



TOWN OF DURHAM
8 NEWMARKET RD
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603/868-8064
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NOTICE OF DECISION

Project Name: Friends Forever – Bed and Breakfast
Action Taken: APPROVAL
Address: 3 Williams Way
Property Owner: Friends Forever
Map and Lot: Map 11, Lot 23-2
Zoning: Residence Coastal
Date of approval: January 11, 2017

The application was approved by the Durham Planning Board on January 11, 2017 with the following conditions.

Conditions to be met prior to issuance of a certificate of occupancy

All of the conditions included in this section must be met prior to the issuance of a certificate of occupancy.

- 1) **Lighting.** The applicant will add a motion detector light on the front side of the building, close to the driveway, and a second motion detector light on the back of the building, near the rear entrance. The lights will be fully shielded and cut sheets will be provided to the Planning Department for approval. Any other new lights that would be installed must be fully shielded.
- 2) **Energy Checklist.** The applicant met with Charlie Forcey, Energy Committee chair, and Audrey Cline, Building Official, for an on-site tour on January 4. The applicant will coordinate with Mr. Forcey on the specific items that they are willing to do now or in the future. The applicant is not required to make these investments but is strongly encouraged to do so.
- 3) **Fire Requirements.** The applicant will need to make any improvements specified by the Fire Department including fire suppression, an alarm system, etc.
- 4) **Recording.** This notice of decision must be recorded at the Registry of Deeds.

General Terms and Conditions

- 5) **Site Plan.** This is an application for site plan review for a change of use from a former single-family residence to a bed and breakfast. Friends Forever operates their office out of the adjacent lot to the east, at the corner of Route 4 and Morgan Way.

- 6) Bed and Breakfast. The Town of Durham determined that the proposed activity is deemed a bed and breakfast under the Zoning Ordinance, which is a permitted use in the RC zone. The property will accommodate visiting youth participating in the program who will stay for a maximum of 2 weeks at any given time, as specified for a bed and breakfast. The property will be available to the public for the rest of the year. There are a maximum of 4 sleeping rooms as specified for a bed and breakfast. The fifth bedroom will be occupied by the manager.
- 7) Architecture. No significant exterior building changes are planned at this time. The Architectural Regulations do not apply in this zone. The applicant may make any desired exterior changes in the future except that any additions onto the building would require site plan review (unless treated as amendment/modification).
- 8) Parking. The existing arrangement for parking is deemed to comply with the Zoning Ordinance as an existing structure and site condition. While the specific spaces are not striped, for the proposed use there appears to me more than adequate parking and accessibility.
- 9) Footpath. The applicant may construct a footpath connecting the subject lot to the adjacent offices. Site review would not be required provided the applicant coordinates with the Technical Review Group on the design
- 10) Electric service. There are existing overhead electric lines. This approval includes approval to retain the overhead lines in accordance with Section 17.4.3 of the Site Plan Regulations with a finding that burying the lines would be impracticable/cost prohibitive given the scale of the project.
- 11) Trash and Recycling. The applicant will include provision for recycling for the occupants and will coordinate with the Department of Public Works as appropriate. DPW will pick up trash and recyclables for the bed and breakfast. However, if the bed and breakfast is run as a for-profit business then the property owner will need to provide for their own pick up.
- 12) Signage. The applicant may place one sign on the subject lot if desired according to the standard contained in Section 175-133 F. Residential Accessory Signs in the Sign Ordinance.
- 13) Tax Implications. It is recommended that the applicant contact Jim Rice, Durham Tax Assessor, to learn about any tax implications of this project. You can contact Mr. Rice at (603) 868-8064 or jrice@ci.durham.nh.us

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 accepted the application as complete; **C)** The Planning Board held one public hearing on the application; **D)** The applicant revised and updated the plans and other documentation numerous times pursuant to comments from the Planning Board, public, and Technical Review Group, and other Town boards and committees; **E)** 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 or variances may have been granted); **F)** This project is not considered to be a Development of Regional Impact; **G)** The Planning Board held a site walk on Friends Forever approval

January 11, 2017; **H)** The plot plan submitted by the applicant, dated August 8, 2016, shows the owner of the lot immediately to the west of the subject property, Map 11, Lot 23-3, to be the Town of Durham. The current owner of Lot 23-3 is not the Town of Durham but rather Rita Murphy Revocable Trust. The correct party was notified about the site plan application. **I)** The Planning Board duly approved the application as stated herein. 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. Signature by the applicant below acknowledging all terms and conditions of this approval herein.

Stephen Martineau, Executive Director
Friends Forever

Date

Andrew Corrow, Planning Board Chair

Date