



TOWN OF DURHAM

15 NEWMARKET RD

DURHAM, NH 03824-2898

603/868-8064 603/868-8065

FAX 603/868-8033

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Town of Durham

JAN 30 2013

#125 pd. 1/30

Check # 583

Planning, Assessing,
Zoning & Code Enforcement
APPLICATION FOR CONDITIONAL USE PERMIT

This form and all required information per Durham's Zoning Ordinance (Article II, Section 175-10(K) attached) must be filed at least 20 days before the meeting of the Planning Board with the Planning Staff in person or by mail.

Property Location:

Street Address 13 Longmarsh Rd.
Tax Map # 15 Lot # 23 Zone RB

Owner(s):

Name Kelly L. Cullen
Mailing Address 13 Longmarsh Rd.
Durham, NH 03824
Daytime Phone 603-969-8041 Fax _____

If another person or firm will represent this application to the Town, please complete the following (letter of authorization should be included):

Name _____
Mailing Address _____
Daytime Phone _____ Fax _____

Abutters:

Attach a separate sheet listing by Map & Lot number, each owner's name, and mailing address of all abutters within 300 feet of the property. The list of abutters must include any holders of conservation, preservation, or agricultural preservation restrictions in accordance with RSA 676:4(I)(d).

Name & Address of Licensed Professionals (as applicable):

Engineer _____
Land Surveyor Atlantic Surveying, LLC, Durham, NH
Architect _____
Soil Scientist _____

Proposed Use: _____

Please prepare and attach a written description of the proposal.
Length should not exceed three pages.

I certify that all information provided is, to the best of my knowledge true:

Owner's Signature: Kelly L. Cullen Date 1/28/2013

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Planning, Assessing,
Zoning & Code Enforcement

Kelly Cullen
13 Longmarsh Rd
Durham, NH 03824
(603) 397-5176
KellyLCullen@yahoo.com

Town of Durham
15 Newmarket Rd
Durham, NH 03824

January 28, 2013

Dear Planning Board,

Please see attached Application for Conditional Use Permit for my property located at 13 Longmarsh Rd (Map 15, Lot 23).

The Conditional Use I am requesting is for a "Fill and Dredge" of wetlands in order to have a driveway that crosses wetlands. The proposed driveway crosses at the most narrow part possible, with the wetlands being approximately 7 feet wide there. Recommendations to minimize impacts to the environment will be followed (such as installing a culvert).

My lot is about 3.77 acres and I would like to subdivide into 2 lots (current home on 1.22 acres, new lot on 2.56 acres).

This conditional use request meets criteria 175-23(C) as follows:

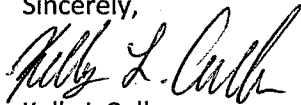
1. Site suitability
 - a. The proposed driveway would allow for adequate access to the lot for vehicles and pedestrians (a single family home).
 - b. Adequate public services are available to this lot, as the request is a driveway on an established road.
 - c. There are no environmental constraints that we are aware of, other than the existence of poorly drained soil.
 - d. A septic system that meets town and state regulations has been designed, and zoning allows ample space for a well, so appropriate utilities are available.
2. External impacts: the external impacts of this proposed driveway/subdivision are no greater than the impacts from the adjacent existing uses. The proposed purpose is an additional single family home in a residential zoned area. The area requirements are more than 2 ¾ times above the minimum lot size for the area.
3. Character of the site development: The proposed use of this site is in keeping with the character of the neighborhood (single family homes).
4. Character of Buildings. No building is being proposed at present time. Any new structure would need to obtain a Building Permit prior to construction, and meet all state and town requirements.
5. Preservation of natural, cultural, historic and scenic resources. With the exception of the request for a wetland crossing, no other known impacts to natural, cultural, historic, or scenic resources.
6. Adjacent property values should not change from this proposed use, with the exception of my property, which is losing acreage. I am OK with that.

7. Availability of Public Services and Utilities. Some utilities will be private (well, septic). The addition of one single family home will not cause excessive demand on public services.
8. There are no known Fiscal Impacts that would result from this conditional use request.

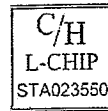
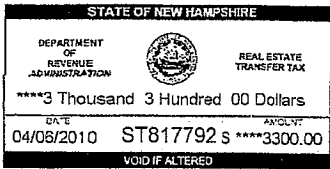
I have communicated my proposed plans with all abutters within 300 ft (including across the street), and have sent certified letters, letting my abutters know of my intension to apply for a Conditional Use Permit in order to request a driveway, and ultimately subdivide my land.

If there is any other information I can provide, please do not hesitate to ask.

Sincerely,



Kelly L Cullen



FIDUCIARY DEED

Now comes Richard H. Reilly, Jr. of 46 Civic Street, Town of Farmington, County of Strafford, State of New Hampshire 03835, Executor of the Estate of Richard H. Reilly, Sr., and by the power conferred upon me by the Strafford County Probate Court docket #2009-0162 and every other power, for Two Hundred Twenty Thousand Dollars (\$220,000.00) paid, grant to Kelly L. Cullen a single person of 422 Route 125, Town of Barrington, County of Strafford, and State of New Hampshire 03825, the building and land described herein:

A certain tract or parcel of land with the buildings or improvements thereon, situated in Durham, County of Strafford, and State of New Hampshire consisting of four (4) acres, more or less, bounded and described as follows:

Beginning at the brook in the southerly corner of the highway known as Long Marsh Road, so-called; thence northerly by said brook to stone wall; thence continuing along said stone wall in an easterly direction to another stone wall; thence continuing in a southerly direction to the Long Marsh Road; thence westerly direction back to said brook.

Subject to right and easement to New Hampshire Gas and Electric Company dated December 6, 1949 recorded in the Strafford Count Registry of Deeds at Book 577, Page 474. See plan recorded in Plan Book 1, Page 215.

Meaning and intending to describe and convey the same premises as conveyed to Richard H. Reilly Sr. and Barbara L. Reilly, by deed of Richard H. Reilly dated March 26th, 1998 and recorded in the Strafford County Registry of Deeds at Book 1995, Page 534.

Executed this 5 day of April 2010.

Witness:

Richard H. Reilly, Jr., Executor of the
Estate of Richard H. Reilly, Sr.

State of New Hampshire

Rockingham County, SS.

April 5, 2010

Personally appeared Richard H. Reilly, Jr., Executor of the Estate of Richard H. Reilly, Sr. known to me, or satisfactorily proven, to be the person whose name subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes there in contained.

Before me,
Notary Public / Justice of the Peace
My Commission Expires: _____

