MINUTES
Strafford Regional Planning Commission
Regional Impact Committee
150 Wakefield Street, Suite 12, Conference Room 1A
Rochester NH 03867
October 3, 2012

RIC Members Present: Chairman Edmund Jansen, Jr. (Rollinsford), Tom Clark (Dover), Sandra Keans (Rochester), Brandon Anderson – (Alternate-Durham)

Staff Present: Cynthia Copeland, AICP, Executive Director, Gregory M. Jones, Regional Planner

Others Present: Joseph M. Persechino, P.E., LEED AP (Tighe & Bond Consulting Engineers), Dan Fitzpatrick (Peak Development, LLC), John Wallace (Oyster River Local Advisory Committee).

1. Introductions

Chairman Jansen called Regional Impact Committee (RIC) meeting of October 3, 2012 to order at 3:00 PM and noted members present as listed above. Attendees introduced themselves.

2. Committee Membership

Cynthia Copland reminded members that the last Regional Impact Committee (RIC) meeting was held on April 16, 2012 and stated that the present members E. Jansen, T. Clark, and S. Keans constituted a quorum. Copeland reminded the Committee that the Regional Impact review is pursuant to New Hampshire RSA 36:54. The purpose of this legislation is to:

I. Provide timely notice to potentially affected municipalities concerning proposed developments, which are likely to have impacts beyond the boundaries of a single municipality.
II. Provide opportunities for the Regional Planning Commission and the potentially affected municipalities to furnish timely input to the municipality having jurisdiction.
III. Encourage the municipality having jurisdiction to consider the interests of other potentially effected municipalities.

C. Copeland reminded the Committee further that the Regional Impact Guidelines for Communities document was formally approved on September 29, 2011. This document outlines the Committee Bylaws, processes by which the Regional Impact Committee is to conduct its business, and lists the review standards to be followed during the regional impact review.

3. Action Items

C. Copeland directed the RIC members and guests to the Draft #2 SRPC Technical Review document and requested that the project applicant provide a brief synopsis of the Peak Campus Development, LLC business model and proposed student housing apartment complex on Mast Road in Durham.

Dan Fitzpatrick (Peak Development Consulting, LLC 6350 Meetinghouse Road, Suite 100 New Hope, PA 18938-5748) thanked the Committee for meeting to discuss the project and informed members that Peak Campus Development, LLC is a national developer of student housing, with over 10,000 student beds being managed at 46 properties with over 90% occupancy levels. Fitzpatrick stated that Peak Campus Development, LLC has over 500 employees based largely on-site.

D. Fitzpatrick stated that the 16.8 acre project site is located on Mast Road abutting the UNH West Edge lot, and is proposed to service the UNH student population. The plan calls for 470 parking spaces, shared driveway with the UNH West Edge property, as well as two (2) and four (4) bedroom units. Proposed building styles will consist of three (3) story and two (2) story town-home/cottage type style buildings. Fitzpatrick stated that the smaller two (2) story buildings will be constructed along the perimeter of the site with the larger buildings being located near the interior portions of the site. Fitzpatrick stated that a clubhouse is provided with the plan, outdoor recreational opportunities are included in the form of volleyball and wiffleball facilities, a bus stop is planned to provide shuttle services to campus, bicycle storage facilities are provided (approximately 100 bicycle spaces), and a potential future walking trail and other amenities have been included with the plan.

D. Fitzpatrick informed the Committee that the proposed start of construction is spring 2013, with a proposed delivery date of fall 2014 for the academic calendar year.

C. Copeland inquired if RIC members or others had any questions or comments to make before proceeding with the Draft #2 technical review.

T. Clark stated that he and City of Dover staff, have reviewed the plan and feel it provides a good amount of detail and represents a good project in a good location.

Sandra Keans inquired as to the proposed bike storage capacity. D. Fitzpatrick stated that there are several proposed locations for vertical bicycle storage (12-15 bikes per unit) with additional bike storage areas being located by the proposed clubhouse. Joe Persechino stated that the total approximate bike storage capacity on-site is 100 (1/4 of the proposed beds).

Traffic-Access-Parking

1. Will the development cause an increase in traffic that will diminish the capacity or safety of the street system in the adjacent town/city?

Copeland stated:
The application contains information regarding a maximum number of 460 proposed beds within a 142-unit apartment-style housing development. The plan proposes four hundred and seventy (470) parking spaces to be distributed throughout the property.

According to the SRPC annual traffic count data in the vicinity of the project site, the count performed on Main Street west of Madbury Road in September of 2011 captured an Average Daily Traffic (ADT) of 12, 533 vehicles. The count performed on NH155A west of Mast Road in September of 2011 shows an ADT of 8,575. Peak traffic in the morning on NH155A west of Mast

Road is between 8:00-9:00 and between 9:00-11:00 on Main Street west of Madbury Road. Peak traffic in the evening occurs between 4:00-5:00 on NH155A west of Mast Road and between 5:00-6:00 on Main Street west of Madbury Road.

It can be reasonably anticipated that the addition of 470 potential daily vehicles as a result of this project may add a significant number of turning movements onto Route 155A. However, due to the project's close proximity to the UNH campus, bus stop provision, use of shuttle services, and ability of students to walk to class via the project's potential future path along Mast Road, these mitigations may reduce the project's impact on the local transportation network. We recommend that a walking path connecting to the existing path north of Mast Road on UNH property be implemented as part of this Site Plan, to continue the achievements of the UNH Transportation and Parking Demand Management Program, which has successfully encouraged walking and biking in areas proximate to the core of the UNH campus.

Has a request for variance been considered to reduce the proposed parking spaces and associated vehicles to the street network?

In the Strafford Regional Planning Commission's most recent transportation project solicitation with communities and agencies in the region, NHDOT District 6 and UNH highlighted the intersection of Route 155A and Main Street as a safety issue due to high volumes of traffic, pedestrians, bus, and cyclists. The future needs for intersection safety improvements were recognized and the project is now included in the Strafford Metropolitan Transportation Plan.

With more housing available, and many residents that will likely be students at UNH, there is an increased potential for bike/pedestrian conflicts with motor vehicles on Route 155A and Main Street. Provisions for safe pedestrian and bike usage ("Complete Streets") of the transportation system in this area should be taken to ensure safe, equitable transportation opportunities for all modes. Additionally, consideration should be given to enhancing the safety of bicycle or pedestrian roadway crossings to mitigate potential implicit college-town conflicts.

J. Persechino informed the RIC members that the Site Plan has been engineered to conform to the requirements of the Town of Durham Zoning Ordinance and applicable regulations. Persechino opined that the required 1:1 parking spot/bed ratio allows the project to meet projected demand as there is limited on-site parking on campus for students with cars due to parking restrictions imposed by the University. Persechino informed the RIC members that a NHDOT driveway permit will be required for this project and therefore a traffic study is underway.

2. Will the development exceed, either individually or cumulatively, a level of service standard established by the adjacent town/city for designated roads or highways?

Copeland stated:
There is no information about level of service. The existing traffic volumes are discussed in the prior section. There may be concerns from abutting residents and local businesses about the safety of turning movements to and from their properties with the potential increased traffic from this development.

J. Persechino stated that the level of service data would be contained within the traffic study once finalized. Persechino stated that preliminary review indicates that the driveway intersection will function properly, but expressed concern that the intersection of 155A and Main Street may continue to function below standards, as it does currently.

3. Will the development substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., construction, gravel operation equipment)?

Copeland Stated:
This does not appear to be an issue (substantially increase hazards due to design feature).

4. Will the development result in inadequate emergency access?

Copeland stated:
Has the applicant commenced discussions with the University of New Hampshire and Town of Durham regarding the plans for emergency access?

J. Persechino informed the RIC that the project team is working closely with the University and Town of Durham, to design the most appropriate access scenario for the facility. Persechino stated that the original design called for ingress/egress from Mast Road with no intention of dual access with University property. After working with Durham Fire Department staff, and Town of Durham technical planning group, a shared driveway was proposed as the safest solution.

S. Keans inquired as to the possibility of traffic queue issues on Mast Road as a result of the proposed access way. Persechino opined that this does no appear to be a concern.

5. Will the development result in inadequate parking capacity?

Copeland stated:
The Town of Durham Zoning Ordinance requires that 1 parking space be provided for each resident of a dwelling unit permitted to be occupied by three (3) or more unrelated individuals. The plan proposes a total of 470 parking spaces (10 extra spaces – 460 beds).

The Site Plan appears to support adequate parking capacity for residents and guest parking.

D. Fitzpatrick stated that 10 extra parking spaces have been included with the Site Plan to provide employee and visitor parking. Fitzpatrick stated that many of the parking spaces will accommodate two vehicles (scooters).

6. Will the development conflict with adopted policies, plans, or programs supporting alternative transportation?

Copeland stated:
We recommend maintaining connectivity to the existing UNH multi-use trails as presented within the UNH Master Plan due to the project's close proximity to the University Campus. The application provides for a bus transit stop and associated shelter at the entrance to the site, a bike rack system and concrete pad at the proposed clubhouse, and 4 reduced size motorcycle/moped parking spaces.

We recommend providing additional parking for motorcycle/mopeds. What capacity is proposed for the bike rack system?

J. Persechino stated that the approximate bike storage capacity is 100 (1/4 of the proposed beds).

Noise

7. Will the development expose persons to or generate noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?

Copeland stated:
The objective of Chapter 175-120, General Requirements, of the Durham Zoning Ordinance, relative to this question to establish buffer strips between properties of different land uses in order to reduce the effects of sight and sound and other incompatibilities between abutting land uses; and to ensure that noise, glare and other distractions within one area do not adversely affect activity within another area.

According to the submitted Site Plan, abutters to this property which exist across Mast Road include:

- Map 13, Lot 7-2 (UNH)
- Map 13, Lot 11-0 (UNH)
- Map 13, Lot 7-0 (UNH)
- Map 13, Lot 5-0 (Park Court Properties, Inc.)
- Map13, Lot 6-1 (Chet Tecce, Jr. Revocable Living Trust)
- Map 13, Lot 10-0 (John A. Mcginty Revocable Trust and Patricia J. Mcginty Revocable Trust)

Immediate abutters to this property include:

- Map 13, Lot 3-0 (UNH West Edge Lot)
- Map 13, Lot 3-37 (UNH AG Land)

According to the submitted Site Plan, the development will require the removal of a significant portion of the existing perimeter tree line on the eastern and western sides of Lot 6-1, as well as over half of the trees and existing vegetation on Lot 10-0. It is possible that the removal of this vegetation, and associated noise buffer, may result in noise levels exceeding established standards. We recommend restoring perimeter vegetation and associated noise barrier to the extent possible.

The Landscaping Plan (Site Plan sheets 12 & 13) for this project was received on Monday 10/1/12. Note # 16 states that existing trees and shrubs to remain as part of this Site Plan will be left in an undisturbed state. To what extent will the existing on-site mature vegetation be retained?

Are there concerns for the potential loss of tree stability as a result of root mass removal and/or potential root mass decay for the mature trees which will be retained? Currently, these root masses provide tensile reinforcement; especially in areas of slope.

Note #19 states the contractor will guarantee that all landscape stock will exist in acceptable condition for a period of one (1) year. In addition, any landscape stock which exhibits less than 80% healthy growth at the end of the one (1) year will be replaced by the contractor.

Note #20 states that the landscape maintenance after the one (1) year period stated above shall be the responsibility of the owner. We recommend that this note be amended to require the owner maintain the landscaping in perpetuity.

J. Persechino stated informed the RIC that the plan will maintain the existing perimeter tree line to extent possible. The intention is to return these perimeter areas to full vegetative cover. Persechino stated that there is potential loss of vegetation due to blow-down during construction, however no vegetation within the 75' wetland buffer setback will be removed. Persechino stated that the perimeter

vegetation in question does not support a large amount of mature trees and is largely comprised of saplings and shrubs.

D. Fitzpatrick assured the RIC that the property owners (Peak Development, LLC) have every intention to properly maintain the landscaping on-site. Fitzpatrick expressed concern with amending note #20 as the landscaping maintenance activities and/or landscape plan may be amended in the future.

8. Will the development expose persons to or generate excessive ground borne vibration or ground borne noise levels?

Copeland stated:
There do not appear to be blasting operations proposed with this Site Plan. Due to the lack of surrounding residential uses, exposure to excessive ground borne vibration and/or noise level's is unlikely.

D. Fitzpatrick informed the RIC members that some ledge does exist on-site, which will require the use of blasting activities during construction. J. Persechino stated that the 4' frost line and need for buried utilities may result in some ground bourn vibration during construction. Persechino assured the RIC that the Town of Durham Zoning Ordinance requirements would be adhered to.

9. Will the development substantially and permanently increase ambient noise levels in the project vicinity above existing levels?

Copeland stated:
This information is not known at this time. Pictures of the site will be provided at the RIC meeting on October 3, 2012.

10. Will the development substantially increase temporary or periodic ambient noise levels in the project vicinity above existing levels?

Copeland stated:

See Sections above on NOISE. The project would be located off a state highway (155A), which functions as a regional commute route with current traffic levels exceeding 12,000 vehicles per day. It seems from the nature of the existing on-site land uses (apple orchard on 6-1 & residence on 10-0) that a 142-unit student housing complex may contribute to an increase in periodic ambient noise levels after construction and will most likely contribute to an increase in temporary ambient noise levels during construction.

11. Is the development located within an airport zone or within two miles of an airport or airfield, where the project would expose residents or employees in the project area to excessive noise levels?

Copeland stated:
The project site is not within two-miles of an airport or airfield and therefore this project will not expose residents or employees in the project area to excessive noise levels.

Hazardous Materials or Substances

12. Will the development create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Copeland stated:
No, the development will not create a significant hazard through the routine transport, use or disposal of hazardous materials.

A note on Sheet 3 (Demolition Plan) states that "All materials scheduled to be removed shall become the property of the contractor unless otherwise specified. The contractor shall dispose of all materials off-site in accordance with all Federal, State, and local regulations, ordinance, and codes"

Will a Stormwater Pollution Prevention Plan (SWPPP) and/or other environmental documentation be required for this site?

J. Persechino informed the RIC that a SWPPP will be required for this property, as well as an Alteration of Terrain (AOT) permit from the NHDES.

13. Will the development create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Copeland stated:
The Site Plan and application do not indicate the foreseen creation of a significant hazard to the public and/or environment, or the future release of any hazardous materials into the environment.

We recommend that a re-enforced erosion control scheme be installed along the wetland buffer at the southeast corner of lot 10-0 and along buffer at the northwest portion of lot 6-1. The contour lines in these two areas depict an approximate 10' elevation drop from the edge of the wetland buffer to the edge of the delineated wetland. Extensive proposed vegetation removal and root mass grubbing activities may create an unstable condition which warrants extra erosion controls to ensure the protection of the proximate wetland system(s) and associated functional value.

J. Persechino directed the Board to the Site Plan erosion control detail sheets and provided a brief description of the proposed scheme. Persechino informed the RIC that stump pulp berm/silt fence and/or silt sock combinations will be used to ensure against the transport of fines off-site.

14. Will the development produce hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?'

Copeland stated:
No, the development will not produce hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

15. Will the development be located on a site that is included on a list of hazardous materials sites compiled by the NH Department of Environmental Services and, as a result, would it create a significant hazard to the public or the environment?

Copeland stated:
No, the development will not create a significant hazard through the routine transport, use or disposal of hazardous materials.

There are two (2) known Water Quality Hazard Sites, two (2) Hazardous Waste Sites, and two (2) Groundwater Hazard Sites located approximately 1,000 linear feet from the project site (Map 13 Lot 3-1UNH). This is the lot accessed by Leavitt Lane and west Edge Drive.

Ecology and Resources

16. Will the development have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the U.S. Fish and Wildlife Service?

Copeland stated:
A review of the Natural Heritage Bureau's (NHB) Data Check Tool shows that there are NHB records of rare plants and/or exemplary natural communities on or in the vicinity of the project site which may be adversely impacted by project implementation. A further check of the data by NHB is required before a project applicant can obtain an official letter from NHB to submit to the appropriate regulatory authority (i.e. Alteration of Terrain Bureau).

J. Persechino presented the RIC with a 10/3/2012 letter from Kim Tuttle, Certified Wildlife Biologist with NHFG Nongame and Endangered Species Program, which listed the species of concern in the vicinity of the project area. Of the listed species, migratory waterfowl, shorebirds, and passerines were seen to be potentially affected by this project. Within Ms. Tuttle's letter, she recommended that a natural wooded buffer (trees and shrubs) be maximized and preserved along the westerly and northerly edges of the Mast Road Apartment's property to minimize visual noise disturbance impacts to resting and feeding migratory birds at the adjacent agricultural field site.

17. Will the development have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the NH Department of Fish and Game or US Fish and Wildlife Service?

Copeland stated:
According to the *Land Conservation Plan for New Hampshire's Coastal Watershed's (2006)*, a Conservation Focus Area (CFA) is a priority for protection of living resources and water quality in the coastal watersheds. Each Conservation Focus Area is comprised of a Core Area which contains the essential natural resources for which the focus area was identified.

The 2690 acre Conservation Focus Area known as the *Oyster River Conservation Focus Area* consists of two large areas linked by a small linear landmass which follows along the Oyster River. The proposed development is located within the southern portion of the *Oyster River Conservation Focus Area;* and approximately 2.29 acres (50%) of subject lot 10-0 is located within the Core Area. In addition, a 2.04 acre (16%) of Lot 6-1 is within the same Core Area. See The Land Conservation Plan for New Hampshire's Coastal Watersheds Conservation Focus Area Map.

The NH Wildlife Action Plan (NHWAP) lists the majority of both lots 10-0 and 6-1 as being located within the Highest Ranked Habitat in the State of New Hampshire. Also, lands listed in the NHWAP as containing the Highest Ranked Habitat in the Biological Region exist across Mast Road in proximity to the subject property.

All lands surrounding the subject properties have been acquired by Fee Simple Ownership and are not under permanent conservation.

The Town of Lee Conservation Lands map shows permanently conserved lands (Ellis Oyster River Reserve) just across the Oyster River and Townline which are contiguous to the open space agricultural lands existing in Durham. See town of Lee Land Map.

Chapter 4 (Environmental and Cultural Resources – Surface Water and Estuarine Resources Issues, Goals, and Recommendations) of the Town of Durham Master Plan recommends that "*the Zoning Ordinance should strive to keep impervious surface below 15% within each of the primary estuarine tributary watersheds for the Great and Little Bays. The primary estuarine watersheds within Durham for the Great and Little Bays are as follows: Lamprey River, Crommet Creek, Several Creeks in the vicinity of Colony Cove, Oyster River, and Bellemy River*". Currently, the Durham Zoning Ordinance allows for up to 50% impervious surface in the Office Research Light Industrial Zoning District. The Site Plan proposes 40% (290,050 square feet) of impervious surface area.

Chapter 4 (Wildlife Habitat Management) of the Durham Master Plan states that "*The Un-fragmented Lands map shows the various blocks of un-fragmented lands in Durham and their size. For optimum wildlife habitat, these blocks should be void of significant human activity or development*".

After a review of the 2010 New Hampshire Fish & Game Wildlife Action Plan un-fragmented lands shapefile, both subject lots are noted as being part of an un-fragmented land corridor that connects to conservation lands in the Town of Lee.

J. Persechino opined that the identified portion of the Oyster River Conservation Focus Area is largely developed currently (existing home), and stated that the remaining portions are within the on-site wetlands, which will be retained in their natural state.

18. Will the development have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Copeland stated:
No substantial adverse impact to federally protected wetlands as defined by Section 404 of the Clean Water Act will occur as a result of this project. No impacts to wetlands of any size or under any jurisdiction will be impacted by the project.

19. Will the development interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Copeland stated:
The NH Wildlife Action Plan (NHWAP) lists the majority of both subject lots 10-0 and 6-1 as being located within the Highest Ranked Habitat in the State of New Hampshire. Also, lands listed in the NHWAP as containing the *Highest Ranked Habitat in the Biological Region* exist across Mast Road in proximity to the subject property. We do not anticipate the project will interfere substantially with the movement of any native migratory fish.

The condition of wildlife habitats in the project area were ranked for the *NHWAP* by analyzing the biological, landscape and human impact factors most affecting each habitat type. Biological factors include the presence of rare plant and animal species and the overall biodiversity of an area. Landscape factors include size of habitat and its proximity to other patches of that habitat. Human impact factors include density of roads around the habitat, dams, recreational use, and pollution. The

characteristics of this property contributed to the *NHWAP's* high habitat ranking for this area and deserve attention during the planning process. It is reasonable to anticipate that this project will impact these habitats negatively.

Maintaining the continuity of lands in the Conservation Focus Area (CFA) as described in the *Land Conservation Plan for New Hampshire's Coastal Watershed's (2006)* is critical to movement of wildlife, especially large game animals. After a review of the CFA's extent, it appears that lot 6-1 will avoid direct impact and lot 10-0 will impact most, if not all, of the on-site CFA. As mitigation, we recommend taking steps to preserve the CFA area on Lot 10-0 to the extent possible.

J. Persechino opined that the identified portion of the Oyster River Conservation Focus Area is largely developed currently (existing home) and stated the remaining portions are within the on-site wetlands which will be retained in their natural state. J. Persechino opined that the statement "it appears that lot 6-1 will avoid direct impact and lot 10-0 will impact most, if not all, of the on-site CFA" is incorrect. Persechino, RIC members, and SRPC staff agreed that approximately 40%-50% of lot 10-0 is within the Oyster River Conservation Focus Area.

20. Will the development conflict with any local policies or ordinances protecting biological resources, such as a conservation easement, tree preservation policy or ordinance?

Copeland stated:
The applicant has met with the Town Planner and Planning Board, and will likely meet with the Town Conservation Commission regarding these aspects of town regulations and ordinances.

J Persechino stated that the project team does not anticipate meeting with the Town of Durham Conservation Commission, as no wetland impacts are proposed with this project. Persechino stated that the project team will meet with the Durham Planning Board on October 10, 2012. Currently, the plans have been accepted as complete, and only conceptual design review and design review stages of the planning process have occurred to date.

21. Will the development conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

Copeland stated:
See discussion listed above for the *Land Conservation Plan for New Hampshire's Coastal Watershed's (2006)*, the *NH Wildlife Action Plan (NHWAP)*, and the Town of Lee Conservation Lands. The Durham Planning Board and Conservation Commission would be addressing their plans.

Town of Durham Conservation Goals should be addressed with the Conservation Commission as part of the planning process for this application.

J Persechino stated that the project team does not anticipate meeting with the Town of Durham Conservation Commission, as no wetland impacts are proposed with this project.

22. Will the development have a substantial adverse effect on Groundwater Quality?

Copeland stated:
State maps show that the subject properties are not located over a stratified drift aquifer. Therefore, we do not anticipate any adverse impacts associated with groundwater quality occurring as a result of this project.

The Site Plan indicates a proposed sewer line will connect with the existing sewer line on Mast Road.

23. Will the development have a substantial adverse effect on Air Quality?

Copeland stated:
There is insufficient information currently available to answer this question. It is reasonable to anticipate that most air quality effects resulting from this project would occur during the construction process. It is possible that the additional traffic may have impacts on air quality.

The applicant has included a note to the plan set which states "The contractor shall be responsible for controlling dust and wind erosion throughout the construction period. Dust control measures shall include, but are not limited to, sprinkling water on unstable soils subject to air conditions".

G. Jones inquired as to the potential for on-site burning activities during construction. D. Fitzpatrick stated that he does not anticipate burning activities but the construction process has not yet been finalized. Fitzpatrick informed the RIC members that chipping activities will be the primary activity utilized to dispose of removed vegetation.

Hazards-Public Health and Safety

24. Will the development expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides or flooding?

Copeland stated:
The proposed development is not within any known floodplain. Therefore, we do not anticipate the development will expose people or structures to any adverse impacts.

25. Will the development result in substantial soil erosion or the loss of topsoil?

Alternate member Brandon Anderson (Durham) entered the meeting at 3:53pm. After some discussion, it was determined that the RIC does not require a voting alternate due to current quorum, and agreed that no conflict of interest exists.

Copeland stated:
The applicant has included a note to the plan set which states "prior to any work or soil disturbance commencing on the subject property, including moving of earth, the applicant shall install all erosion and siltation control measures as required by state and local permits and approvals".

The applicant has included a note to the plan set which states "The contractor shall be responsible for controlling dust and wind erosion throughout the construction period. Dust control measures shall include, but are not limited to, sprinkling water on unstable soils subject to air conditions".

The project is proposed to be located on a 7+ acre apple orchard (Lot 6-1) supporting 31 rows of apple trees. It is reasonable to anticipate that a significant amount of natural soil disturbance will occur as a result of this project and the proposed tree removal/root mass grubbing activities which are proposed with this application.

We recommend that a re-enforced erosion control scheme be installed along the wetland buffer at the southeast corner of lot 10-0 and along buffer at the northwest portion of lot 6-1. The contour lines in these two areas depict an approximate 10' elevation drop from the edge of the wetland buffer

to the edge of the delineated wetland. Extensive proposed vegetation removal and root mass grubbing activities may create an unstable condition which warrants extra erosion controls to ensure the protection of the proximate wetland system(s) and associated functional value.

Chair E. Jansen inquired if the on-site apple trees will be harvested in order to keep the historic apple tree lineage from disappearing. D. Fitzpatrick informed the RIC that discussions are underway to determine survivability expectations and possibility of tree re-location. Fitzpatrick informed the RIC that they do not know if the current owner will take the trees.

26. Will the development be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Copeland stated:
After a review of the Strafford County Soils data layer (provided by the National Resource Conservation Service), we found that subject lot 6-1 is comprised of Scantic Silt Loam, Hollis Charlton Fine Sandy Loams, and Windsor Loamy Fine Sand (Prime Farmland Soil). Lot 10-0 is comprised of Hollis Charlton Fine Sandy Loam and a small section of Saugatuck Loamy Sand.

We feel the potential for on/off site landslides, lateral spreading, subsidence, liquefaction and/or collapse is unlikely based on soil types, proposed site alterations, and NHDES Alteration of Terrain Bureau performance oversight.

J Persechino directed the RIC members to the Drainage Report appendices which contain a Site Specific Soil Survey for the subject property. J Persechino informed the RIC that USDA data does not provide the level of detail contained in the Site Specific Survey.

27. Will the development be located on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Copeland stated:
The Site Plan proposes water/sewer lines be connected to existing utilities along Mast Road.

Facilities

28. Will the development require new or expanded public facilities or services in the adjacent municipality in order to maintain acceptable service ratios, response times or other performance standards for any of the following public services?

Copeland stated:

- Fire protection?
  This information is unknown. Sheet 14 of the submitted plan-set provides a Truck/fire Truck Turning Plan. T. Clark inquired as to the proposed fire lane striping and fire suppression system. D. Fitzpatrick stated that the project team is working closely with the Town of Durham Fire Department.
- Police protection?
  It can be expected that this development will expand the need for police protection due to the very nature of a college town. Chair E. Jansen inquired which law enforcement agency will be presiding over the facility. D. Fitzpatrick stated that all

law enforcement is welcome but the project is serviced by the Town of Durham Police Department.

- o Schools?
  Is it possible for this facility to accommodate workforce housing? If so, expansion of public school facilities may occur. D. Fitzpatrick stated that per the Fair Housing Act, he cannot turn away any potential resident.
- o Parks?
  This information is unknown. D. Fitzpatrick stated that several amenities are being proposed with the Site Plan.
- o Solid Waste
  This project proposes to install three (3) refuse/recycling collection enclosures to address solid waste.
- o Other public facilities
  This information is unknown

29. Will the development cause an increase in new or expanded utilities, treatment facilities, storm water, water supplies, etc., that would result in a negative financial or environmental impact to the adjacent municipality?

Copeland stated:
According to NHDES infrastructure data, water and sewer utilities are located in proximity to the project site (Mast Road, Route 155A/Main Street). The Site Plan calls for the installation of sewer to be connected to exiting lines on Mast Road. The existing system appears to have adequate capacity to accommodate this project.

Scenic and Visual Character

30. Will the development convert Prime Farmland to non-agricultural use?

Copeland stated:
The majority of the subject parcels do not contain soils categorized by NRCS as Prime Farmland. However, NRCS data does show that the northeastern and southeastern portions of Lot 6-1 contain Prime Farmland Soil (Windsor Loamy Fine Sand) and the southeastern portion of Lot 10-0 contains Prime Farmland soils as well (Windsor Loamy Fine Sand). All three areas equal 0.19 acres of Prime Farmland. See Prime Farmland Map.

The Town of Durham Master Plan (Farmland – Issues, Goals, and Recommendations) states that "*active farmland and prime soils should be targeted for conservation and farmland easements. The NRCS Farmland Protection Program and other programs through the USDA and the State should be promoted in the farming community as a means to continue farming operations*".

31. Will the development conflict with existing zoning for agricultural use?

Copeland stated:
This project is located on land within the Office Research Light Industrial (ORLI) zoning district.

32. Will the development involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Copeland stated:
Yes. Both Prime Farmland and local importance farmlands will be converted to a non-agricultural use as a result of this project. See Prime Farmland Map.

J Persechino directed the RIC members to the Drainage Report appendices which contain a Site Specific Soil Survey for the subject property. J Persechino informed the RIC that USDA data does not provide the level of detail contained in the Site Specific Survey.

33. Will the development have a substantial adverse effect on a scenic vista?

Copeland stated:
It is reasonable to anticipate that community members may feel that this project will have negative impacts on existing scenery in this area of Durham. See site photos.

J Persechino stated that the Site Plan has been designed to maintain perimeter vegetation. Persechino stated that the project team has been working with the Town Planner on architectural façade.

34. Will the development substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Copeland stated:

The development site is not located in the vicinity of a state scenic highway. However, it can be reasonably anticipated that the removal of a 31 row apple orchard, as well as acres of existing natural vegetation and tree stands may damage or negatively impact the area's scenic resources.

Chair E. Jansen inquired if the project is suitable for the gateway to the University. D. Fitzpatrick stated that the University is supportive of their plan.

35. Will the development substantially degrade the existing visual character or quality of the site and its surroundings?

Copeland stated:
It can be reasonably anticipated that the removal of a 31 row apple orchard, as well as acres of existing natural vegetation, and tree stands, may damage or negatively impact the area's scenic resources. The Landscaping Plan indicates that some existing perimeter vegetation will be retained, and 17 existing apple trees will be transplanted. To what extent will existing mature on-site vegetation be retained? Will the existing on-site stone walls along Mast Road be retained as part of this project?

J. Persechino informed the RIC that existing stone walls will largely be retained, and perimeter vegetation will be established to maintain scenic character and noise reduction benefits.

36. Will the development create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Copeland stated:
The Photmetrics Plan (Sheet 23 of the Site Plan) was submitted on 10/1/2012. Associated details show full cutoff, Dark Skies compliant lighting fixtures.

37. Will the development conflict with any applicable land use plan, policy, or regulation including, but not limited to the master plan or zoning ordinance?

Copeland stated:
A Conditional Use Permit is required for residential uses to be constructed within the town's Office Research Light Industrial (ORLI) Zoning District. There have been no variance requests, and all wetland buffer requirements will be adhered to.

38. Will the development conflict with any applicable habitat conservation plan or natural community conservation plan?

Copeland stated:
The proposed development will overlap with published habitat conservation plans that identify the area as supporting exemplary natural communities and habitat types. Recommend steps be taken to mitigate potential impacts to these resources, and their values to the surrounding habitat community.

Housing and Population Growth

39. Will the development induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Copeland stated:
The proposed development moves student residential housing beyond the scope of the current 2004 Campus Master Plan prepared by UNH. Whether this application induces substantial student housing growth by private entities beyond the Campus Master Plan may be a question to be discussed by the University and the developer, and other future developers. The UNH Master Plan goals/objectives should be taken into account during the planning phases of this project. The Draft Final 2012 UNH Master Plan is now available for review; a Public Hearing to discuss the Master Plan will occur in October 2012.

40. Will the development displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Copeland stated:
The proposed development does not displace substantial numbers of existing housing necessitating replacement housing elsewhere

41. Will the development displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Copeland stated:
No. This project will not result in the displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere.

42. Is the development compatible with existing or planned cross border development?

Copeland stated:
The Town of Lee is the closest abutting community to the project site. The Town will be able to discuss potential concerns at the public hearing if it so chooses. The only cross border development in this area is the protection and conservation of lands along the Oyster River, which is a portion of the water supply for the University and Town of Durham.

T. Clark inquired if this project will be constructed in phases. D. Fitzpatrick stated that the construction process will occur as one (1) phase, beginning in the spring of 2013, and ending in the fall of 2014.

B. Anderson expressed concern with the lack of parking on the UNH campus, and inquired if it is possible to add additional parking. D. Fitzpatrick stated that from a Site Plan perspective, the parking is well allocated on-site.

Chair E. Jansen inquired as to who is allowed to park at the facility. D. Fitzpatrick stated that parking is for residents, visitors, and employees only. Parking stickers will be utilized if necessary.

John Wallace (ORLAC) expressed concern with the proposed increased presence of impervious surface within the Oyster River Watershed. J. Persechino stated that the Site Plan is proposed to be adherent to town regulations, and offered a synopsis of the proposed drainage system. The majority of the site drainage will sheet flow to the rear of the property, a small portion will be directed to a swale along Mast Road, and an under-drain system will direct captured site flows to a gravel wetland and associated underground reservoir at the rear of the site. Pervious pavement is being utilized in areas throughout the site, as well as oil/water separator hoods in all catch basins, and rain gardens to add pre-treatment of site stormwater. Persechino stated that the post-development stormwater runoff rates will be equal to or less than pre-development conditions.

S. Keans inquired as to the process for maintenance/cleaning of the pervious structures and gravel wetland. J. Persechino stated that porous asphalt is cleaned through the periodical use of vacuum trucks and under-drain clean out procedures.

J. Persechino explained the proposed location for snow storage areas. Persechino stated that snow storage may occur at the back of the site in the location of the gravel wetland.

T. Clark made a motion to approve the October 3, 2012 SRPC Technical Review Letter as amended and empowered SRPC staff to submit the Technical Review Letter to the Town of Durham prior to the Town's October 10, 2012 Public Hearing. S. Keans seconded the motion which passed with a vote of three (3), to zero (0) in favor.

4. Other Business

There was no other business at this time.

5. Adjournment

T. Clark made a motion to adjourn the April 16, 2012 Strafford Regional Planning Commission Regional impact Committee meeting at 5:00 PM. S. Keans seconded the motion which passed unanimously with a vote of three (3), to zero (0) in favor.

Gregory M. Jones
Strafford Regional Planning Commission
Regional Planner