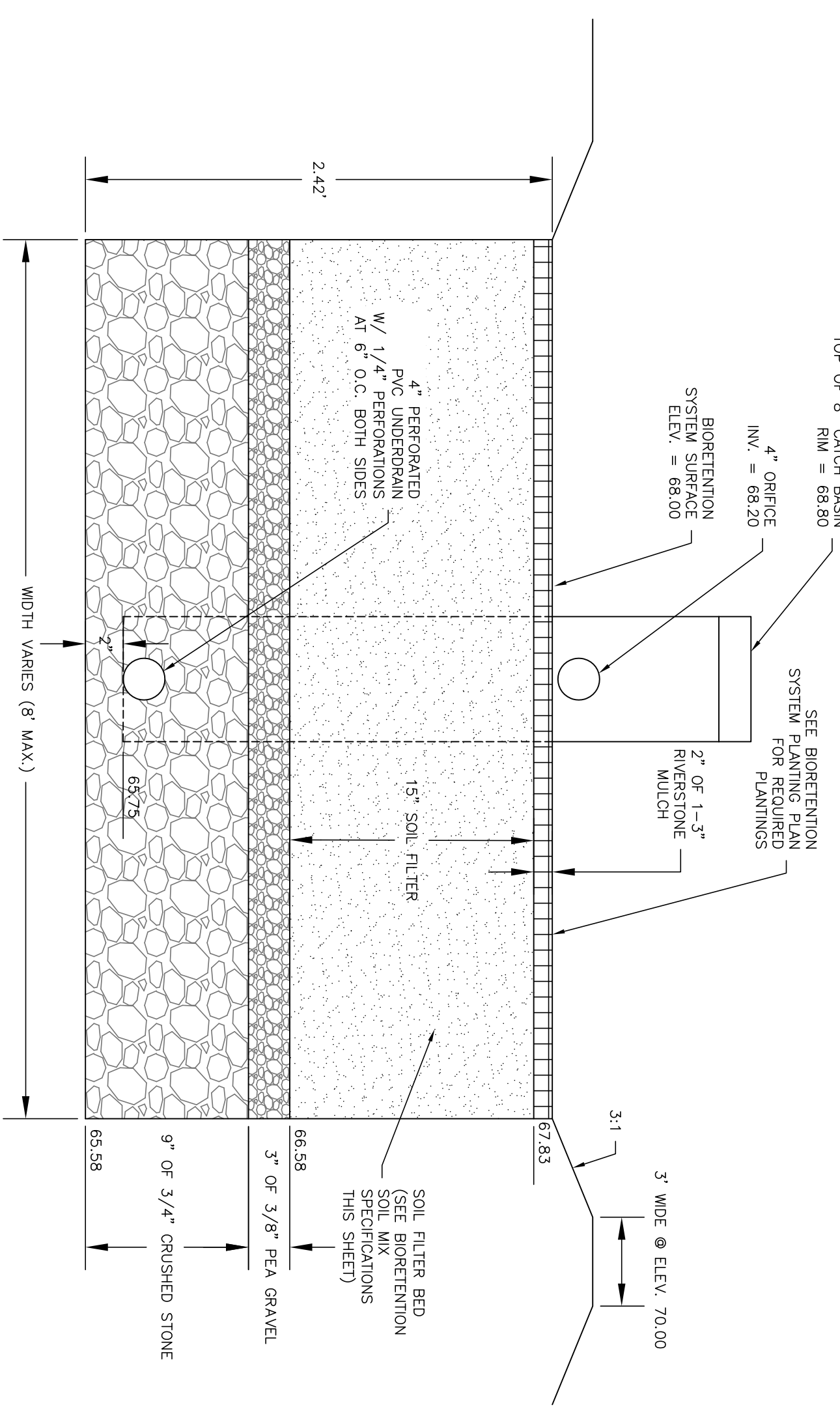
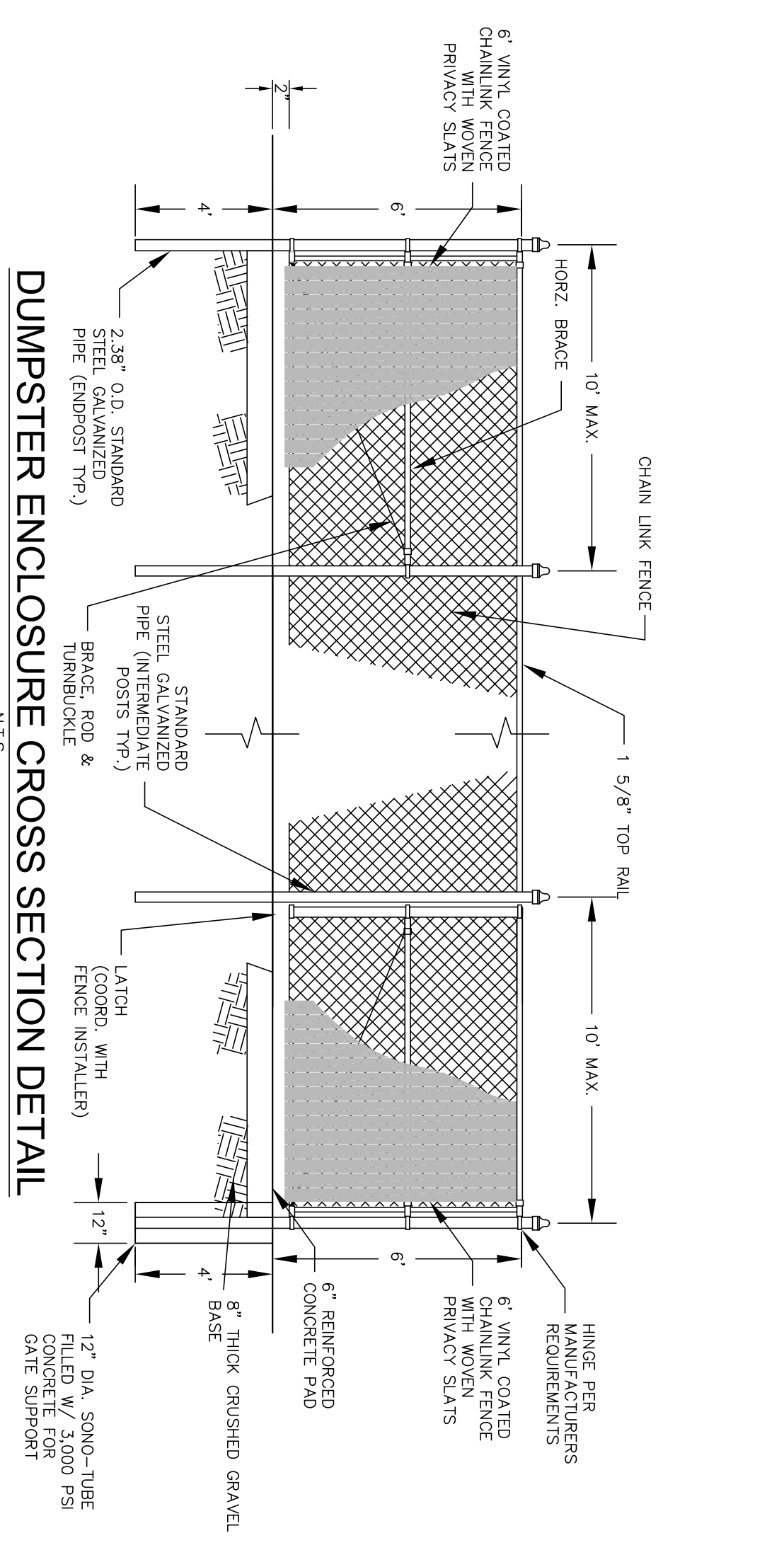
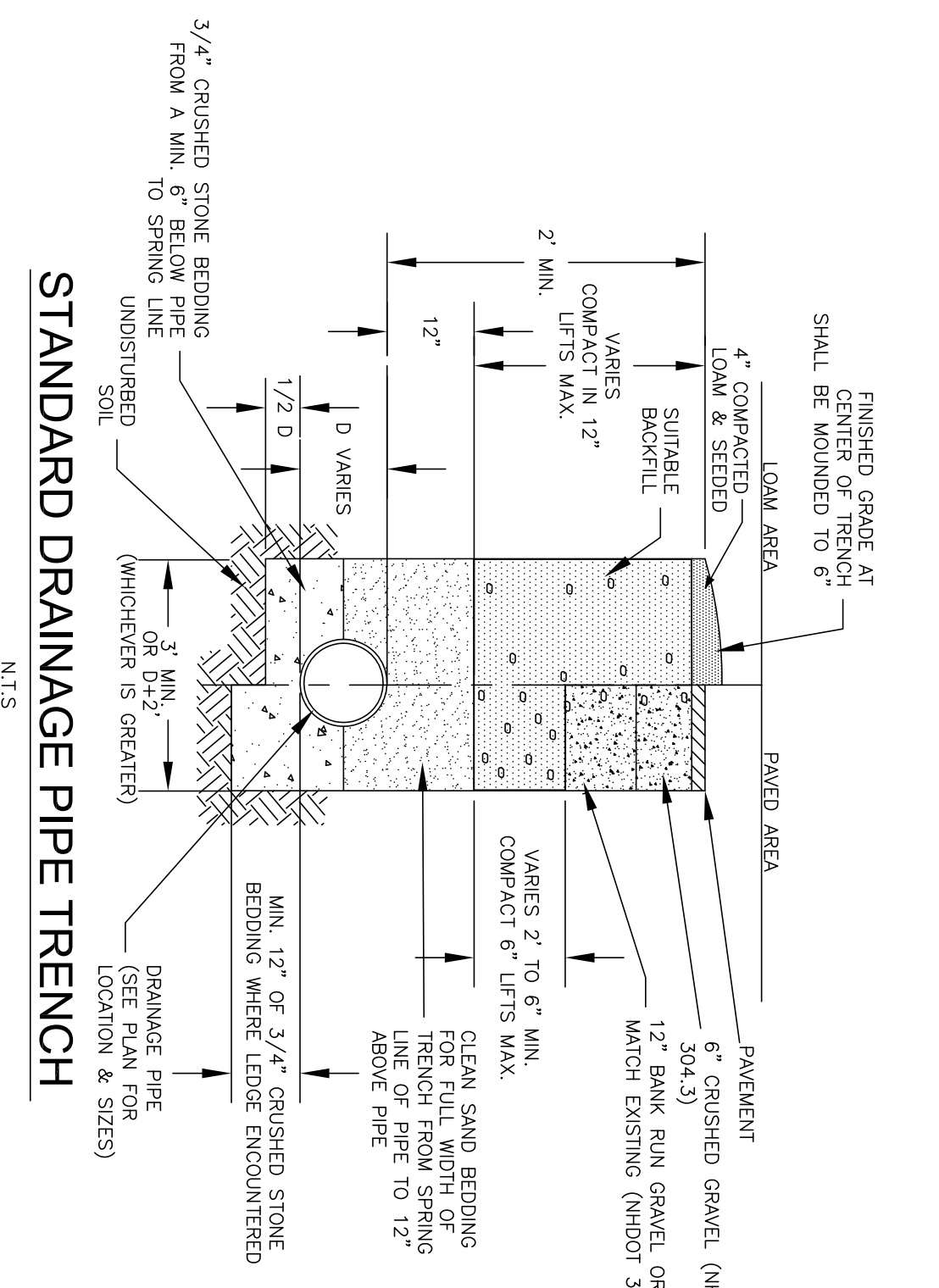
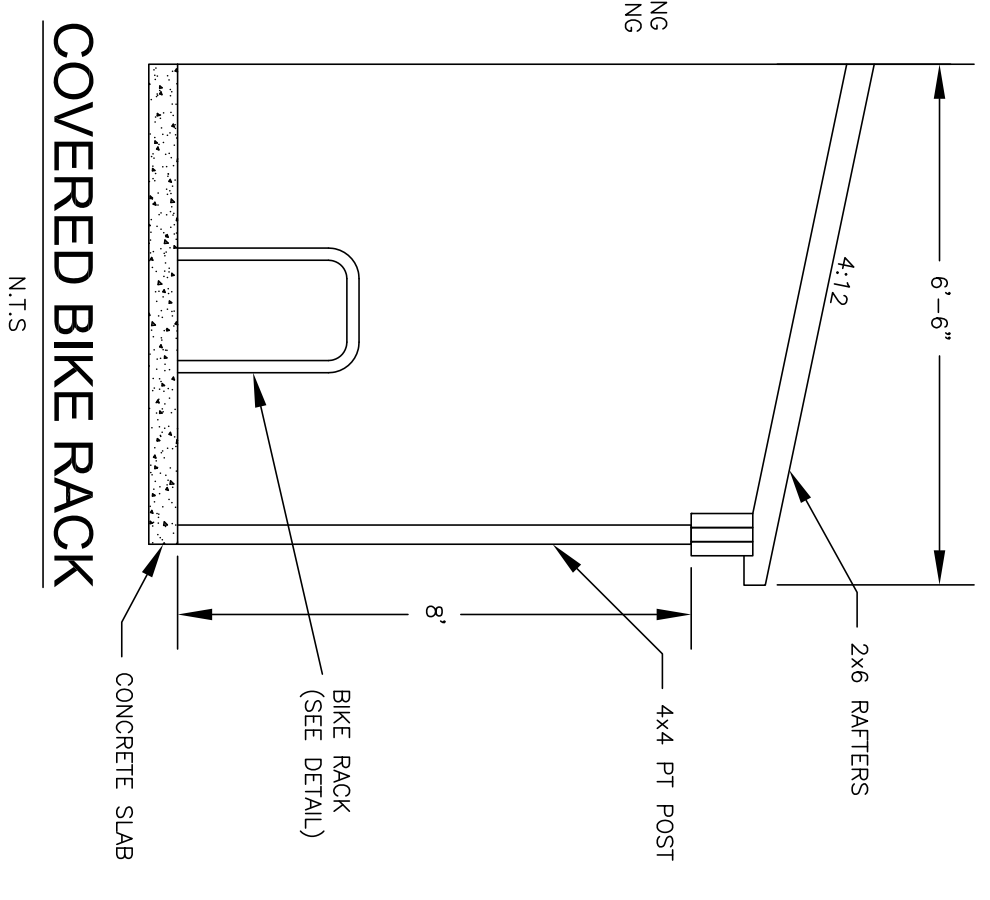
JOB: 18-040



CONSTRUCTION DETAILS prepared for TOOMERFS, LLC
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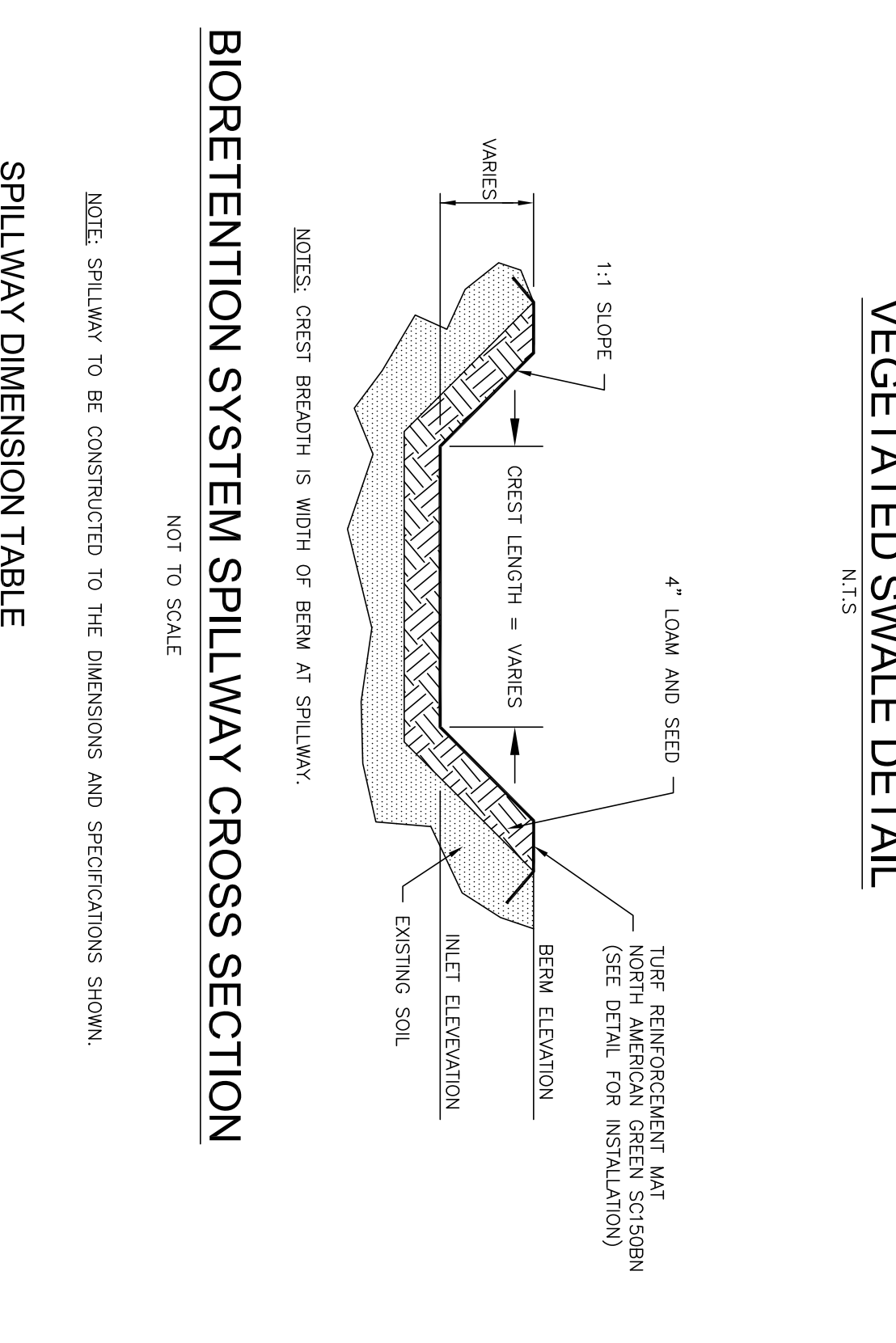
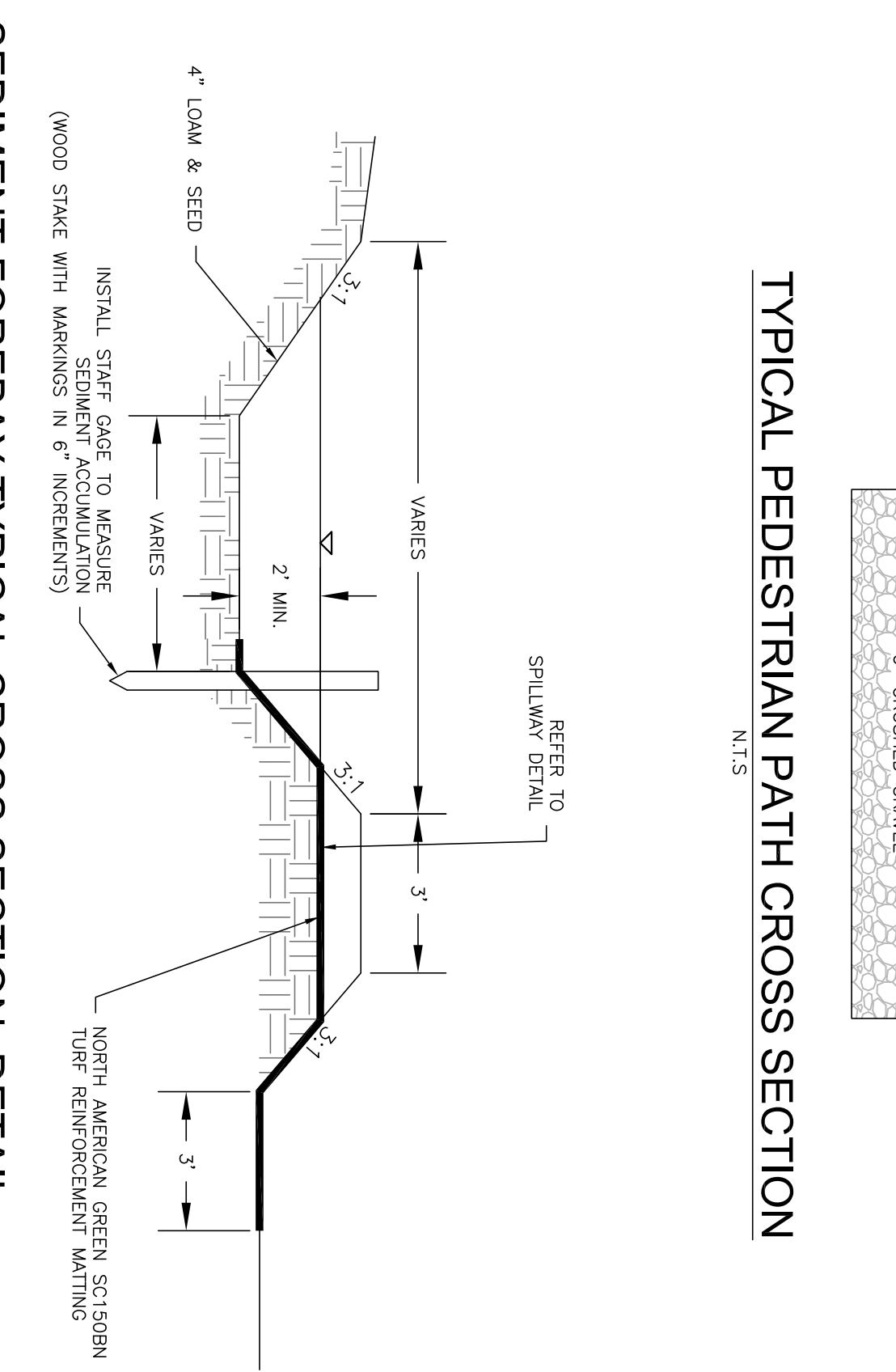
DATE: 10/5/18
 SCALE: AS SHOWN
 DESIGNED BY: EHK
 DRAWN BY: EHK
 APPROVED BY: MJS
 DWG FILE: 18-040 CivilM.dwg

| NO. | REVISIONS | DATE | INT. |
|-----|---|---------|------|
| 1 | DESIGN REVISIONS PER FIRST PLANNING BOARD MEETING | 1/3/19 | EHK |
| 2 | INITIAL SUBMISSION TO DURHAM PLANNING BOARD | 10/5/18 | EHK |



- CONSTRUCTION NOTES:**
- DO NOT PLACE BIORETENTION SYSTEM INTO SERVICE UNTIL THE SYSTEM HAS BEEN FULLY STABILIZED AND ITS CONTRIBUTING AREAS HAVE BEEN FULLY STABILIZED.
 - TO PREVENT DEGRADATION OF INFILTRATION FUNCTION, DO NOT OPERATE SEWER PUMP-OUT STATIONS OR OTHER ACTIVITIES (RUNOFF, WATER FROM EXCAVATIONS) TO THE BIORETENTION SYSTEM DURING ANY STAGE OF CONSTRUCTION. DO NOT OPERATE SEWER PUMP-OUT STATIONS OR OTHER CONSTRUCTION EQUIPMENT POSITIONED OUTSIDE THE LIMITS OF THE INFILTRATION COMPONENTS OF THE SYSTEM.
 - CLEAR AND GRUB THE AREA WHERE THE BIORETENTION SYSTEM IS TO BE LOCATED. STOCKPILE LOAM FOR REUSE LATER.
 - THE FOUNDATION AREA SHALL BE SCARIFIED PRIOR TO PLACING FILL. ALL UNSUITABLE MATERIAL UNDER THE BERM SHALL BE REMOVED AND REPLACED WITH SUITABLE FOUNDATION MATERIAL.
 - THE BERM SHALL BE CONSTRUCTED BEGINNING FROM THE LOWEST IN MAXIMUM 12" LOOSE LIFTS COMPACTED TO 95% MAXIMUM MODIFIED PROCTOR DENSITY. EMBANKMENT SOIL SHALL HAVE NO ORGANIC MATTER OR FROZEN MATERIAL AND NO STONES LARGER THAN 3/4" IN DIAMETER. THE BERM SHALL BE CONSTRUCTED IN 3" TO 4" LIFT THICKNESS. THE BERM SHALL BE CONSTRUCTED WITH SUITABLE FOUNDATION MATERIAL.
 - ALL PIPE TO PIPE CONNECTIONS SHALL BE WATER-TIGHT.
 - ALL DISTURBED AREAS NOT OTHERWISE LANDSCAPED SHALL RECEIVE FOUR INCHES OF LOAM AND SEED.

- GENERAL MAINTENANCE:**
- THE BIORETENTION BASIN SHALL BE INSPECTED TWICE EACH YEAR WITH PREVENTATIVE MAINTENANCE PROVIDED.
 - EXCEEDING 2.5 INCHES IN A 24 HOUR PERIOD, WITH MAINTENANCE OR REHABILITATION CONDUCTED AS WARRANTED BY SUCH INSPECTION.
 - RASH AND DEBRIS SHOULD BE REMOVED AT EACH INSPECTION.
 - IF BIORETENTION SYSTEM DOES NOT DRAIN WITHIN 72-HOURS FOLLOWING A RAINFALL EVENT, THEN A QUALIFIED PROFESSIONAL SHOULD ASSESS THE BIORETENTION SYSTEM FOR PROBLEMS. THE ASSESSMENT SHOULD INCLUDE INFILTRATION FUNCTION OR INFILTRATION FUNCTION (AS APPLICABLE) BUT NOT LIMITED TO REMOVAL OF ACCUMULATED SEDIMENTS OR RECONSTRUCTION OF THE FILTER MEDIA.
 - THE FILTER MEDIA BE INSPECTED AT LEAST ANNUALLY AND MAINTAINED IN HEALTHY CONDITION, INCLUDING PRUNING, REMOVAL AND REPLACEMENT OF DEAD OR DISEASED VEGETATION, AND REMOVAL OF INVASIVE SPECIES.
- PLANTING REQUIREMENTS:**
- THE BIORETENTION BASIN AND SEDIMENT FOREBAY BERM, BOTTOM AND INTERIOR SIDE SLOPES SHALL BE PLANTED WITH A 50:50 MIX OF NEW ENGLAND ERIGON AND NEW ENGLAND WETLAND PLANTS, INC.
 - PLANTING SHALL BE CONDUCTED IN ACCORDANCE WITH THE NEW ENGLAND WETLAND PLANTS, INC. PRACTICES MANUAL, 2010 EDITION, 1000 AMHERST, MA 01002.



SPILLWAY DIMENSION TABLE

| LOCATION | CREST ELEV. | BERM ELEV. | LENGTH | WIDTH* |
|-----------------------------------|-------------|------------|--------|--------|
| SPILLWAY #1 - SEDIMENT FOREBAY | 70.00 | 69.15 | 6' | 9' |
| SPILLWAY #2 - BIORETENTION SYSTEM | 69.60 | 70.00 | 5' | 11' |

*REFER TO DETAIL ABOVE FOR LOCATION OF WIDTH AND LENGTH

FINAL APPROVAL BY DURHAM PLANNING BOARD.
 CERTIFIED BY MICHAEL BEHRENDT, TOWN PLANNER
 DATE _____

| NO. | REVISIONS | DATE | INT. |
|-----|---|---------|------|
| 2. | DESIGN REVISIONS PER PUBLIC HEARING ON 1/9/19 | 2/5/19 | EHK |
| 1. | DESIGN REVISIONS PER FIRST PLANNING BOARD MEETING | 1/3/19 | EHK |
| 0. | INITIAL SUBMISSION TO DURHAM PLANNING BOARD | 10/5/18 | EHK |

DATE: 10/5/18
 SCALE: 1"=20'
 DESIGNED BY: EHK
 DRAWN BY: EHK
 APPROVED BY: MJS
 DWG FILE: 18-040 Civil.dwg

CONSTRUCTION DETAILS
 prepared for
 TOOMERFS, LLC
 TAX MAP 4, LOTS 38-5 AND 55
 18 MAIN ST AND 12 COWELL DR., DURHAM, NH

MJS ENGINEERING, P.C.
 CIVIL • STRUCTURAL • ENVIRONMENTAL
 5 RAILROAD ST., P.O. BOX 359
 NEWBURY, NH 03857
 PHONE: (603) 659-4979, FAX: (603) 659-4627
 E-MAIL: MJS@MJS-ENGINEERING.COM

JOB: 18-040
 D2



5 Railroad Street • P. O. Box 359
Newmarket, NH 03857
Phone: (603) 659-4979
Email: mjs@mjs-engineering.com

Letter of Intent – Site Plan and Conditional Use Permit Applications for
Toomerfs, LLC
Located at 18 Main St. and 12 Cowell Dr., Tax Map 4 / Lots 55 & 38-5

Originally dated November 29, 2018
Updated/Revised February 5, 2019

Preface

At the conclusion of the Durham Planning Board’s January 9, 2019 public hearing on the above captioned Application, members asked for an additional submission summarizing rebuttal comments to public hearing speakers opposed to the Project. Member Dill asked for clarification on cars intended/likely to use the expanded parking lot and how they impact traffic, noise, dust, fume concerns, etc. Member Bubar expressed concern about two principal uses being made of the property, and the additional spaces being in excess of what is needed as an accessory use parking lot to the four unit, multi-family housing on site, currently housing fifteen students.

This revised submission is written to address those points, briefly summarize plan and design changes made responsive to public hearing and Town Planner comments, and to embellish points previously submitted demonstrating that the requirements for a Conditional Use Permit are met.

1.0 Project Purpose

The intent of this project is to permit the expansion of an existing on-site parking lot. The lot currently on site parks 17 cars. 5 spaces are paved, 12 are gravel. As originally submitted, the Application proposed expanding the lot to add an additional 29 spaces (all paved, for a new total of 46). Following the Planning Board’s January 9 public hearing, a meeting with Town Planner after that, and responsive to concerns voiced at both and at the Historic District Commission’s original meeting to review the Application, the design and plans have been modified to eliminate three (3) spaces. The middle three spaces on the prior lot have been eliminated, to narrow the overall pavement, to significantly enlarge the buffers to abutters on either side of the property. The expanded parking lot (26 new spaces added to existing 17 for a total of 43) is located on Tax Map 4, Lot 55, with one improved access point from Main St. at the existing entrance of lot 55. The outlet culvert from the proposed rain garden is to be constructed across lot 38-5, to outlet into the ditch line along Cowell Dr. The lot will be paved, landscaped and include stormwater treatment facilities.

2.0 Existing Conditions

The subject parcels are located in two zoning districts. 18 Main St. (lot 55) is in the Church Hill District (CH) and 12 Cowell Dr. (lot 38-5) is located in the Residence A District (RA). The parcels are bordered on

the south by Main Street with approximately 140' of frontage, on the north by Cowell Dr. with approximately 146' of frontage, on the west by two residential student rental properties, and on the east by St. George's Episcopal Church and another residential property. The structure at 18 Main St. is currently a 4-unit apartment for student rental with 5 paved parking spaces and 12 gravel parking spaces on the lot. The structure at 12 Cowell Drive is currently a single-family residential house used for student rentals with three parking spaces on a paved driveway. The property is served by municipal water and sewer and overhead utilities from each respective roadway. There are no changes proposed to either structure as part of this proposal.

3.0 Redevelopment Proposal

The entire expanded parking lot will be screened by the existing buildings on each lot, the existing vegetation on the east and west property lines and additional vegetation to be planted for screening from both Main Street (when heading into town) and from Cowell Drive. The landscape plan shows the additional plantings as proposed. The existing paved parking lot will remain and be part of the proposed parking lot but the 12 parking spaces on the gravel area will be incorporated into the new paved parking lot. The net increase in parking spaces on lot 55, at 18 Main Street in the Church Hill District is 26.

The parking lot expansion is being constructed totally to the rear of the existing building, in conformance with Town regulations. The stormwater pond is being constructed at the rear of both lots and straddles the common property line between the two parcels. The only vegetation being removed for the construction of the parking lot is underbrush. None of the mature trees along the east and west property lines are being removed for the construction of this project. There is additional underbrush and one large pine tree being removed for the construction of the stormwater pond. The majority of this underbrush and the large pine tree are on lot 38-5. The parking lot is being designed to match the existing grade as closely as possible to minimize changes in grade and the design includes stormwater treatment facilities to collect and treat all runoff from the new parking area.

4.0 Two Principal Uses Allowed

Member Bubar expressed his specific concern with the expanded parking lot providing spaces in excess of what would be needed as accessory parking for the multi-unit residence on-site currently providing student housing for fifteen residents. Planner Behrendt (near the conclusion of the January 9, 2019 Planning Board meeting) tried to explain that two principal uses were allowed and, for that reason, a Conditional Use Permit Application process was required. Addressing Member Bubar's concern, the Applicant points out how Durham's Zoning Ordinance Section 175-34, B specifically contemplates what Planner Behrendt explains:

175-34 Special Provisions.

B. Lots with Multiple Uses. When a lot contains more than one principal use, each use shall comply with all applicable requirements of this chapter except as otherwise specifically provided.

The definitions of "principal use" and "accessory use" are not ambiguous with this Zoning declared authorization for two principal uses on one lot. Compliance with all requirements of the chapter requires a review of the Section 175-53 Table of Uses. Within the Church Hill District, under Category of Uses, Section IX, "Uses Accessory to Any Allowed Use," "surface parking" is specifically permitted in the Church Hill Zone. Admittedly, the proposed expansion provides spaces in excess of that which would be

purely accessory. Thus, examination of the Category of Use columns Section VI “Utility and Transportation Uses,” shows that “surface parking” is allowed as a Conditional Use, subject to the requirements of the Conditional Use permitting process for which the Applicant has applied (and meets the criteria). Additionally, the Historic District Overlay requires the Application be submitted to the Historic District Commission for review and determination of appropriateness.

A few public hearing comments suggested it to be inappropriate to allow for parking in excess of accessory parking needed for the historic structure on-site, and that to allow that would be incompatible with the character of the Historic District. See, for example, Robin Mowers’ comments/letter. Those points are contrary, however, to the declared public intent of the Town of Durham, ordained by its Zoning Ordinance, providing for surface parking not just as an accessory use, but as a second principal use, provided the Conditional Use Permit process is followed. Conditional Uses are permitted uses under Zoning if the process criteria are met. Applicant meets them.

5.0 Cars/Use of Parking Lot

The Applicant, Toomerfs, LLC, acquired the 18 Main St. property in June, 2017, along with five other student housing properties in close proximity:

21 Main St., 12 Cowell Drive, 19 Main St., 19A and 19B Main St.

See Strafford County Registry of Deeds Book 4486, Page 213. Principal, Peter Murphy, explained to the Planning Board on January 9 how residents at 18 Main St. would likely park in the lot, and that additional lots would primarily be rented, controlled and overseen by him/his LLC, to other students at other properties (where no or insufficient parking is provided), as well as to some of his workforce housing occupants at the Grange property. He does not want to be (nor should be) subject to a condition limiting lot use residents/occupants of his own LLC properties. If the opportunity to rent to any third party regular parker (for instance, a downtown worker who needs a place to park his car during the workday) becomes a more responsible rental opportunity, there’s nothing wrong with that. The two principal use concept addressed above allows such a reasonable use. He, and the undersigned, addressed the dire need for downtown parking in the neighborhood. No one knows for certain if cars parking here will be relocating from existing, more remote parking lot options, or if these expanded spaces will produce “more” cars parking in town. The undersigned, the Applicant, as well as citizens Richard Meaney and William Hall (who both spoke in favor of the Application at the Planning Board’s January 9 public hearing), all made the point that opposition comments concerning traffic noise, dust, fumes, are not convincing objections to Application approval. Offensive car by-products exist by virtue of the significant traffic in the area. The effect of adding 26 parking spaces is negligible, particularly in light of the spaces most likely used by resident students, who often park their cars for a week or more at a time in between infrequent, as-needed use. See January 9 comments of William Hall and Applicant. See additional submissions. See also submissions to HDC disseminated by Town Planner to Planning Board Members.

6.0 General Rebuttal Comments

Without rebutting point by point the four citizens who spoke in opposition to the Application at public hearing, general rebuttal comments are summarized (as requested by a Planning Board Member). The

Applicant's redesign and plan changes address most opposition comments. Landscape expert Robbi Woodburn testified on January 9, convincingly, that all mature trees will not be adversely impacted by the proposed plan. Nevertheless, the redesign and elimination of 3 internal parking spaces widens the sideline buffers with abutters, allowing for greater spacing, more tree root protection, and the opportunity for additional landscaping and planting, if desired. The current landscaping plan meets and/or exceeds current requirements. Screening of the site from public ways is accomplished by the parking lot expansion to the rear of the building (consistent with HDC regulations), and landscaping explained by the undersigned and Robbi Woodburn (screening from Main St. and Cowell Drive).

Multiple speakers objected to "16 foot light poles" and the "light pollution" coming from them. All have been eliminated. Only two lights, affixed to the building, are now proposed. The Applicant will consult with the HDC with respect to placement and style. The 4 foot fence along the property boundary common to St. George's Church is designed to eliminate car headlight glare into the property. By paving the whole lot, dust will be minimized. Car use (addressed above) makes noise and fumes negligible.

Many general comments were made as to the parking lot's size and scope being incompatible with the Historic District. Applicant's additional submissions, particularly overview pictures of parking lots currently existing within the Historic District, show that the proposal is reasonable, and consistent with the neighborhood as developed in the immediate vicinity. Robin Mowers suggested that, historically, sites did not provide parking in excess of that needed as an accessory use. Houses generally built in the 1700s had little to no parking provided at all. Public hearing speaker William Hall mentioned the hitching post at Applicant's site and an abutter's property. Horses, in the historic time frame of when these houses were developed, were generally hitched in front of the house. Parking lots developed over time as a prudent, desirable, and necessary improvement, again consistent with a Town declared zoning right. The criteria for a Conditional Use Permit should not be so strictly construed as to deprive the Applicant of a reasonable use of his property consistent with zoning, designed to meet or exceed regulations, and further redesigned to accommodate most abutter concerns. Rather, CUP criteria (as well as HDC purview criteria) should be considered to reasonably balance the objectives of zoning, including Historic District Overlay zoning, with the Applicant's property rights. Public comments and written submissions in opposition to the Application do not outweigh the Applicant's reasonable design, and redesign, in exercise of his property rights. Opposition statements made that the parking lot "will diminish abutting property values" were not substantiated with any empirical proof. The Applicant, as an investment property businessman, is better suited to explain how the existence of so many parking lots in close proximity to his property do not devalue the properties he purchased. The reciprocal is equally true.

William Hall's public comments on January 9 should remind Planning Board Members how the Town blasted to lower the grade of Main Street when the road, sidewalk and cut granite retaining walls were rebuilt/built. Buildings were not harmed then. Most grade changes will be accommodated by hammering and not blasting. If blasting is needed, it can be controlled to not harm abutting properties. Ultimately, if harm occurs, civil remedies exist to repair.

Approvals Being Requested from the Planning Board

The Site Plan Review Regulations and Zoning Regulations will require the following approvals based on the current proposed development scope of work.

1. Planning Board Approvals:

- Site Plan approval for construction of access and parking per RSA 674:43-44 and the Durham Site Plan Review Regulations.
- Site Plan and Conditional Use approval per Site Plan Review Regulation and RSA 674:43-44 and Zoning Regulations pursuant to Article XII.1;175-53; VI, Utility and Transportation Uses, surface parking.

A. *Request for Site Plan Approval*

In accordance with the site plan review regulations, the Applicant's original submission package included the Application and Site Plan Review Checklist, and also the following plans are included:

1. Existing Conditions Plan
2. Site Plan
3. Grading, Drainage & Erosion Control Plans
4. Detail Sheets
5. Drainage Report/Stormwater Management Plan (Report)

Revised plans (addressed above) and additional submissions (entrance renderings, Toomerfs presentation info, HDC submissions) support the following.

B. *Conditional Use Permit approval;*

In accordance with the conditional use regulations, this submission package includes the CUP Application along with the above listed plans and supporting documentation.

The preliminary comments above, together with the following, outline how this project complies with the provisions of the general conditions for a Conditional Use Permit contained within Article VII, Section 175-23.C of the Town of Durham Zoning Ordinance. The numbering below coincides with the applicable section.

This project complies with the CUP criterion. The plans incorporate best management practices for the construction and thereby satisfy the CUP criterion.

175-23.C

1. Site Suitability:

The property is suitable for the proposed expansion because the use currently exists on the site and the use is allowed as a primary, accessory or by conditional use. This expansion will provide much needed additional parking in a location within walking distance of the downtown district, and will improve the functionality of this property and other rental and commercial properties owned by the developer.

(a) Adequate vehicular and pedestrian access for the intended use. This currently exists to and from the site. The existing access to the site is narrow but, has been in place for many years providing ingress and egress to the site without any major traffic issues. The redesign will provide adequate vehicle access by adding a lane for entrance and slightly widening the existing

lane for exit only. A town sidewalk exists along the front of the site and historical pedestrian access exists through the rear of the site connecting other rental properties. This project enhances this trail and was improved at the request of the neighbor (St Georges church).

(b) The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, schools and other municipal services. Adequate emergency services can be provided and access will be improved with the additional entrance lane. The proposed access design is adequate because the town technical staff has provided their signoff as required for approval. Public Services, the Fire Department, and the Police Department have all approved the entrance/exit design. The site is serviced by municipal water and sewer and will remain unchanged; the schools will not be impacted by this development; solid waste will be handled onsite with disposal by a private waste company via the dumpster and the owner has an existing recycling system in place.

(c) The absence of environmental constraints (floodplains, steep slope, etc.) or development of a plan to substantially mitigate the impacts of those constraints. There are no environmental constraints on this property. The site is not within the floodplain, has no wetlands, nor steep slopes. However, the development proposal incorporates a balanced environmental design approach by minimizing grading changes, minimizing removal of vegetation and building mostly within the already cleared area of the lot and behind the existing structures as required by the regulations. Some public hearing speakers (in opposition to the Application) characterized the open space as a green area, inviting for recreation and/or passive scenic views, and a remnant of Durham's once existing farmlands. The reality is, the site is more of a barren, unkempt, unused space, used at its fringe by pedestrians crossing from Cowell Drive through the abutting St. George parking lot, which access will be enhanced and redirected as shown on the plan. The stormwater collection/treatment system is classified by the NHDES as a best management practice incorporating filtration and detention. The stormwater system will collect, treat, and improve the quality of the stormwater runoff and significantly reduce the peak flow discharged from the site. The landscape plan will provide screening and shading.

(d) The availability of appropriate utilities to serve the intended use including water, sewage disposal, stormwater disposal, electricity, and similar utilities. The site is suitable because of the availability of appropriate utilities to serve the existing and intended use. The central location to the downtown and university make this location ideal for the proposed parking use. The stormwater system will meet LID standards and provide collection, filtration, some infiltration, and detention.

2. External Impacts:

The external impacts of the proposed use on the abutting properties and the neighborhood will be no greater than the impacts of adjacent existing uses or other uses permitted in the zone. This shall include but not be limited to traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.

- This parking lot will not cause an adverse impact to abutting properties to a greater extent than any other existing uses in the neighborhood. This property is surrounded by parking lots, student housing, churches and other commercial uses. Overhead pictures submitted by the Applicant with this letter show the many parking lots already existing in the neighborhood, as well as their cross-referenced location on the Historic District Overlay map. This parking lot will not produce any additional odors, noise vibrations, or fumes that do not currently exist in the

neighborhood. See general comments above. Vehicle traffic exists there today and this parking lot will not significantly increase the traffic because a large percentage of the vehicles are parked for an extended period of time and are not being used every day. See general comments above and car count submissions. The exterior lighting is minimized by using shields to direct light into the site and downward, and the lighting design meets the site plan requirements. The plan has been redesigned to eliminate standing pole lights originally proposed. Dust will be reduced because the parking lot will be fully paved and trash removal and access will be improved.

The location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use will have no adverse effect on the surrounding environment and will not discourage the appropriate and orderly development and use of the land and buildings in the neighborhood because:

- The location and scale of the parking lot is equal to or better than similar parking uses of surrounding properties. This parking lot is hidden behind the buildings and properly screened to a much greater extent than other parking lots in the neighborhood. In addition, the nature and intensity of the use will be equal to or in some cases less intensive than other parking lots in the neighborhood. This design meets appropriate and orderly development because it meets the design intent required by the site plan regulations.

3. *Character of the site development:*

The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts of the use on the neighborhood. This shall include but not be limited to, the relationship of the building to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.

- The design is not incompatible with the neighborhood because the access is being improved and the location of the parking lot is better than other existing parking lots with respect to its relationship to the existing buildings, streets screening and buffers. This parking lot is designed to the rear of all the buildings and is properly screened to a greater extent than other parking lots on adjacent properties in the neighborhood. There is currently well established pedestrian access and vehicle access is being improved without detriment to existing aesthetic or historic resources.
- Alternative entry designs were explained by the Applicant. The variance was denied to authorize a second access to the Applicant's abutting Cowell Drive property, which would have allowed the access to Main Street to remain unchanged. Two alternative designs for improving access to Main Street were explained as undesirable, inviting worse adverse impacts to the site and abutting properties, which were trees and so forth. This point is applicable to other current use criteria.

4. *Character of the buildings and structures:*

The design of any new buildings or structures and the modifications of existing buildings or structures on the site shall not be incompatible with the established character of the

neighborhood. This shall include but not be limited to, the scale, height, and massing of the building or structure, the roof line, the architectural treatment of the front or street elevation, the location of the principal entrance, and the material and colors proposed to be used.

- The parking lot defined as a structure, is designed to the correct scale with respect to the size of the parcel and the size of other parking lots on various parcels within the neighborhood. This design meets the requirements including the main entrance, to make it very compatible with the character of the neighborhood, when compared with other similar parking lot uses in the neighborhood.
- The parking lot's expansion to be bigger than an accessory use to the structure on site is addressed above.

5. Preservation of natural, cultural, historic, and scenic resources:

The proposed use of the site, including all related development activities, shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat, stonewalls, mature tree lines, cemeteries, graveyards, designated historic buildings or sires, scenic views, and viewsheds.

- This parking lot is specifically designed to preserve all of these resources that exist to the greatest extent possible. First of all, there are no wetlands, floodplains, significant wildlife, cemeteries or graveyards on the site, therefore this design does not have a negative impact on these natural or cultural resources. Secondly, this design protects the stonewalls and mature trees along the property lines with adjacent properties and the design does not alter the historic building as the parking lot is not visible from the public way and is designed to the rear of the building. Two stonewalls are being impacted. One is the common property line between the two parcels that the developer owns, and belongs only to him, and the other stone wall is the manmade stonewall that was constructed in the 1960's with native stones. However, the amount of impact to the wall is the minimum length to allow for safe ingress for all vehicles and the proposal includes the reconstruction of the stone wall along the new entrance sideline (preserving at least as much of the cut granite, rooty neimi built, approximately 50-year old stone wall located not on Applicant's property, but within the Town owned right-of-way). This relocation/reconstruction of the cut granite wall maintains the historic integrity of the public way and historic vistas to the same extent as the neighboring property directly across the street.

6. Impact on property values:

The proposed development will not cause or contribute to a significant decline in property values of adjacent properties.

- The property value of the subject property was not diminished by the fact that there are several other parking lots of various sizes in and adjacent to this parcel. Reciprocally, expanding the parking lot on-site will have no adverse impact on abutting properties. To the extent speakers in opposition to the Application claim otherwise, they offered empirical proof. Property demand drives property prices. The demand for downtown core properties is high, and prices continue to escalate. This reasonably designed, and redesigned project, will not adversely impact abutting properties.

7. Availability of Public Services and Facilities:

Adequate and lawful facilities or arrangements for sewage disposal, solid waste disposal, water supply, utilities, drainage and other necessary public or private services, are approved or assured, to the end that the use will be capable of proper operation. In addition, it must be determined that these services will not cause excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police protection, fire protection and schools..

- The only public services required for this parking lot project are solid waste disposal, drainage and electric utilities. Waste disposal is provided by a private contractor and paid for by the owner, recycling is provided by the town. The design incorporates a new LID stormwater practice and electrical utilities are available. This parking lot will not increase demand on any municipal services as the owner is responsible for the operation and maintenance.

8. Fiscal impacts:

The proposed use will not have a negative fiscal impact on the Town unless the planning board determines that there are other positive community impacts that off-set the negative fiscal aspects of the proposed use. The Planning Board's decision shall be based upon an analysis of the fiscal impact of the project on the town. The Planning board may commission, at the applicant's expense, an independent analysis of the fiscal impact of the project on the town.

- The parking lot is privately owned, therefore the construction and maintenance will be borne by the owner. There are no negative fiscal impacts to the town because there are no costs to the schools, or the town. As a matter of fact, private parking lots will decrease the demand for constructing municipal parking lots and reduce the amount of vehicles parking in the downtown area.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely;

A handwritten signature in black ink that reads "Michael J. Sievert". The signature is written in a cursive, flowing style.

Michael J. Sievert PE
MJS Engineering



5 Railroad Street • P.O. Box 359
Newmarket, NH 03857
Phone: (603) 659-4979
Email: mjs@mjs-engineering.com

January 28, 2019

Mr. Michael Behrendt
Durham Town Planner
Town of Durham
8 Newmarket Rd.
Durham, NH 03824

Re: Revised submission to HDC for 18 Main Street project Tax Map 4, Lot 55

Dear Michael;

Please find the following information as an updated submission for HDC review at the February 7, 2019 meeting;

1. Existing conditions plan, and revised site, grading, landscape and lighting plans.
2. Alternate entrance option plans.
3. Renderings of proposed entrance.
4. Supporting documentation from slide presentation.
5. Letter from Attorney Wyskiel.

This updated plan set incorporates several design changes that are being provided in response to the public discussions, to date, at both the Historic District meeting and the Planning board meetings. The following list summarizes the design changes;

- Reduced the width of the parking lot by 17' to provide an additional 8'+/- of buffer to adjacent properties.
- Reduced the total parking spaces by 3 to help narrow the width of the parking lot.
- Added a fence along the easterly property boundary to shield the parking lot from the adjacent building.
- Increased the landscaping on the north, west and east boundary to provide additional screening.
- Removed all pole mounted lights to reduce the overall lighting.
- Revised grading and parking lot design to minimize excavation and site disturbance.
- Proposed concrete paver option to the entrance design.

In addition to the above design changes, at the (12-6-18) HDC meeting the committee requested that we provide alternative entrance designs to prove the proposed design is the best option. I have included two alternative design options for discussion. In our opinion, both options result in far greater negative impact to the front of the property. Either option would cause a significant impact to the

historical and cultural aesthetics of the property, including additional stonewall removal, significant tree removal and utility changes that would be detrimental to the existing structure.

If you require additional information or have any questions or comments, please call (603) 659-4979 x302.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Sievert". The signature is written in black ink and is positioned above the printed name.

Michael J. Sievert PE
President



Wyskiel,
Boc,
Tillinghast
& Bolduc, P.A.
Attorneys at Law

William E. Boc
*Michael J. Bolduc
Thomas G. Ferrini
Abigail Sykas Karoutas
*William R. Phipps
**D. Lance Tillinghast
*Christopher A. Wyskiel

* also admitted in Maine
**also admitted in MA, ME & VT

January 28, 2019

Durham Historic Commission
Town of Durham
8 Newmarket Road
Durham, NH 03824

RE: Revised Submission to HDC for 18 Main Street Project/Tax Map 4, Lot 55

Dear Chairman Bradley and Commission Members:

Along with MJS Engineering, P.C., this office represents Toomerfs, LLC, as Owner and Applicant of the above-referenced project. This letter is submitted to address those issues of significant interest and importance to the HDC at its December 6, 2018 meeting.

It was useful for the HDC to have not accepted the Application and plans reviewed December 6th. In response to issues raised at that meeting, and at the Planning Board's Site Plan Review Public Hearing on January 9, 2019, the Owner and MJS have revised the Plan. Michael Seivert's January 28, 2019 cover letter lists new submissions and briefly addresses plan changes.

In making its Durham Code Section 175-95 "Determination of Appropriateness," the standards of Section 175-96 are considered. The revised plan is appropriate for acceptance and a determination of appropriateness. The additional submissions, to be further explained at public hearing, demonstrate that the Owner and MJS have made every reasonable effort to minimize the alteration of significant features of the property and adhere to parking regulations of the Article while designing improvements consistent with professional planning for the safety of users, citizens, and the Town (emergency vehicles, etc.).

The stone wall proposed to be relocated (along the new entry way's westerly sideline) was a topic of much discussion. Some Board Members disagreed with the Owner's characterization of the wall as not an original, historic structure since it was town built approximately 50 years ago. Commissioner Member Sanger suggested further research be done on the issue. It has.

In preparation for the Planning Board Site Review Public Hearing, the Owner consulted with 70+ year Smith Park Lane resident, William Hall who testified before the Planning Board (see DCAT January 9, 2019 Tape at approximately 1:29 and 1:51). Mr. Hall testified from personal experience/recollection about the building of the wall, confirming Commission Member Bodo's recollection of the town mason who built that and other walls throughout town. (See photos previously submitted by Owner/MJS at December 6th HDC hearing labeled Exhibits A-F).

Mr. Hall explained how the original topography of Main Street was much higher than its current location. The road was blasted to lower its elevation. The stone wall in question was built as a retaining wall. The original Main Street elevation approximated the current top of the stone wall. The granite hitching post at the same elevation (see pictures) is located near the edge of that property's boundary line with the city's right-of-way. The stone wall to be partially removed/relocated along the westerly sideline of a new entry was town built, within town right-of-way land.

The stone wall is not an original stone wall owned or built by the original 18 Main Street property owner. Commission Member Bodo confirmed (at the December 6th hearing) that the walls are not listed on the Historic Register. Its relocation is reasonable, particularly in light of the HDC's December 6, 2018 consensus to consider alternative designs to see which would have the minimum impact on the historic district.

MJS explained how widening the property's current access to accommodate two lanes is an obvious professional planning preference. The Town's Technical Review Committee ("TRC") agrees: improved traffic flow and emergency vehicle access. The Applicant's preference to preserve the current narrow driveway as-is with new exit access over its Cowell Drive property to the rear was nixed by the Durham ZBA's refusal to grant a variance to accommodate that design. This was discussed by MJS on December 6th.

A straightened, widened right angle access cannot be designed because of the current utility pole and lamp location. HDC Members asked MJS and the Owner to explore moving the pole. Chairman Bradley even expressed a desire to get rid of it completely. MJS met with representatives of Eversource to explore the possibility. The need to continue stringing utility lines in the neighborhood would lead to a pole relocation from its current spot to one almost right in front of the historic structure at 18 Main Street. This visual impact is deemed worse by the Owner. We expect HDC Members would agree. MJS pointed out how this option is significantly more costly to the Owner. And it would still result in a wide paved access creating asphalt views some Members hoped could be avoided.

Another alternative design was to move a widened driveway to the east, as close as possible for Mr. Henderson's two plus car wide driveway/parking area. On December 6th, MJS explained how this design would jeopardize the original, historic stone wall separating the Owner's property from Mark Henderson's to the east. It would also require cutting into the roots of mature trees, jeopardizing if not surely causing the loss of many trees on the Owner's common boundary line with Mark Henderson. Robbie Woodburn will testify at the HDC's February 7th hearing to substantiate this.

The only remaining feasible alteration to accommodate safety and more orderly access is MJS's current design. As Planner Behrendt pointed out at the December 6th HDC hearing, a good argument is made for the historic visual preference of two smaller lanes with an island, improved with an attractive town lamp post and surrounding stone wall versus one wider asphalt surface. Planner Behrendt and Member Sanger asked about the possibility of pavers softening the visual impact of the new lane. MJS submits renderings for discussion purposes.

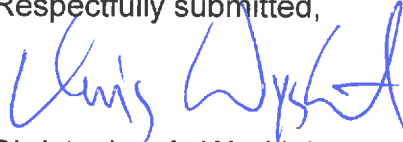
In response to Planning Board Hearing neighbor comments, three parking spaces have been eliminated (a possible design consideration request on December 6th by HDC Member Sanger). This significantly narrows the expansion of the parking lot, providing greater buffers to the east and west. Additionally, the lighting plan has been modified to minimize expressed concerns of excessive lighting. Only building mounted lights (on the east and north) are now proposed. This eliminates two lamp pole structures in the HDC near the rear of the expanded parking lot. This eliminates a concern expressed by Member Sanger about the aesthetics of new lot lamp poles.

On December 6th, Board Members (Bodo, Sanger for example) summarized the concerns thought to be resolved by exploring alternative designs: that "commercialization of the area damages the integrity of the Historic District." But as can be seen by submissions included with MJS's January 28th letter, significant parking lots closely nearby already exist in the Historic District Zone. The proposed expansion by the Owner to the rear of the property, virtually unseen from Main Street, and screened to the rear by new vegetation integral to the water drainage treatment improvements, and with increased buffer on both sides, minimizes the impact of the Owner's reasonable and justifiable use of his property.

The Owner will explain the urgent need for parking in downtown Durham. He personally has many students with parking needs. Student parking generates few in and out trips. Most students leave their cars parked for days/weeks at a time. (See William Hall Planning Board testimony at DCAT referenced above). The traffic counts of Main Street create the issues of concern raised by plan opponents speaking at the Planning Board's Public Hearing (and anticipated at the HDC's Public Hearing). The reality is that any additional impact brought on by the Applicant's parking lot

expansion will be minimal. The revised design lessens the additional proposed parking spaces from the 29 extra originally proposed to 26. The property use is reasonable and needed. The design is the least impactful among alternatives, satisfies the HDC's Standards for Review and should be approved.

Respectfully submitted,



Christopher A. Wyskiel

Existing



Proposed



Existing



Proposed



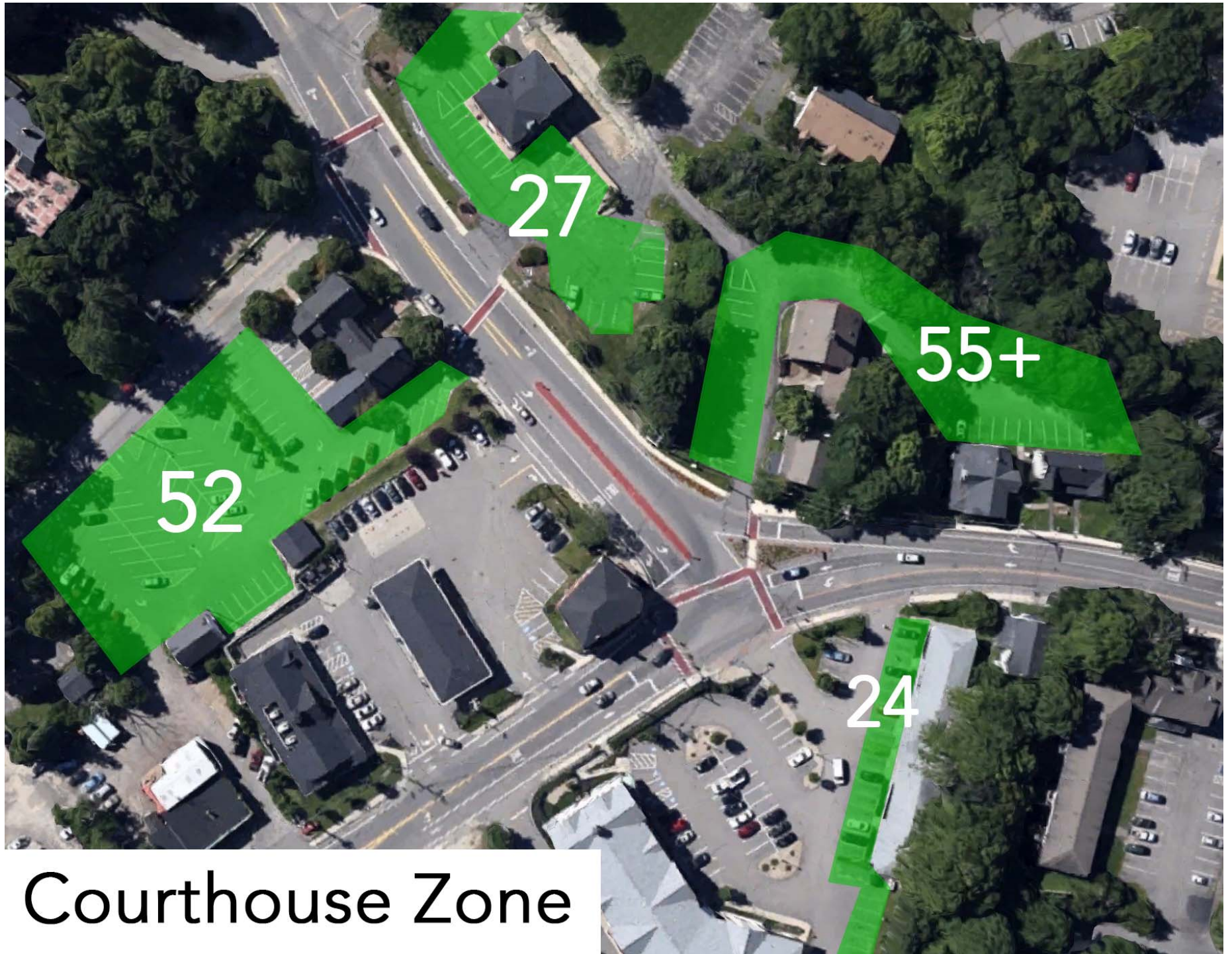
18 Main Street Parking Lot Proposal

Toomerfs



- There are 6 sizeable parking lots within 100 yards of 18 Main Street, 5 of which are in Church Hill district and 1 in the Central Business District (Plaza)





Courthouse Zone

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF TRAFFIC**

Bureau of Planning, Traffic Section, Traffic Reports

18-Feb-16

| STAT. | TYPE | LOCATION | FC | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|---------------------|------|---|----|-------|-------|-------|-------|-------|-------|-------|-------|
| Town: DURHAM | | | | | | | | | | | |
| 133021 | 02 | US 4 EAST OF NH 108 (EB-WB) (01133019-01133020) | 02 | 16535 | 16830 | 16682 | 16000 | 16152 | 15989 | 15969 | 16208 |
| 133022 | 22 | NH 108 (DOVER RD) NORTH OF US 4 (SB-NB) (21133023-21133024) | 16 | * | * | * | * | 11000 | * | * | 11000 |
| 133047 | 82 | MILL RD SOUTH OF MAIN ST | 17 | * | * | 7600 | * | * | * | 8100 | * |
| 133049 | 82 | MAIN ST EAST OF NH 155A | 16 | * | * | * | * | * | * | 11000 | * |
| 133051 | 82 | MAIN ST WEST OF NH 108 | 16 | * | 13000 | * | * | 14000 | * | * | 14000 |
| 133052 | 62 | NH 108 (NEWMARKET RD) NORTH OF LONGMARSH RD (SB-NB) (61133025-61133026) | 17 | * | * | 9900 | * | 11000 | * | * | 10000 |
| 133053 | 62 | US 4 AT LEE TL (EB-WB) (61133027-61133028) | 14 | * | * | * | * | 13000 | * | * | 11000 |
| 133054 | 82 | NH 108 (NEWMARKET RD) OVER OYSTER RIVER (SB-NB) (81133083-81133084) | 17 | * | * | * | * | 12000 | * | * | 13000 |
| 133055 | 82 | MAIN ST EAST OF NORTH DR (EB-WB) (81133089-81133090) | 16 | * | * | 9500 | * | * | 9900 | * | * |
| 133056 | 82 | MADBURY RD SOUTH OF US 4 | 16 | * | 4800 | * | * | 5300 | * | * | 5500 |
| 133057 | 82 | NH 108 (DOVER RD) SOUTH OF US 4 (SB-NB) (81133029-81133030) | 16 | * | * | 16000 | * | 17000 | * | * | 17000 |
| 133058 | 82 | US 4 WEST OF NH 108 (EB-WB) (81133031-81133032) | 14 | * | * | 9500 | * | * | 10000 | * | * |
| 133059 | 82 | MILL RD AT B&M RR BRIDGE (EB-WB) (81133033-81133034) | 08 | * | * | * | * | 2300 | * | * | 2000 |
| 133060 | 82 | GARRISON AVE WEST OF MADBURY RD | 17 | * | * | * | * | * | * | 3400 | * |
| 133061 | 82 | MADBURY RD SOUTH OF GARRISON AVE (SB-NB) (81133035-81133036) | 16 | 6900 | * | * | 6300 | * | * | * | 6000 |

The Impact

- 26 New Cars / 14,000 Existing Cars
- = 0.001857142857143
- = **0.18%**

- The impact of these 26 new cars is negligible and will have little or no effect on traffic flow on Main Street.

Why

- Over the last 8-10 years **1,200 new beds** have been added to the central business district.
- **0 new spaces** have been developed to accommodate these new students.
- **230 spaces were lost** during the development of Madbury Commons and Main Street Apartments, thus creating a massive demand for safe and convenient parking.

Looking for Parking



Inbox x

to me ▾

To whom it may concern,

I am currently a junior nursing student at UNH and am looking to buy a parking spot near my apartment so I can drive to my early morning clinical rotations. I was wondering if you had any spots for sale.

Please let me know.

PARKING



Inbox x

to me ▾

I am contacting you in regard's to parking. I was wondering if there were any spots available for me to purchase. I have been having transportation issues to get to my internship as it is in Dover this would be a huge help.

The Demand



Ryan Stramel

January 13 at 9:57 AM

Looking for a parking pass spring 2019 please message me if you are selling one!



Lauren Soleimani

January 13 at 12:45 PM

Hey if anyone is selling for a parking pass for next semester message me!!



Ella Strickler

January 13 at 1:20 PM

Looking to buy a parking pass for spring semester! Message me if you're selling



Kiley Keenan

January 15 at 1:47 PM

Does anyone have spring semester parking they're willing to sell? Or know anybody who has a spot they want to sell!



Alexis Chlodnicki

20 hrs

Is anyone selling a parking spot or has a place for me to park on campus where I won't get towed? Pls help.



Eva Ruutopold shared her first post.

New Member · January 22 at 9:49 AM

Looking to purchase a parking pass for spring semester.



Gabby Palmer

January 15 at 4:53 PM

Looking for a parking pass close to stratford ave for spring semester please let me know!!



Maxx Williamson

January 12 at 5:51 PM · Middletown, CT

Still looking for a parking pass for Spring 2019, if you're selling one send me a message



Casey Reynolds

January 8 at 3:18 PM

Hey if anyone is selling a parking pass for this spring let me know!!!



Aya Soufan

January 8 at 2:41 PM

Looking for a parking pass for spring 2019, preferably somewhere on campus

Do not heavily prune the tree at planting. Prune only cross-over limbs, co-dominant leaders, and broken or dead branches. Some interior twigs and lateral branches may be pruned, however, Do NOT remove the terminal buds of branches that extend to the edge of the crown.

Trees less than 3" in caliper shall be staked with three stakes per tree, spaced evenly around the trunk with 12 gauge wire. Plastic hose sections shall be used at attachment to trees. Each wire shall be flagged with a visual marker. 5' long min. wooden stakes shall be used to anchor the wires. Stakes shall be driven at least 12" outside the edge of the planting pit into stable soil. Remove all staking NO LATER than the end of the first growing season after planting.

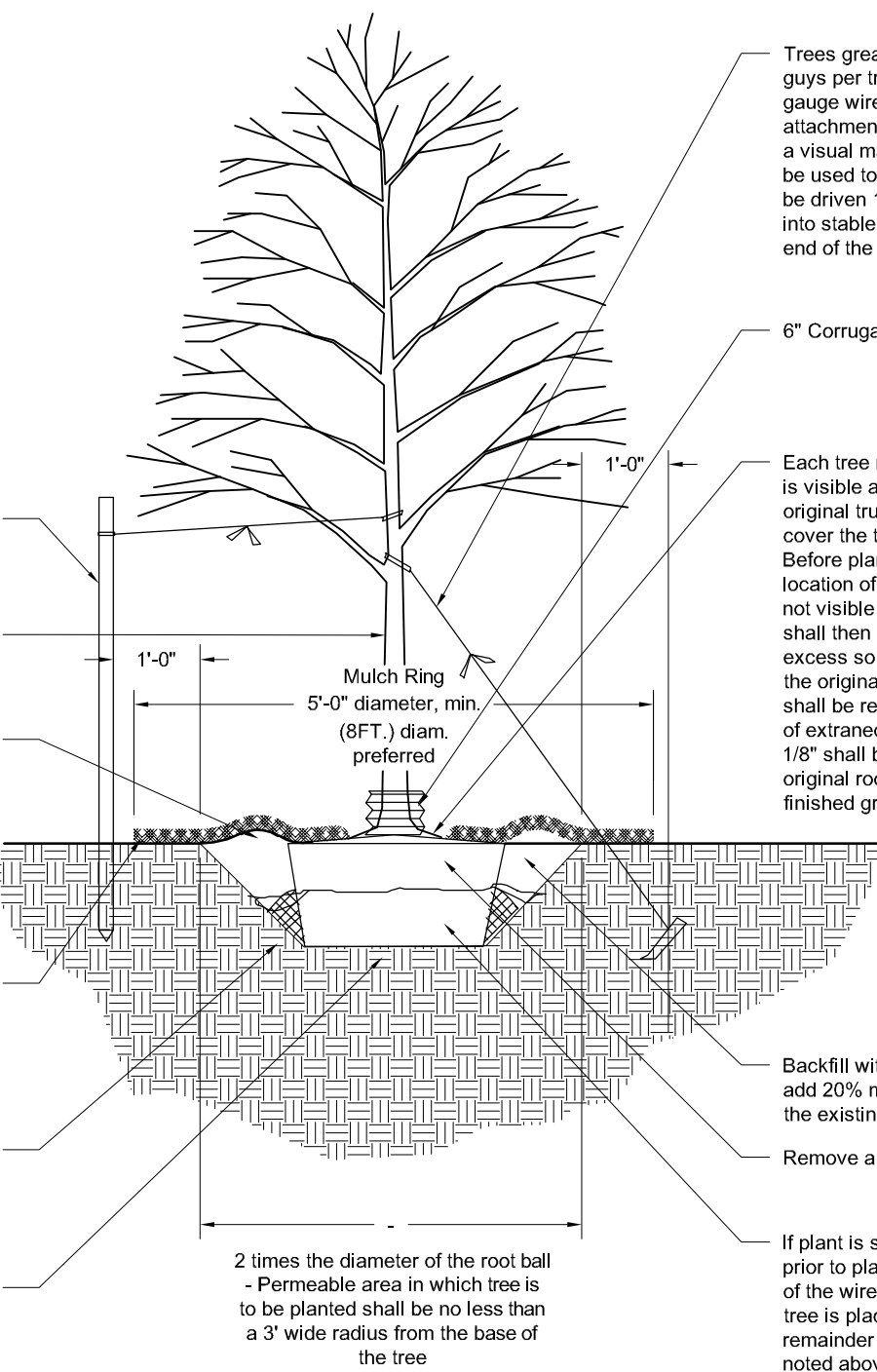
Mark the north side of the tree in the nursery. Rotate the tree to face north at the site whenever possible.

4 in. high earth saucer beyond edge of root ball

2 IN. max. Mulch. Do NOT place mulch in contact with tree trunk. Maintain the mulch weed-free for a minimum of three years after planting.

Tamp soil around root ball base firmly with foot pressure so that root ball does not shift.

Place root ball on unexcavated or tamped soil.



Trees greater than 3" in caliper shall be guyed with three guys per tree, spaced evenly around the trunk with 12 gauge wire. Plastic hose sections shall be used at attachment to trees. Each guy wire shall be flagged with a visual marker. 24" stakes or metal drive anchors shall be used to anchor the guy wires. Stakes/Anchors shall be driven 12" min. outside the edge of the planting pit into stable soil. Remove all guying NO LATER than the end of the first growing season after planting.

6" Corrugated PVC tree sock

Each tree must be planted such that the original trunk flare is visible at the top of the root ball. Trees where the original trunk flare is not visible may be rejected. Do NOT cover the top of the root ball with soil. Before planting Contractor shall inspect the rootball for the location of the original root flare. If the original root flare is not visible at the top of the root ball then the Contractor shall then gently remove from the top of the root ball any excess soil from nursery operations that may be covering the original root flare. All secondary and girdling roots shall be removed prior to planting. Trees with 4" or more of extraneous soil and/or adventitious roots greater than 1/8" shall be rejected. The tree shall be planted with the original root flare at or slightly (2-3") above surrounding finished grade.

Backfill with existing soil, in sandy and heavy clay soils add 20% max. by volume composted organic material to the existing soil.

If plant is shipped with a wire basket around the root ball, prior to planting, the contractor shall cut away the bottom of the wire basket, leaving the sides in place. Once the tree is placed and faced, the contractor shall remove the remainder of the wire basket and backfill the planting pit as noted above.

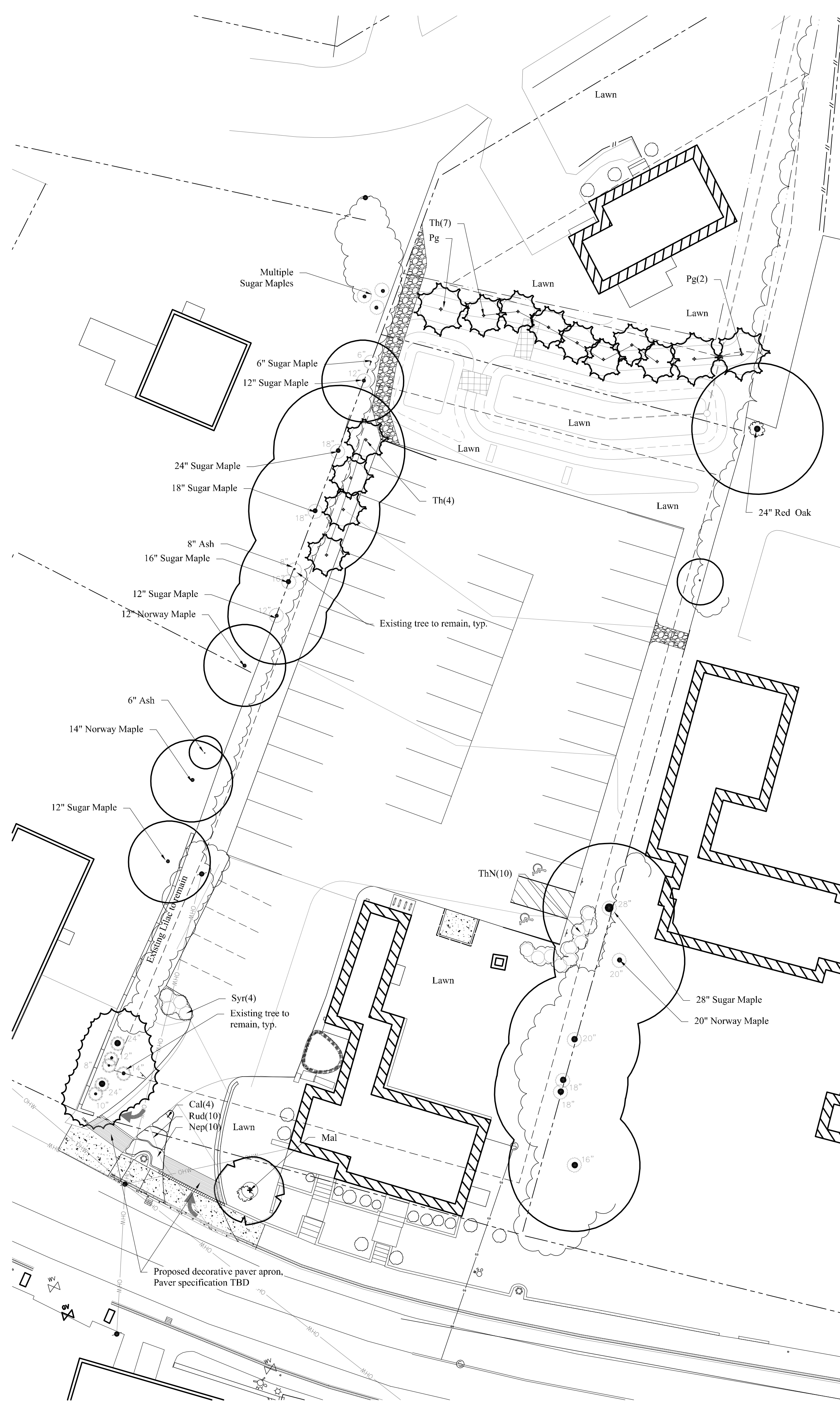
Tree Planting Detail, Typ.

Landscape Notes

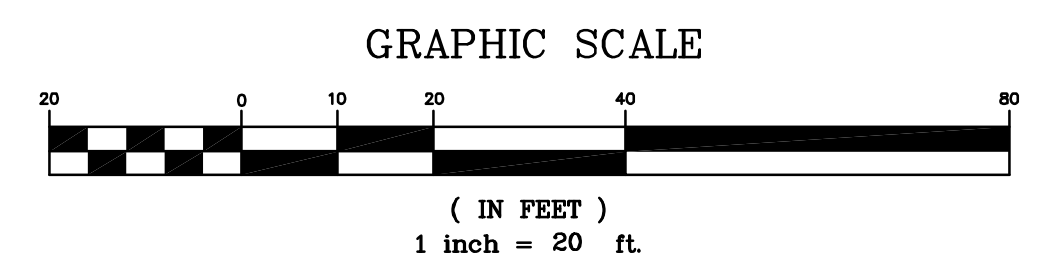
- Design is based on drawings by MJS Engineering dated December 2018 and may require adjustment due to actual field conditions.
- The contractor shall follow best management practices during construction and shall take all means necessary to stabilize and protect the site from erosion.
- Erosion Control shall be in place prior to construction.
- Erosion Control to consist of Hay Bales and Erosion Control Fabric shall be staked in place between the work and Water bodies, Wetlands and/or drainage ways prior to any construction.
- The Contractor shall verify layout and grades and inform the Landscape Architect or Client's Representative of any discrepancies or changes in layout and/or grade relationships prior to construction.
- It is the contractor's responsibility to verify drawings provided are to correct scale prior to any bid, estimate or installation. A graphic scale bar has been provided on each sheet for this purpose. If it is determined that the scale of the drawing is incorrect, the landscape architect will provide a set of drawings at the correct scale, at the request of the contractor.
- Trees to Remain within the construction zone shall be protected from damage for the duration of the project by snow fence or other suitable means of protection to be approved by Landscape Architect or Client's Representative. Snow fence shall be located at the drip line at a minimum and shall include any and all surface roots. Do not fill or mulch on the trunk flare. Do not disturb roots. In order to protect the integrity of the roots, branches, trunk and bark of the tree(s) no vehicles or construction equipment shall drive or park in or on the area within the drip line(s) of the tree(s). Do not store any refuse or construction materials or portalets within the tree protection area.
- Location, support, protection, and restoration of all existing utilities and appurtenances shall be the responsibility of the Contractor.
- The Contractor shall verify exact location and elevation of all utilities with the respective utility owners prior to construction. Call DIGSAFE at 1-888-344-7233.
- The Contractor shall procure any required permits prior to construction.
- Prior to any landscape construction activities, Contractor shall test all existing loam and loam from off-site intended to be used for lawns and plant beds using a thorough sampling throughout the supply. Soil testing shall indicate levels of pH, nitrates, macro and micro nutrients, texture, soluble salts, and organic matter. Contractor shall provide Landscape Architect with test results and recommendations from the testing facility along with soil amendment plans as necessary for the proposed plantings to thrive. All loam to be used on site shall be amended as approved by the Landscape Architect prior to placement.
- Contractor shall notify landscape architect or owner's representative immediately if at any point during demolition or construction a site condition is discovered which may negatively impact the completed project. This includes, but is not limited to, unforeseen drainage problems, unknown subsurface conditions, and discrepancies between the plan and the site. If a contractor is aware of a potential issue, and does not bring it to the attention of the landscape architect or owner's representative immediately, they may be responsible for the labor and materials associated with correcting the problem.
- The Contractor shall furnish and plant all plants shown on the drawings and listed therein. All plants shall be nursery grown under climatic conditions similar to those in the locality of the project. Plants shall conform to the botanical names and standards of size, culture, and quality for the highest grades and standards as adopted by the American Association of Nurserymen, Inc. in the American Standard of Nursery Stocks, American Standards Institute, Inc. 230 Southern Building, Washington, D.C. 20005.
- A complete list of plants, including a schedule of sizes, quantities, and other requirements is shown on the drawings. In the event that quantity discrepancies or material omissions occur in the plant materials list, the planting plans shall govern.
- All plants shall be legibly tagged with proper botanical name.
- The Contractor shall guarantee all plants for not less than one year from time of acceptance.
- Owner or Owner's Representative will inspect plants upon delivery for conformity to Specification requirements. Such approval shall not affect the right of inspection and rejection during or after the progress of the work. The Owner reserves the right to inspect and/or select all trees at the place of growth and reserves the right to approve a representative sample of each type of shrub, herbaceous perennial, annual, and ground cover at the place of growth. Such sample will serve as a minimum standard for all plants of the same species used in this work.
- No substitutions of plants may be made without prior approval of the Owner or the Owner's Representative for any reason.
- All landscaping shall be provided with either of the following:
 - An underground sprinkling system.
 - An outside hose attachment within 150 feet.
- If an automatic irrigation system is installed, all irrigation valve boxes shall be located within planting bed areas.
- The contractor is responsible for all plant material from the time their work commences until final acceptance. This includes but is not limited to maintaining all plants in good condition, the security of the plant material once delivered to the site, and watering of plants. Plants shall be appropriately watered prior to, during and after planting. It is the contractor's responsibility to provide water from off site, should it not be available on site.
- All disturbed areas will be dressed with 6" of topsoil and planted as noted on the plans or seeded except plant beds. Plant beds shall be prepared to a depth of 12" with 75% loam and 25% compost.
- Trees, ground cover, and shrub beds shall be mulched to a depth of 2" with one-year-old, well-composted, shredded native bark not longer than 4" in length and 3/4" in width, free of woodchips and sawdust. Mulch for ferns and herbaceous perennials shall be no longer than 1" in length. Trees in lawn areas shall be mulched in a 3' diameter min. saucer. Color of mulch shall be black.
- Drip strip shall extend to 6" beyond root overhang and shall be edged with 3/16" thick metal edger.
- In no case shall mulch touch the stem of a plant nor shall mulch ever be more than 3" thick total (including previously applied mulch) over the root ball of any plant.
- Secondary lateral branches of deciduous trees overhanging vehicular and pedestrian travel ways shall be pruned up to a height of 5' to allow clear and safe passage of vehicles and pedestrians under tree canopy.
- Snow shall be stored a minimum of 5' from shrubs and trunks of trees.
- Landscape Architect is not responsible for the means and methods of the contractor.

Plant List

| Symbol | Botanical Name | Common Name | Quantity | Size | Comments |
|--|---|---------------------------|----------|------------|----------|
| Mal | <i>Malus 'Sugar Tyme'</i> | Sugartyme White Crabapple | 1 | 3-3.5" Cal | B&B |
| Pg | <i>Picea glauca</i> | White Spruce | 3 | 8-10Ht. | B&B |
| Th | <i>Thuja plicata 'Atrovirens'</i> | Atrovirens Arborvitae | 11 | 7-8' Ht | B&B |
| SHRUBS | | | | | |
| Syr | <i>Syringa meyeri 'Palibin'</i> | Dwarf Korean Lilac | 4 | 2-3' Ht | B&B |
| THN | <i>Thuja occidentalis 'Tehny'</i> | Tehny Arborvitae | 10 | 6-7' ht. | B&B |
| PERENNIALS, GROUNDCOVERS, VINES and ANNUALS | | | | | |
| Cal | <i>Calamagrostis acutifolia 'Kari Foerster'</i> | Feather Reed Grass | 4 | 1 gal | |
| Nep | <i>Nepeta faassenii x 'Walker's Low'</i> | Walker's Low Catmint | 10 | 1 gal | |
| Rud | <i>Rudbeckia fulgida 'Goldsturm'</i> | Black-Eyed Susan | 10 | 1 gal | |



FINAL APPROVAL BY DURHAM PLANNING BOARD.
 CERTIFIED BY MICHAEL BEHRENDT, TOWN PLANNER
 CERTIFIED _____
 DATE _____



woodburn & company
 LANDSCAPE ARCHITECTURE
 103 Kent Place, Newmarket, New Hampshire Phone: 603.659.5949

LANDSCAPE PLAN
 prepared for
TOOMERS, LLC.
 TAX MAP 4, LOTS 38-5 AND 55
 18 MAIN ST AND 12 COWELL DR., DURHAM, NH

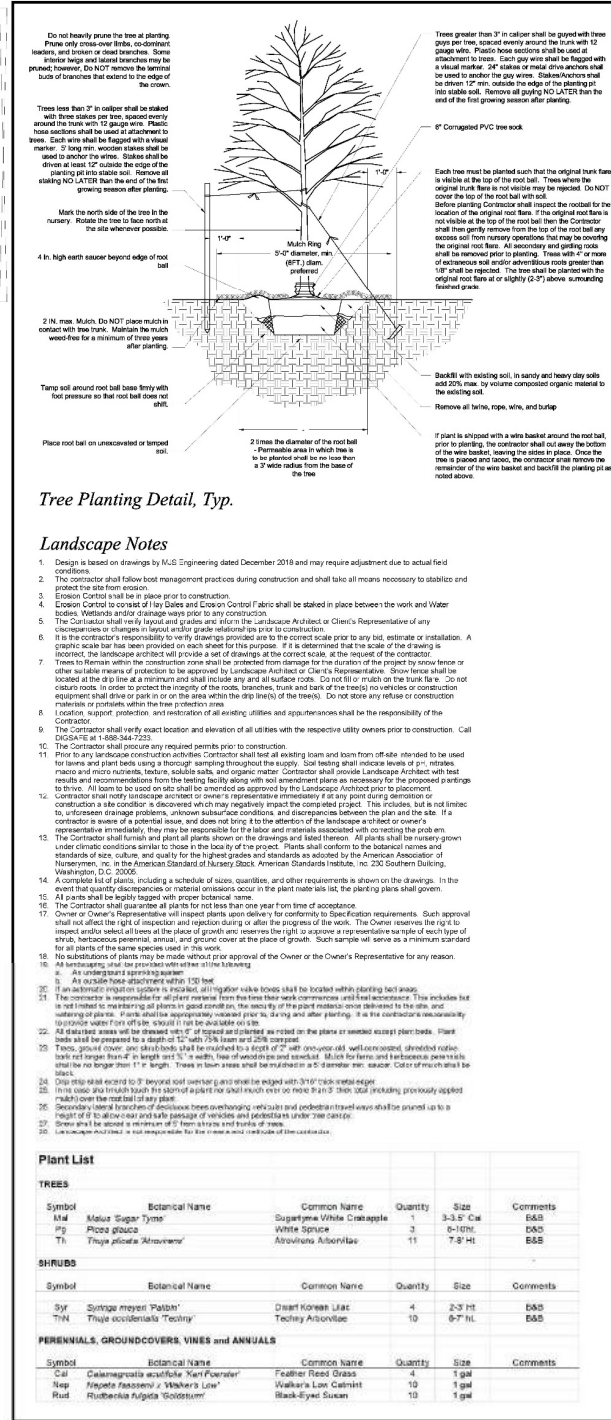
DATE: 9/28/18
 SCALE: 1" = 20'
 DESIGNED BY: VM
 DRAWN BY: VM
 APPROVED BY: RW
 DWG FILE: _____

3. ADDITIONAL TREE INFORMATION
 2. PER REVISED SITE PLAN
 1. PER REVISED SITE PLAN
 0. INITIAL SUBMISSION TO LEE PLANNING BOARD

NO. _____ REVISIONS _____ DATE _____ INT. _____

MJS ENGINEERING P.C.
 CIVIL • STRUCTURAL • ENVIRONMENTAL
 5 RAILROAD ST., F.O. BOX 359
 FRENCH CREEK, NH 03052
 PHONE: (603) 659-6979, FAX: (603) 659-4627
 E-MAIL: MJS@MJS-ENGINEERING.COM

JOB: 18-040



Landscape Notes

- Design is based on drawings by MJS Engineering dated December 2018 and may require adjustment due to actual field conditions.
- The contractor shall follow best management practices during construction and shall take all means necessary to stabilize and control the site from erosion.
- Erosion Control shall be in place prior to construction.
- Utility Callout to consist of Dates and Elevation Control (Metric shall be stated in place between the work and Water bodies. Methods and/or change work prior to any construction.
- The Contractor shall verify the location and depth of all utilities prior to any construction. Callouts shall be in place prior to construction.
- It is the contractor's responsibility to provide a set of drawings at the correct scale prior to any field estimate or installation. A graphic scale bar has been provided on each sheet for this purpose. If it is determined that the scale of the drawing is incorrect, the landscape architect will provide a set of drawings at the correct scale. In the event of a discrepancy, the contractor shall notify the landscape architect immediately. If it is determined that the scale of the drawing is incorrect, the contractor shall notify the landscape architect immediately. If it is determined that the scale of the drawing is incorrect, the contractor shall notify the landscape architect immediately.
- Trees to remain within the construction zone shall be protected from damage for the duration of the project by snow fence or other suitable means of protection approved by the landscape architect or their Representative. Snow fences shall be located at the 6" to 12" diameter and shall include any and all surface loads. Do not fill or muck on the trunk flare. Do not cut any roots. In order to protect the integrity of the tree, the contractor shall not use any construction equipment shall drive or park in or on the area within the drip line(s) of the tree(s). Do not store any refuse or construction materials or debris within the tree's drip line(s).
- Location, support, protection, and restoration of all existing utilities and appurtenances shall be the responsibility of the Contractor.
- The Contractor shall verify exact location and elevation of all utilities with the respective utility owners prior to construction. Call CUCART at 1-800-368-7223.
- The Contractor shall secure any required permits prior to construction.
- Prior to any sensitive construction activities, Contractor shall test all existing trees and stems from which intended to be used for lawn and plant beds using a thorough sampling throughout the project. Soil testing shall indicate levels of pH, nitrate, phosphorus and nutrients, heavy metals, and organic matter. Contractor shall provide Landscape Architect with test results and recommendations from the testing facility along with soil amendment plans as necessary for the proposed planting to thrive. All tests to be conducted by a laboratory approved by the landscape architect or their Representative. Snow fences shall be located at the 6" to 12" diameter and shall include any and all surface loads. Do not fill or muck on the trunk flare. Do not cut any roots. In order to protect the integrity of the tree, the contractor shall not use any construction equipment shall drive or park in or on the area within the drip line(s) of the tree(s). Do not store any refuse or construction materials or debris within the tree's drip line(s).
- Contractor shall notify landscape architect or owner's representative immediately if at any point during demolition or construction a subsurface condition is discovered which may negatively impact the completed project. This includes, but is not limited to, unforeseen drainage problems, unknown subsurface conditions, and discrepancies between the plan and the site. If a contractor is aware of a potential issue, and does not bring it to the attention of the landscape architect or owner's representative immediately, they may be responsible for the labor and materials associated with correcting the problem.
- The Contractor shall furnish and install all plants shown on the drawings and listed therein. All plants shall be nursery grown under climatic conditions similar to those in the locality of the project. Plants shall conform to the botanical names and standards of size, culture, and quality for the highest grades and standards as indicated by the American Association of Nurserymen, Inc. in the American Standard of Nursery Stock, American Standards Institute, Inc. 230 Southern Building, Washington, D.C. 20005.
- A complete list of plants, including a schedule of sizes, quantities, and other requirements is shown on the drawings. In the event that quantity discrepancies or substitutions occur in the plant materials list, the planting plans shall govern.
- All plants shall be lightly bagged with proper botanical name.
- The Contractor shall ensure that all plants are not less than one year from time of acquisition.
- Owner or Owner's Representative will inspect plants upon delivery for conformity to Specification requirements. Such approval shall not affect the right of inspection and rejection during or after the progress of the work. The Owner reserves the right to inspect and/or select all levels at the place of growth and reserves the right to require a representative sample of each type of herb, herbaceous perennial, annual, and ground cover at the place of growth. Such sample will serve as a minimum standard for all plants of the same species used in this work.
- No substitutions of plants may be made without the approval of the Owner or the Owner's Representative for any reason.
- All landscaping and/or plantings shall be installed within the following:
 - An outline hose attachment within 120 feet.
 - An outline hose attachment within 120 feet.
 - An outline hose attachment within 120 feet.
- The contractor is responsible for all plants received from the time they are received until they are installed. This includes but is not limited to watering of all plants in transit and on site, the security of the plant material once delivered to the site, and watering of plants. Plants shall be appropriately watered prior to, during and after planting. It is the contractor's responsibility to ensure that all plants are properly watered and maintained throughout the project. If the contractor is unable to provide adequate watering, the plants shall be rejected.
- All drainage areas will be drained into 4" of crushed and/or crushed as noted in the plans or accepted plant beds. Plant beds shall be prepared to a depth of 12" with 3/4" clean washed gravel.
- Trees, ground cover and shrub beds shall be installed to a depth of 2" with 3/4" clean washed gravel, shredded rubber mulch and 2" of topsoil. All trees and shrubs shall be installed to a depth of 2" with 3/4" clean washed gravel, shredded rubber mulch and 2" of topsoil. All trees and shrubs shall be installed to a depth of 2" with 3/4" clean washed gravel, shredded rubber mulch and 2" of topsoil.
- Decision on the location of drainage trees shall be made by the landscape architect or their Representative. The trees shall be installed to a depth of 2" with 3/4" clean washed gravel, shredded rubber mulch and 2" of topsoil.
- There shall be a drainage system for all trees and shrubs installed under the tree canopy.
- Landscaping materials are not responsible for the removal of the materials.

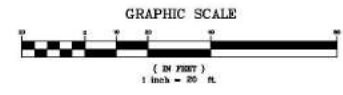
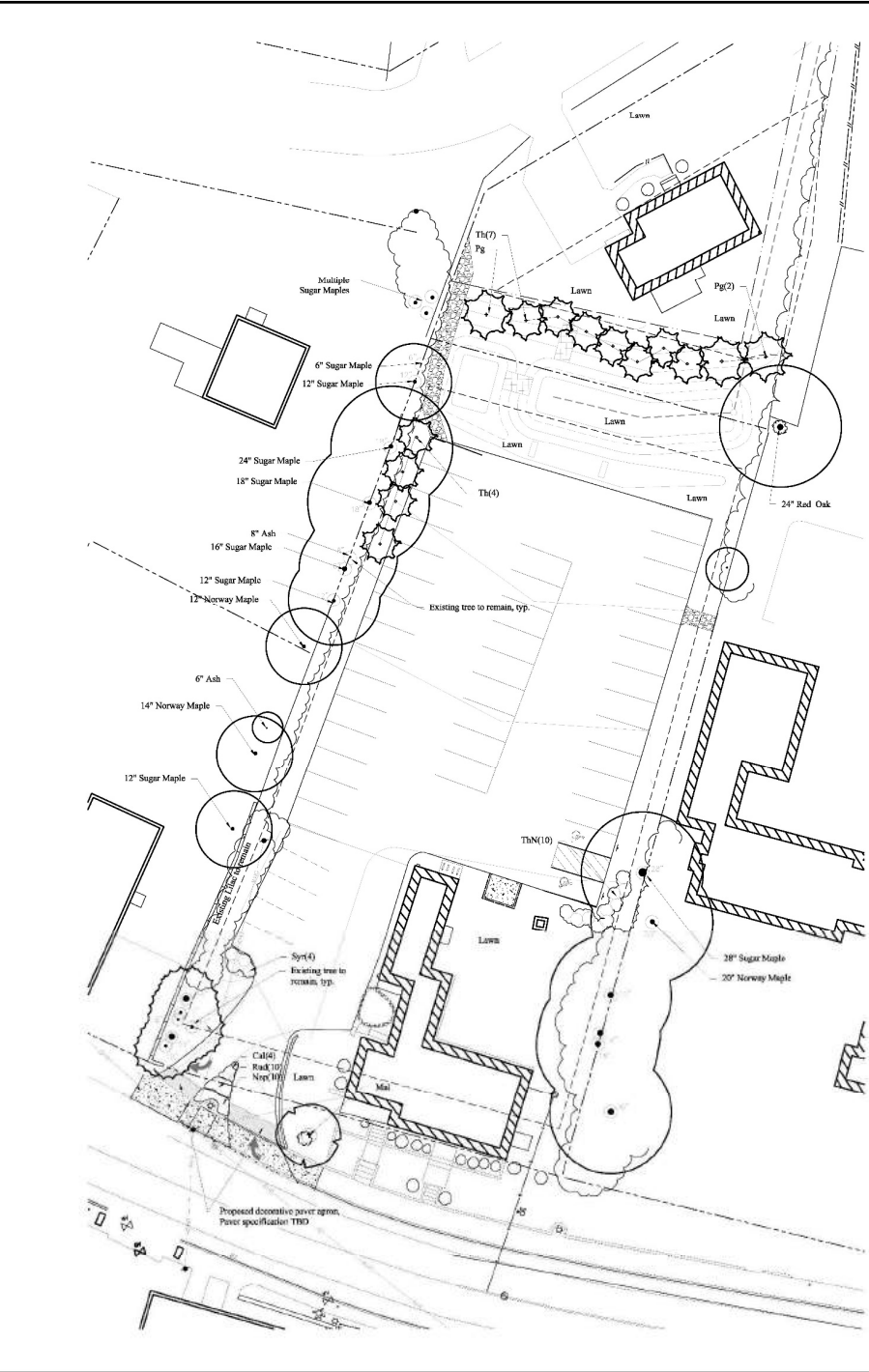
Plant List

| Symbol | Botanical Name | Common Name | Quantity | Size | Comments |
|--------|---------------------------|---------------------------|----------|-------|----------|
| M4 | Malus 'Sugar Tyme' | Sugarfree White Crabapple | 3-3.5' | Ca | B&B |
| Pp | Picea glauca | White Spruce | 3 | 6-10H | B&B |
| Th | Thuja plicata 'Atravevus' | Atravevus Arborvitae | 11 | 7-8'H | B&B |

| Symbol | Botanical Name | Common Name | Quantity | Size | Comments |
|--------|------------------------------|-------------------------|----------|-------|----------|
| Syr | Syringa meyeri 'Palmer' | Ornamental Korean Lilac | 4 | 2-3'H | B&B |
| ThN | Thuja occidentalis 'Tectony' | Tectony Arborvitae | 10 | 6-7'H | B&B |

PERENNIALS, GROUNDCOVERS, VINES and ANNUALS

| Symbol | Botanical Name | Common Name | Quantity | Size | Comments |
|--------|-------------------------------------|----------------------|----------|-------|----------|
| Gal | Galium aparine var. 'Yarrow Flower' | Yarrow Flower Grass | 4 | 1 gal | |
| Nep | Nepeta racemosa 'Walker's Low' | Walker's Low Catmint | 10 | 1 gal | |
| Rud | Rudbeckia fulgida 'Goldstrum' | Black-Eyed Susan | 10 | 1 gal | |



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LANDSCAPE ARCHITECTURE
109 Kent Place, Newmarket, New Hampshire Phone: (603) 659-5549

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18 MAIN ST. AND 12 CORWELL DR., DURHAM, NH

DATE: 9/28/18
SCALE: 1"=20'
DESIGNED BY: VM
DRAWN BY: VM
APPROVED BY: SW
DATE: 9/28/18

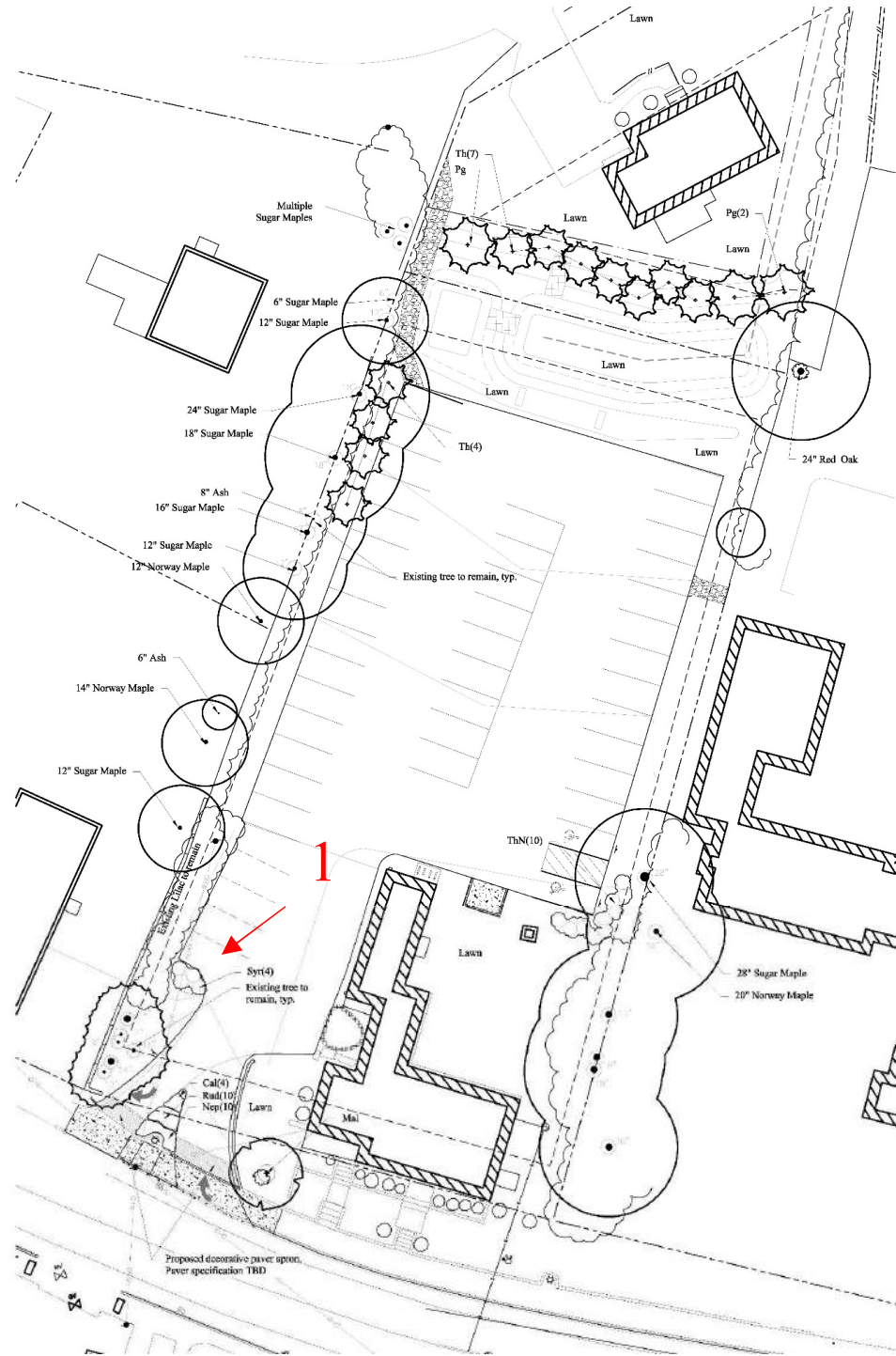
REVISIONS

| NO. | DATE | INT. |
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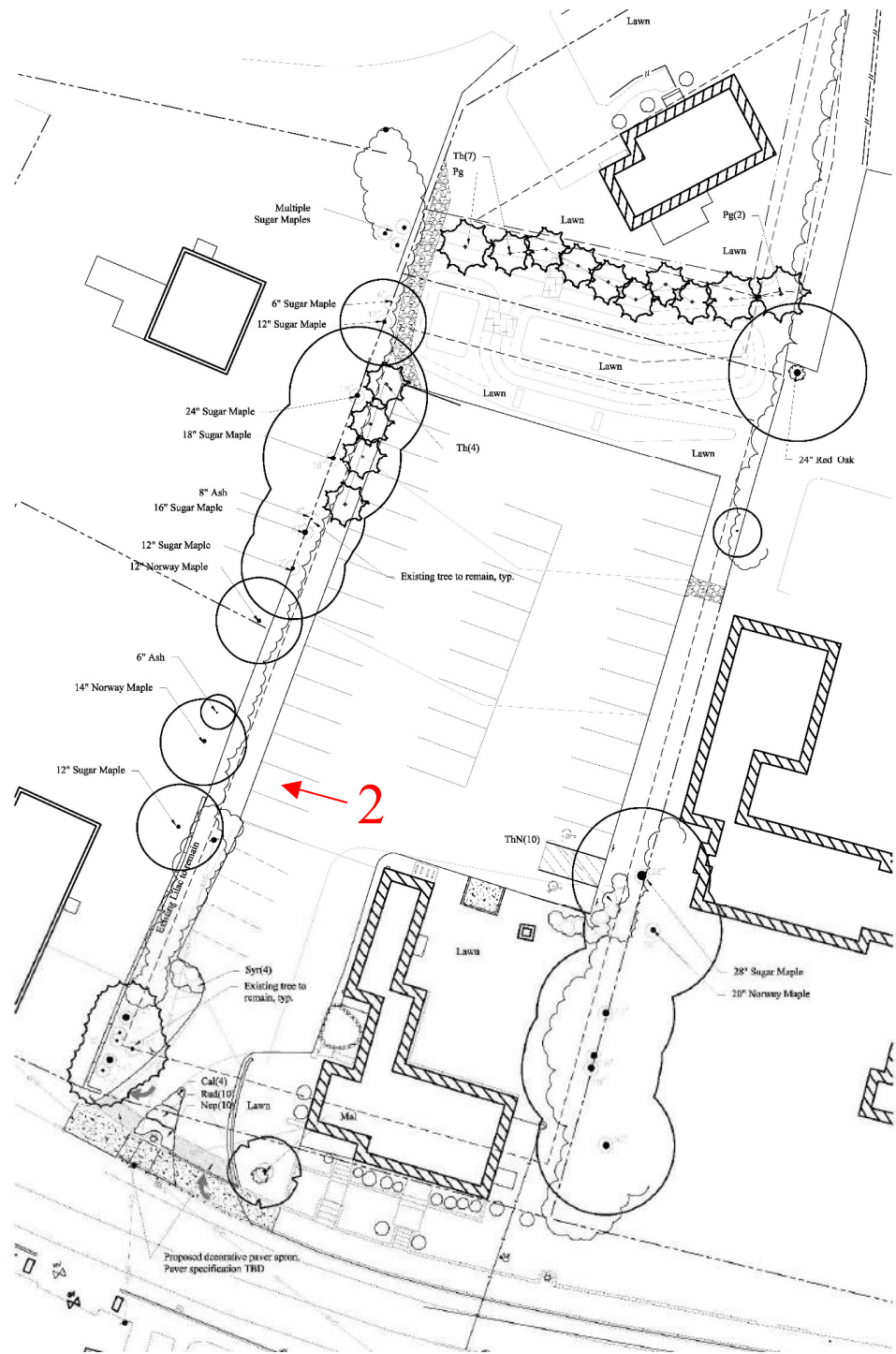
LANDSCAPE PLAN
Prepared for
TOOMERS, LLC.
18 MAIN ST. AND 12 CORWELL DR., DURHAM, NH

SEAL

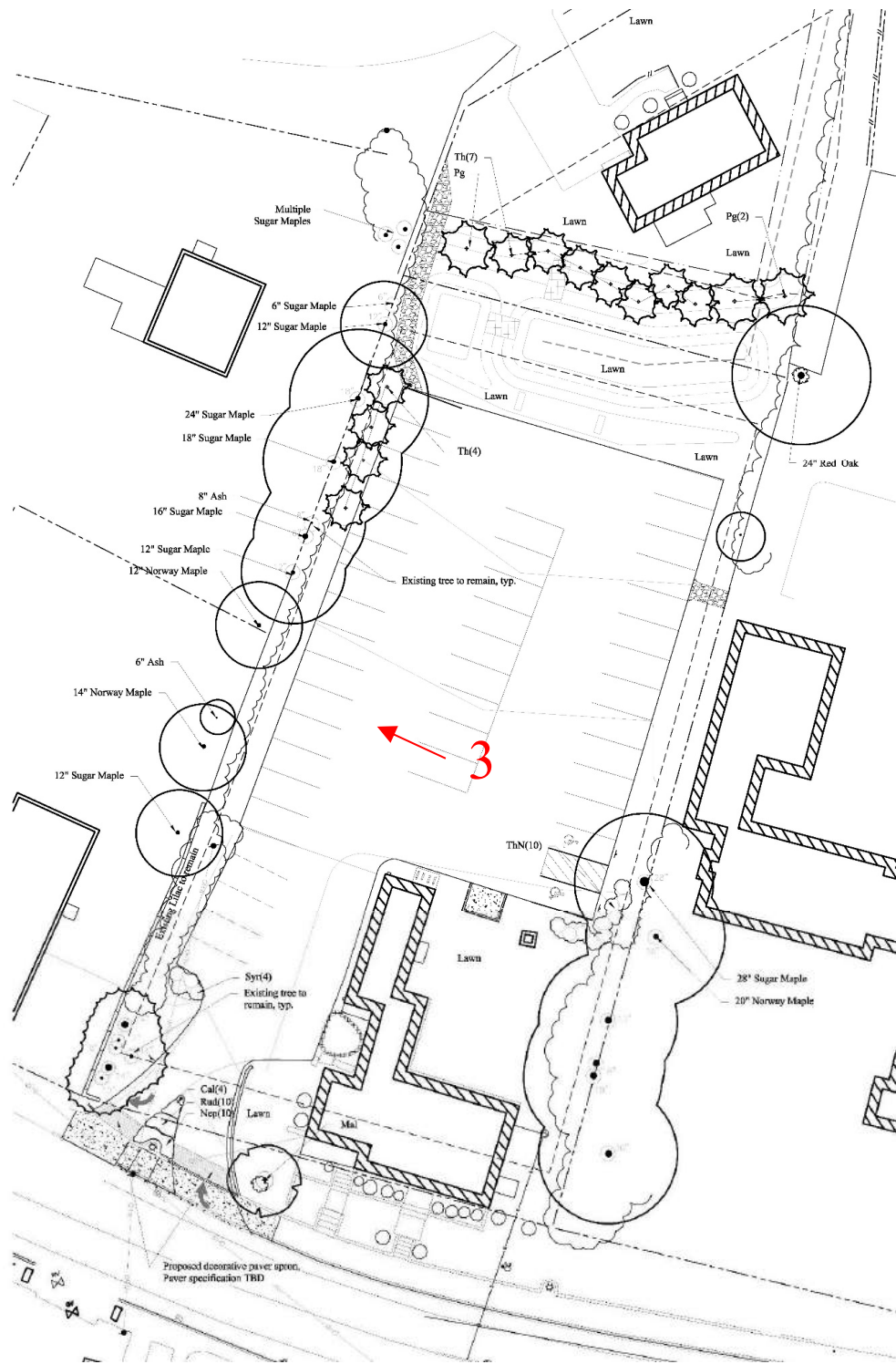
JOB: 18-040
L1



*18 Main Street – Parking Expansion
Durham, New Hampshire*

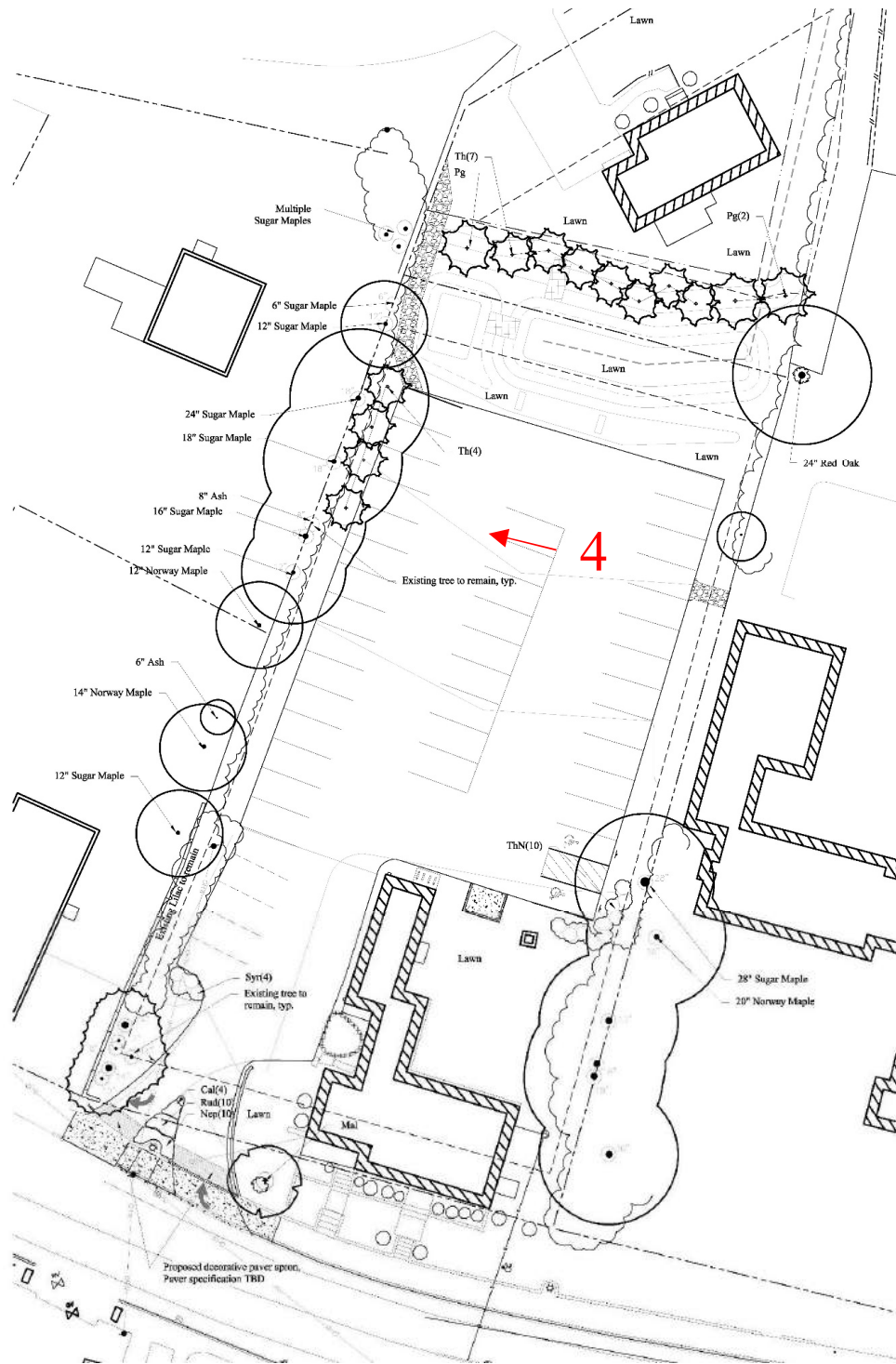


*18 Main Street – Parking Expansion
 Durham, New Hampshire*



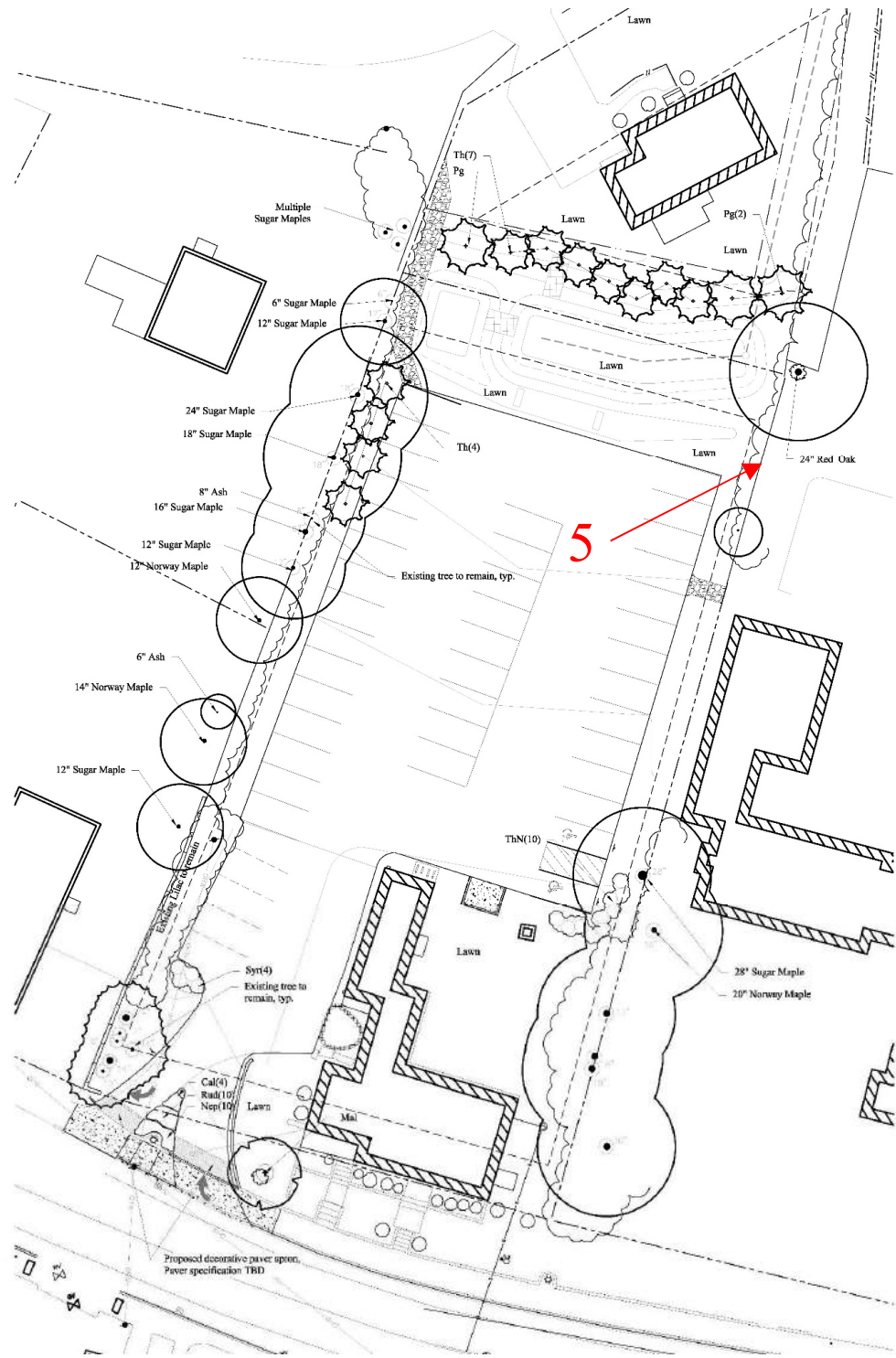
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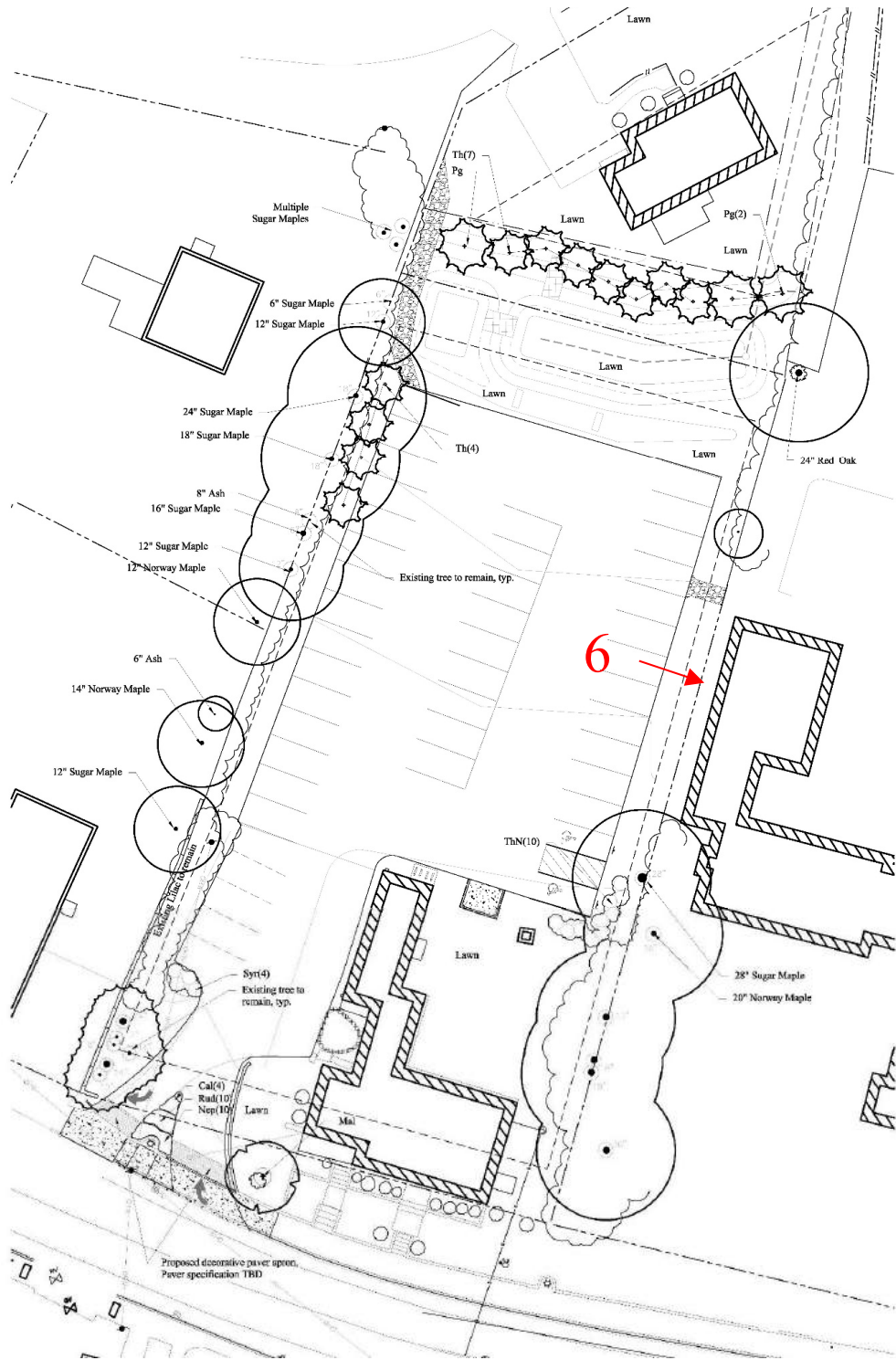
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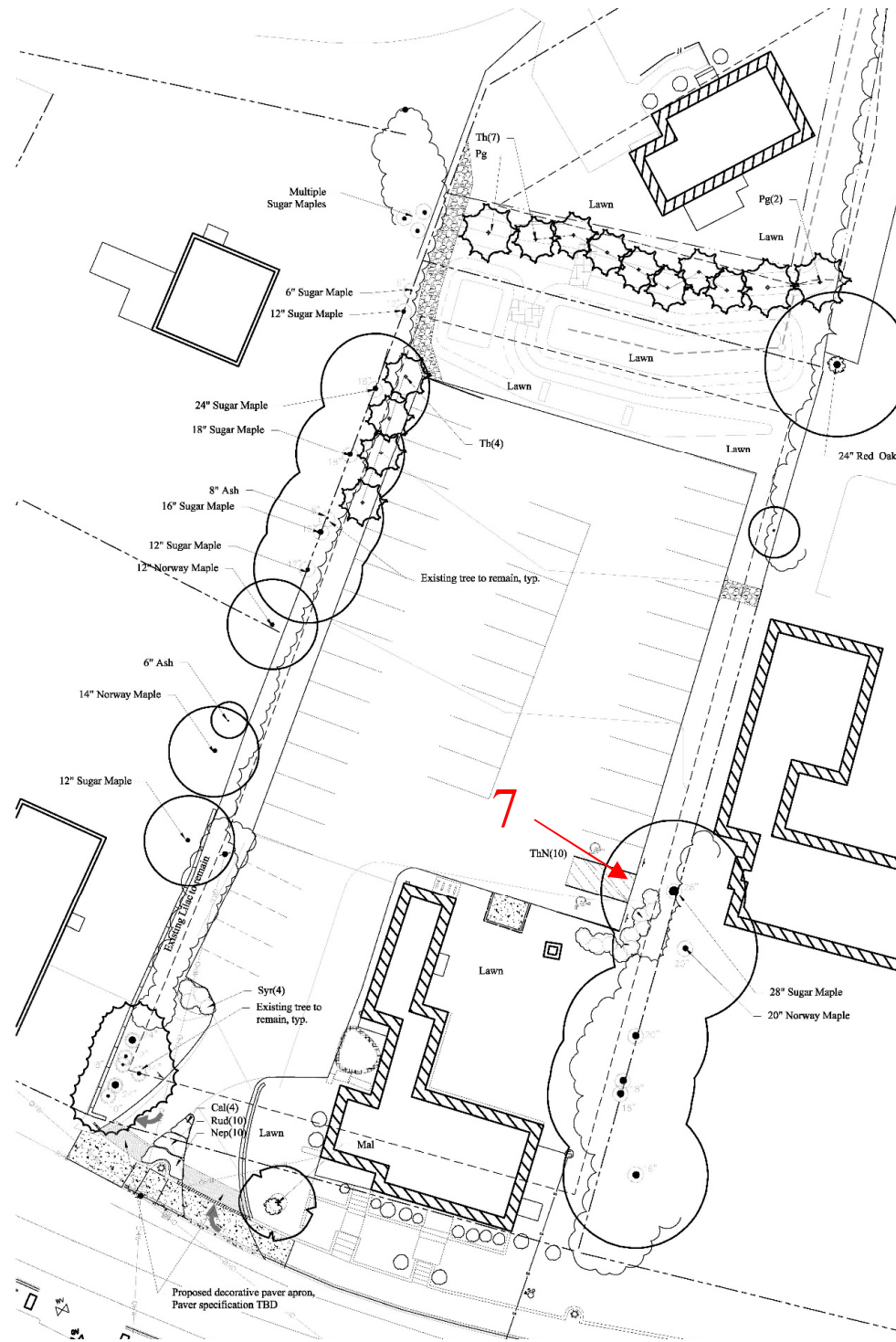




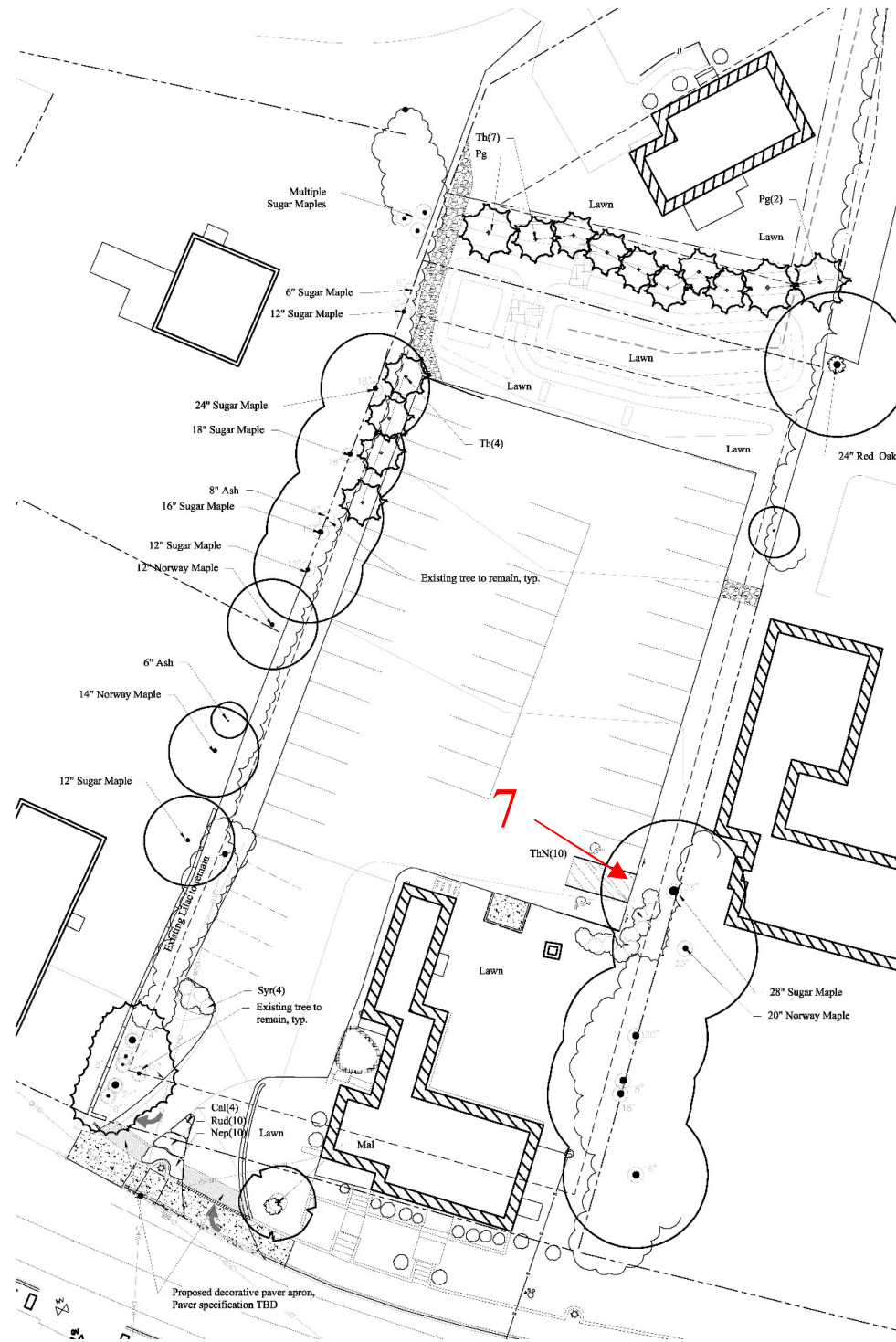

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*18 Main Street – Parking Expansion
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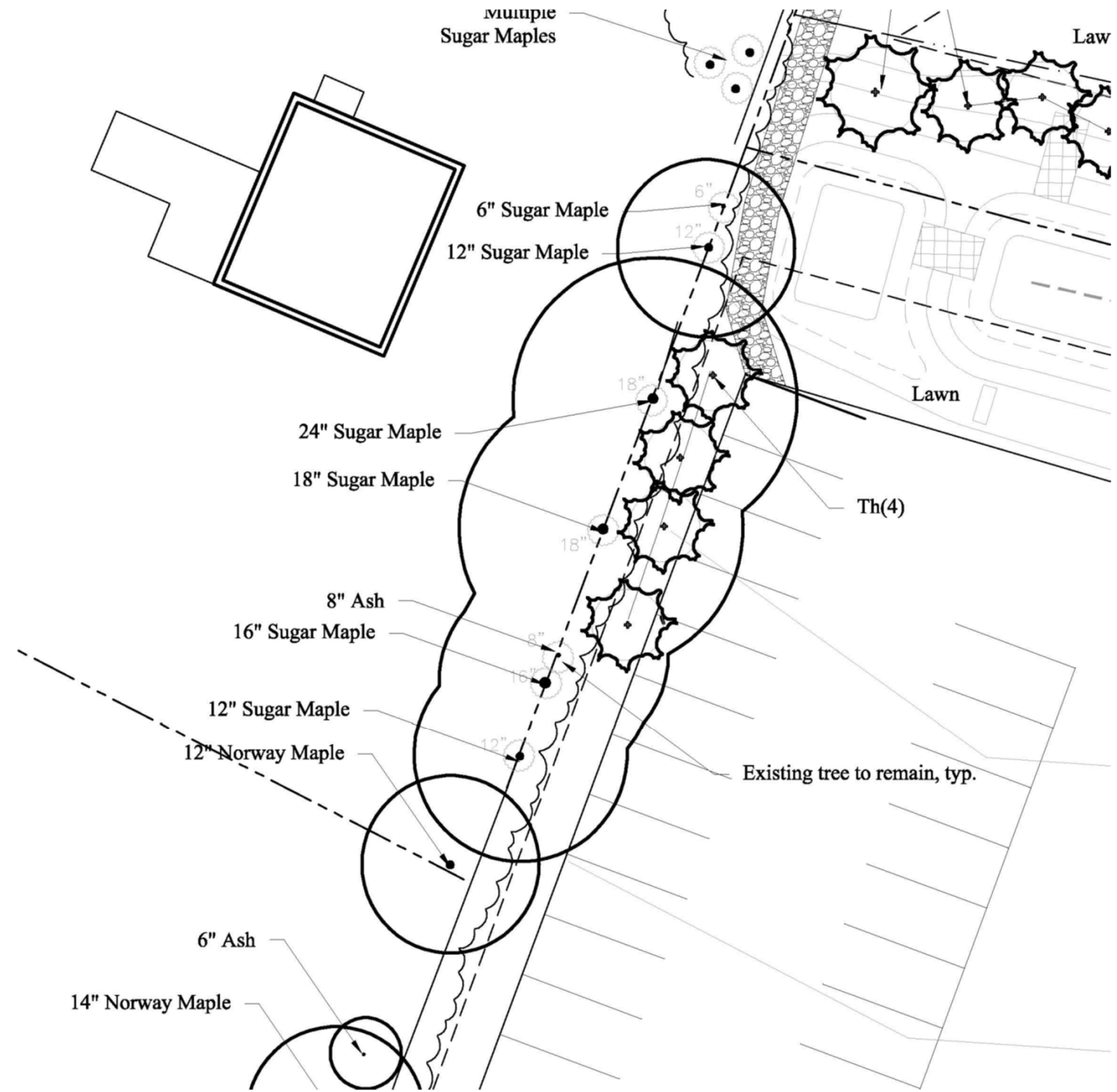

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 5 RAILROAD ST., P.O. BOX 359
 NEWMARKET, NH 03857
 PHONE: (603) 659-4979, FAX: (603) 659-4627
 E-MAIL: MJS@MJS-ENGINEERING.COM



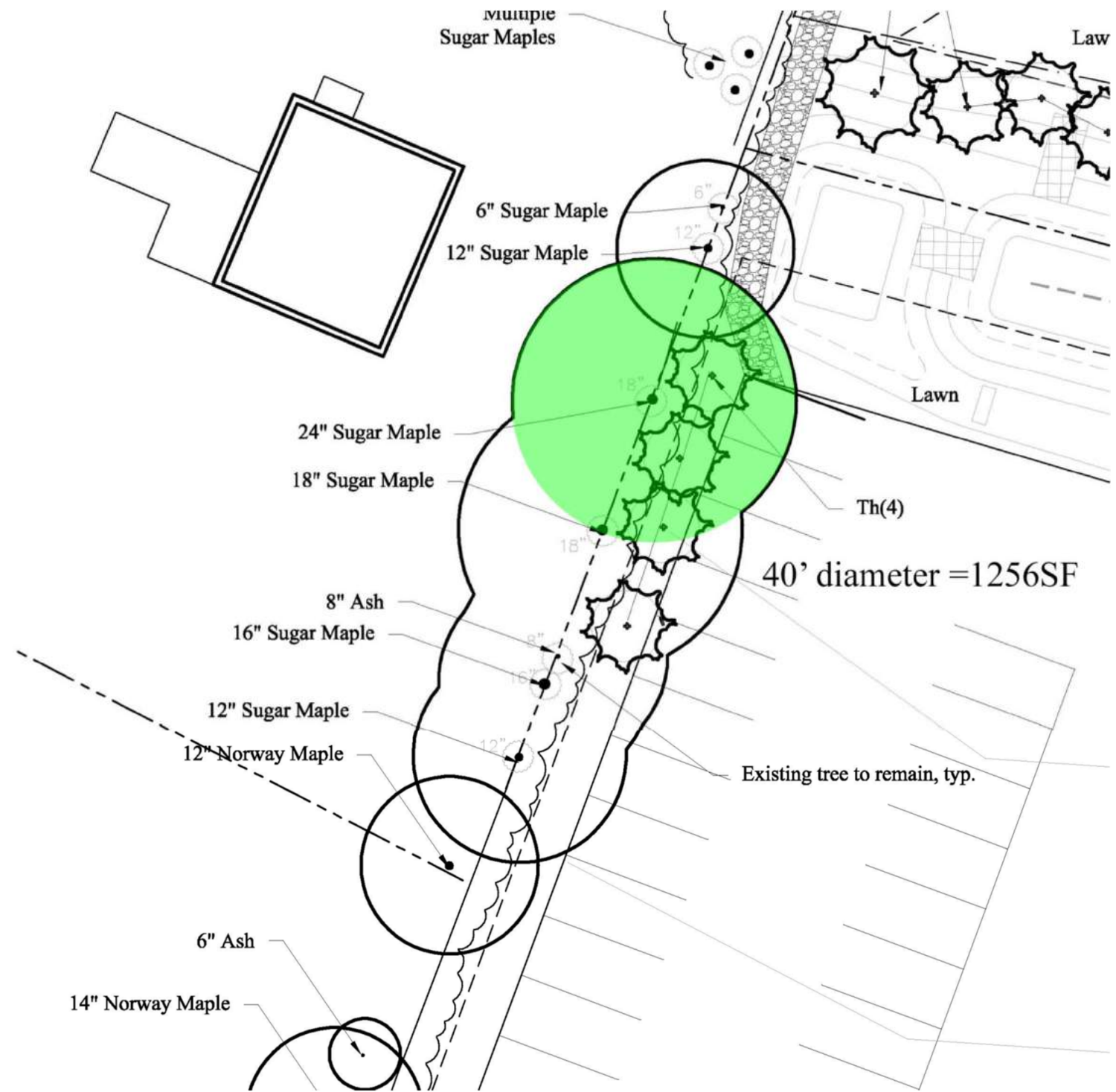
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Durham, New Hampshire*



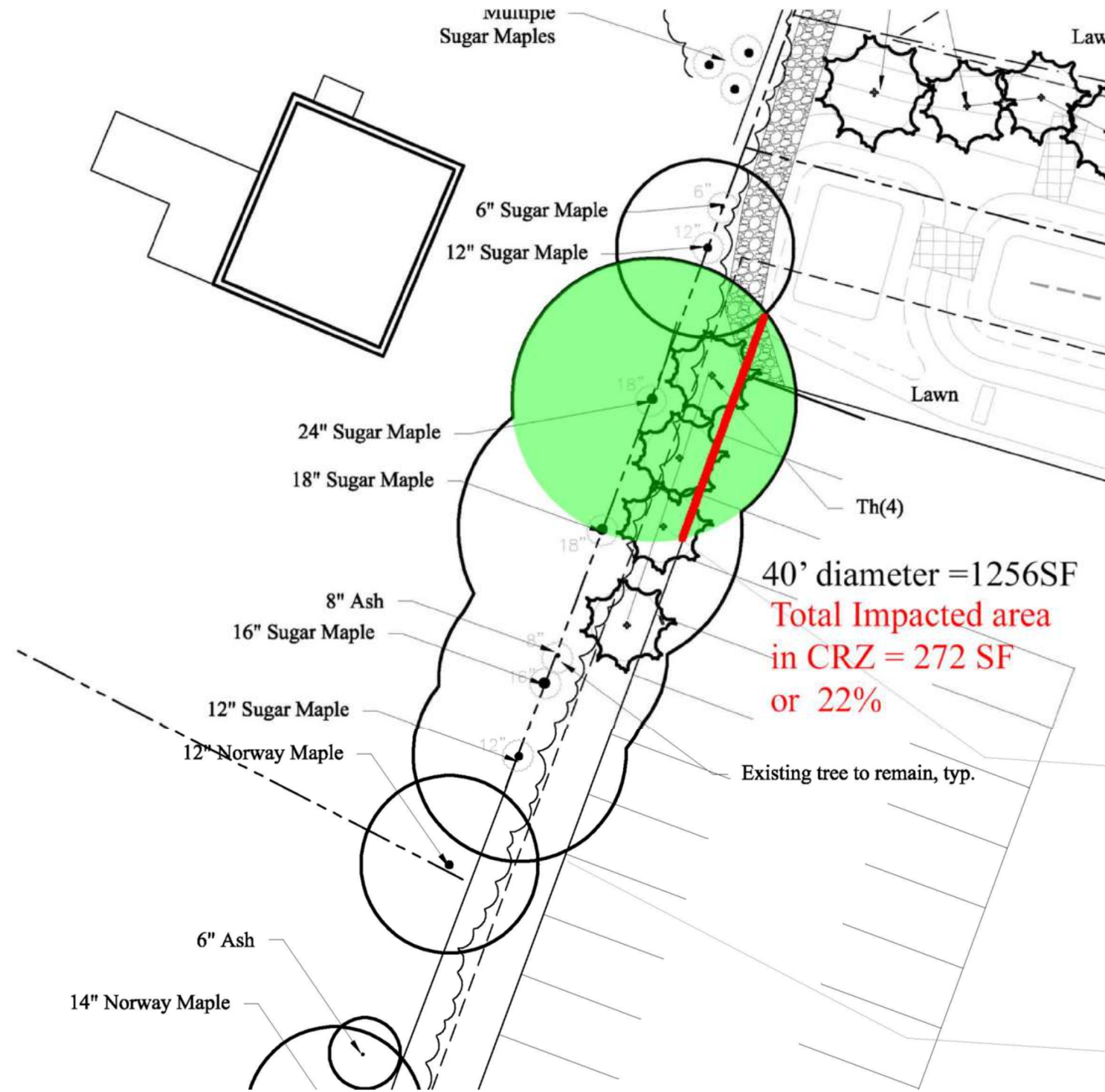
*18 Main Street – Parking Expansion
Durham, New Hampshire*



*18 Main Street – Parking Expansion
Durham, New Hampshire*



*18 Main Street – Parking Expansion
Durham, New Hampshire*



*18 Main Street – Parking Expansion
 Durham, New Hampshire*

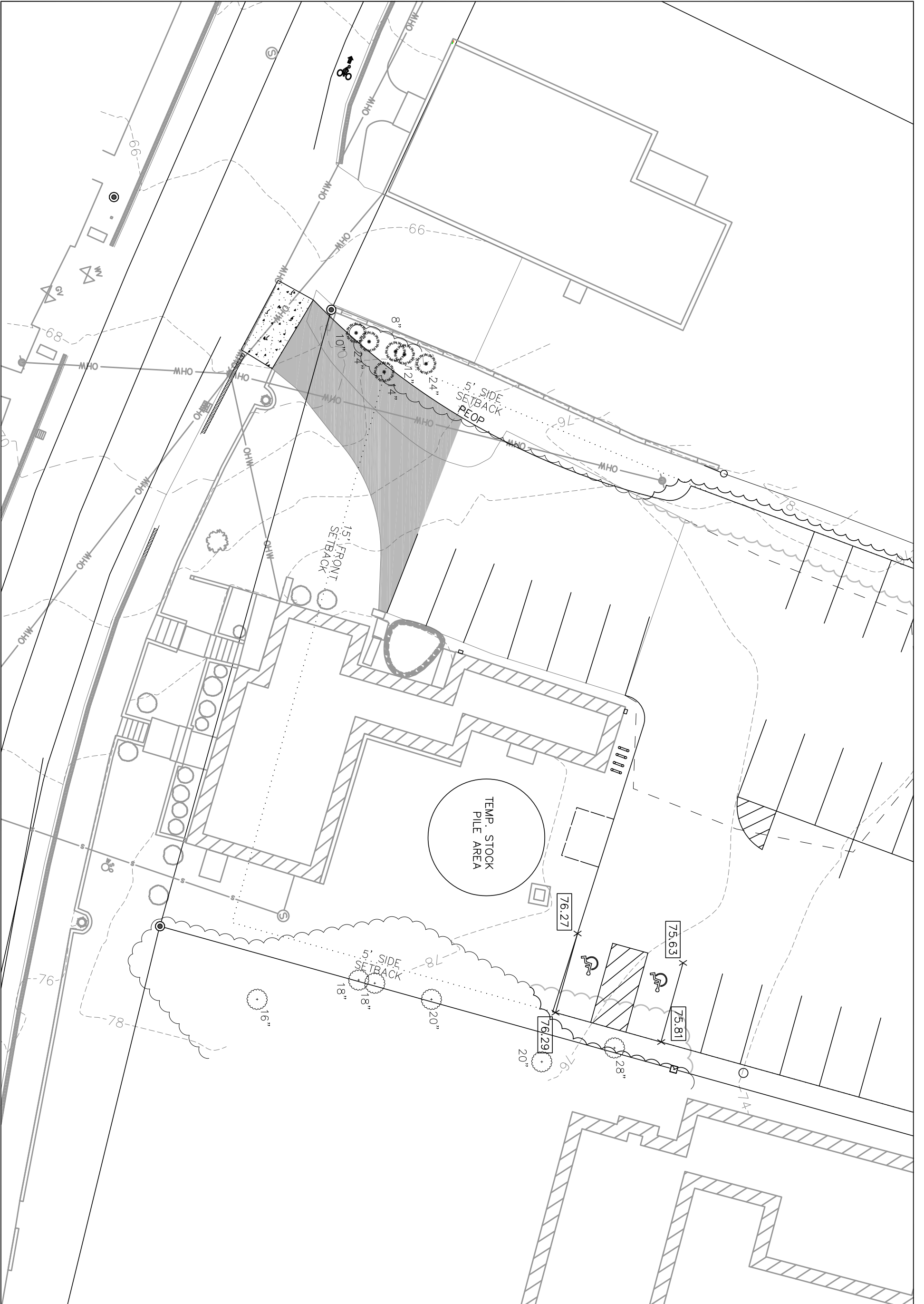
Tree Protection:


- Create a tree protection plan for the project
 - Illustrate limits of construction that are to be fenced and strictly enforced during construction.
 - Call out AirKnife trenching along the edge of proposed pavements to blow soils away from tree roots. Cleanly prune roots at the pavement edge, replace soils.
 - Call for fertilization of all trees to remain prior to construction.
 - Note that all areas under existing tree canopies (except areas to be paved) are to be protected with fencing or other appropriate measures.

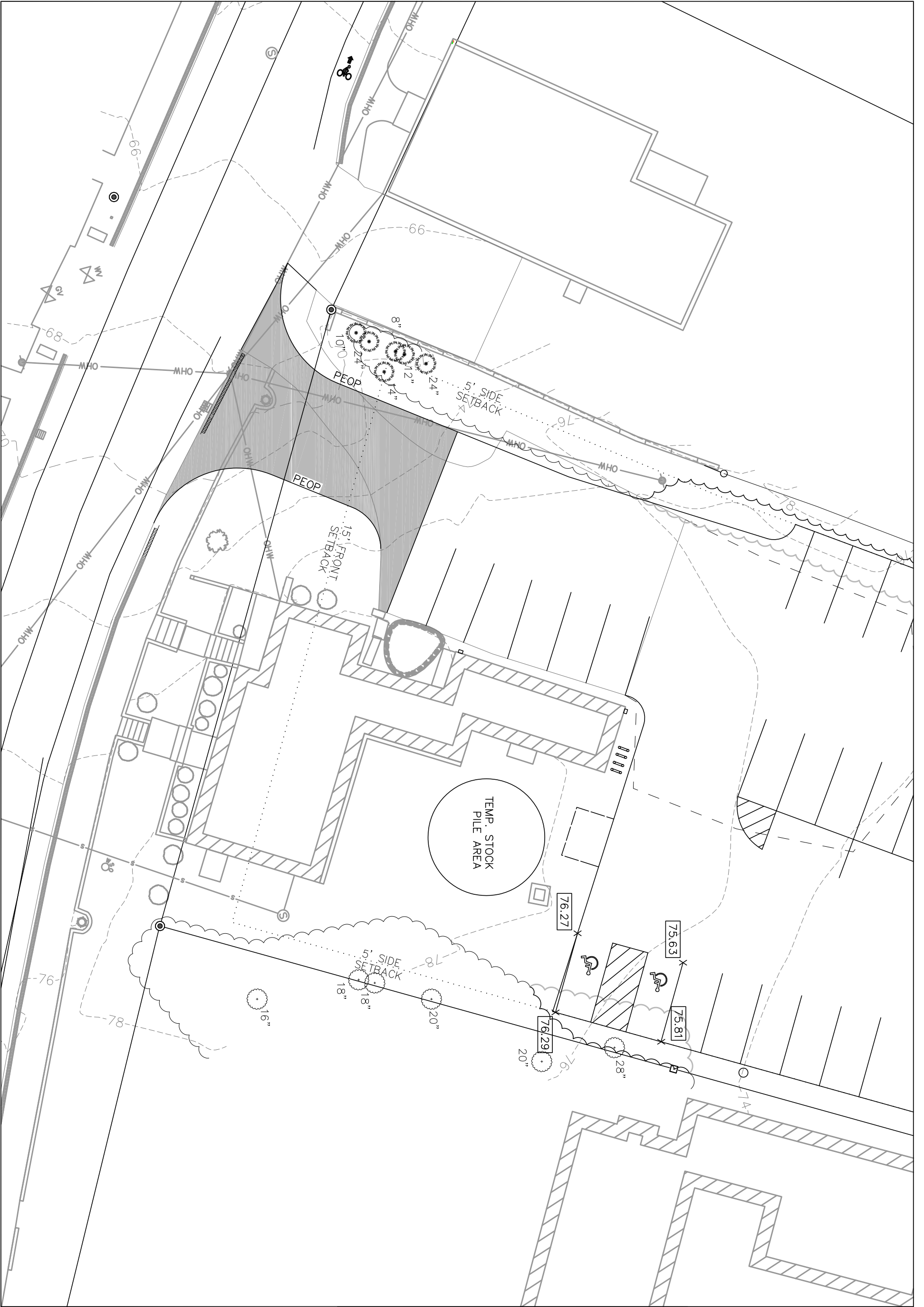


*18 Main Street – Parking Expansion
Durham, New Hampshire*





| | | | | |
|--------------------|--|--|---|-------|
| JOB: 18-040 OP1 |  MJS ENGINEERING, P.C. CIVIL • STRUCTURAL • ENVIRONMENTAL 5 RAILROAD ST., P.O. Box 359 NEWMARKET, NH 03857 PHONE: (603) 659-4979, FAX: (603) 659-4627 E-MAIL: MJS@MJS-ENGINEERING.COM | ENTRANCE OPTION #1 prepared for TOOMERFS, LLC TAX MAP 4, LOTS 34-5 AND 55 18 MAIN ST AND 12 COWELL DR. DURHAM, NH | DATE: 1/2/19 SCALE: 1"=20' DESIGNER: MJS DRAWN BY: EHK APPROVED BY: MJS | SEAL: |
| | | DATE: 1/2/19 SCALE: 1"=20' DESIGNER: MJS DRAWN BY: EHK APPROVED BY: MJS | SEAL: | |



JOB: 18-040
OP2

MJS ENGINEERING, P.C.
CIVIL • STRUCTURAL • ENVIRONMENTAL
5 RAILROAD ST., P.O. Box 359
NEWMARKET, NH 03857
PHONE: (603) 659-4979, FAX: (603) 659-4627
E-MAIL: MJS@MJS-ENGINEERING.COM

ENTRANCE OPTION #2
prepared for
TOOMERFS, LLC
TAX MAP 4, LOTS 34-5 AND 55
18 MAIN ST AND 12 COWELL DR. DURHAM, NH

| |
|------------------|
| DATE: 1/2/19 |
| SCALE: 1"=20' |
| DESIGNER: MJS |
| DRAWN BY: EHK |
| APPROVED BY: MJS |

SEAL: