



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, March 8, 2017

IX. **15 Main Street dormer.** Conditional use to add dormer at rear of house at 15 Main Street. Enlargement of nonconforming use for a single-family dwelling with more than three unrelated residents in a dwelling unit. No additional occupants are contemplated. Peter Murphy, property owner. Nick Isaak, architect. Church Hill District and Historic District. Map 5, Lot 2-2.

➤ I recommend the board discuss the project and set a public hearing for March 22.

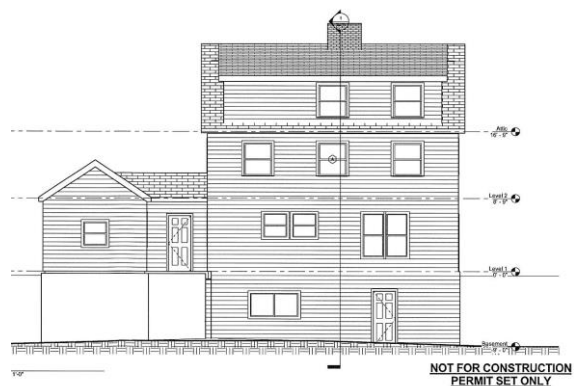
Please note the following:

- 1) As a single-family dwelling this is not subject to site plan review, only conditional use review. It is subject to a conditional use because the proposal is to enlarge/expand a nonconforming use. Here is the house.

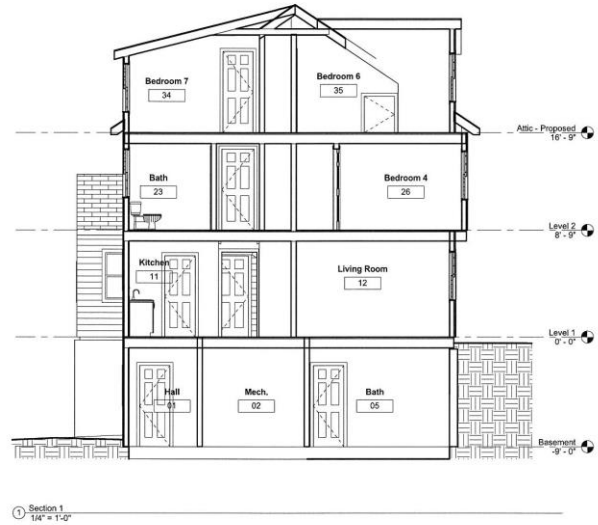


- 2) The property is a “single family dwelling,” which is permitted in the Church Hill zone because it is one dwelling unit. However, there are 10 occupants where only 3 unrelated are allowed in this zone, so it is nonconforming in that regard.
- 3) Peter Murphy also applied to the Historic District Commission to add a full dormer on the rear. The HDC approved the application on March 2 subject to Planning Board approval of the conditional use. If the conditional use is not approved the HDC approval will be null and void. Mr. Murphy had proposed also adding a dormer on the front but he removed that from his application.
- 4) Mr. Murphy proposes to add 2-1/2 bathrooms and to build out the attic with bedrooms. He says that the total number of bedrooms will remain at 7 and the occupants at 10.
- 5) See the enclosed plans. The plans are somewhat confusing with two sets of floor plans. I have asked Mr. Murphy and his architect Nick Isaak to provide one clear set of plans showing the existing and proposed for each floor.
- 6) This is considered an enlargement both in terms of adding the dormer (expanding the building) and building out the attic. While Mr. Murphy says that the number of occupants will remain the same there is a concern about adding living space. This creates an enforcement challenge as it would be simple to add occupants into the larger living space. If the application is approved, I would recommend there be a condition to retain the limit on 10 occupants. On the other hand, the Planning Board could expand the number of occupants if it saw fit. This is allowed by conditional use. How does the board wish to approach this issue?
- 7) Mr. Murphy will be submitting a letter speaking to the eight conditional use criteria shortly.
- 8) I have asked for any comments from the Technical Review Group. If I receive any I will pass them on to the board.
- 9) I believe that the rear dormer will be within the 30 foot building height (it is at the height of the existing ridge). I will confirm this. I have asked the applicant to provide his own calculations.

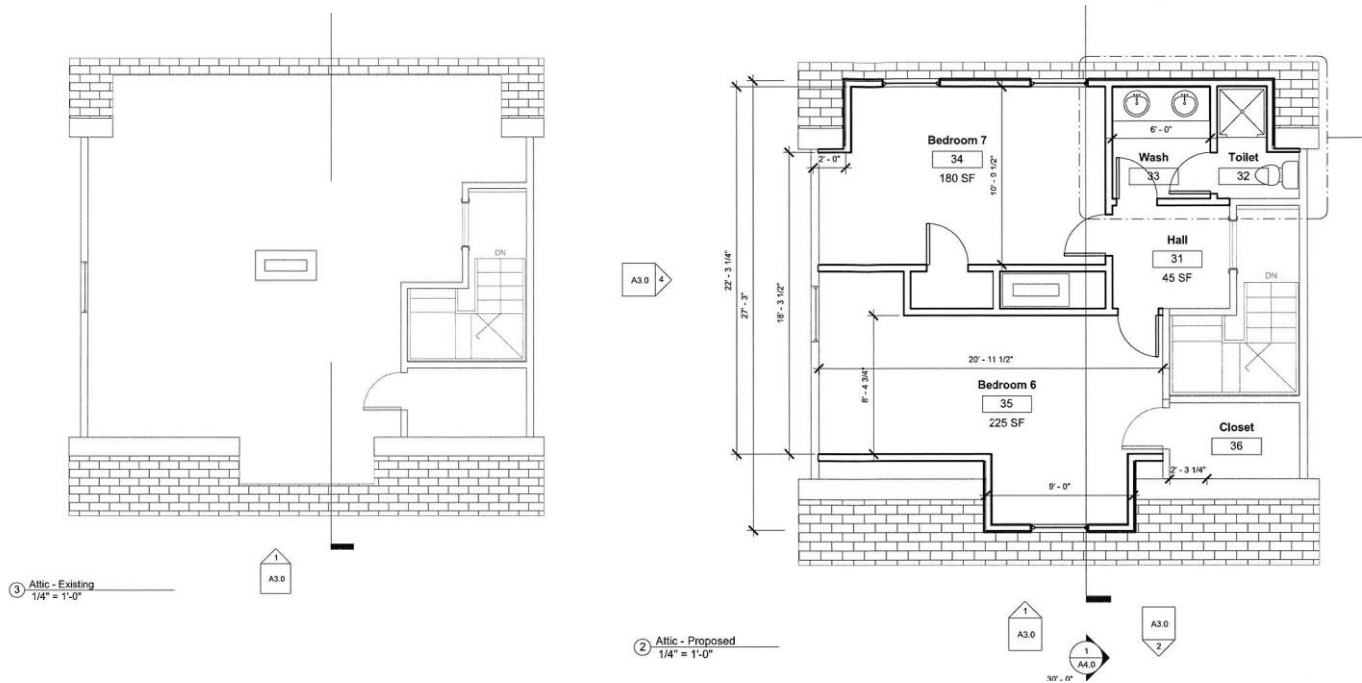
- 10) Here is an image from the plans
Showing the full dormer to be
added at the rear:



11) Here is the cross section showing the attic space. The full dormer is on the left. The full height dormer on the right has been eliminated.



12) Here are the existing and proposed plans for the attic space:



13) The tax map is shown below. This is Lot 2-2.

