



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

July 5, 2017

Mr. Michael Behrendt
Dir. Of Planning & Community Development
Town of Durham
8 Newmarket Road
Durham, NH 03824

Re: Application and supporting documentation for conditional use application, Proposed single family house development for Eric and Amber Sirles Tax Map 12 Lot 9-12

Dear Mr. Behrendt:

Please find the following information as submission for a site plan review and conditional use application;

1. Application form, fees and supporting documentation.
2. 5 sets full size plans.
3. 10 - 11 x 17 plans of same

MJS Engineering, PC on behalf of Eric & Amber Sirles requests that this project be noticed for the July 26, 2017 meeting with a public hearing scheduled on August 9, 2017. Thank you for the consideration and we look forward to presenting this project to the board.

Please call me at (603) 659-4979 x302 with any questions or comments.

Sincerely,

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

Michael Sievert, P.E.
President

CC: Eric & Amber Sirles



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

APPLICATION FOR CONDITIONAL USE PERMIT

This form and all required information per Durham's Zoning Ordinance (Article VII, Section 175-23(C) 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 12 Mathes Cove Road
Tax Map # 12 Lot # 9-12 Zone RC

Owner(s):

Name Eric & Amber Sirles
Mailing Address 10 Pierce Dr.
Rochester, NH 03867
Daytime Phone _____ Fax _____

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

Name Michael Sievert (MJS Engineering)
Mailing Address PO Box 359
Newmarket, NH 03857
Daytime Phone 659-4979 Fax 659-4627

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 Michael Sievert
Land Surveyor Bill Doucet Doucet Survey
Architect _____
Soil Scientist James Long GZA

Proposed Use: Construct driveway and utilities for a single family house

**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: _____ Date 6/28/17



Letter of Intent –Conditional Use Application
For
Eric and Amber Sirles
Driveway and Utility Construction for Residential House
Tax Map 12 / Lot 9-12

July 5, 2017

The Subject Property

The subject property is an existing lot of record subdivided in 1966. The parcel is part of a 16-lot subdivision known as Mathes Farm, subdivided by White Enterprises, Inc. The lot is in the RC District and is also subject to the Wetland Conservation Overlay District. The parcel is bordered by residential properties on all sides, has 200' of frontage on Mathes Cove Road and is approximately 700'+/- from the Oyster River. The property is not serviced by municipal water or sewer, thereby requiring an onsite well and septic system. The existing roadway ends in a cul-de-sac and overhead utilities are currently provided to the site from Mathes Cove Road.

The Proposed Use

The owners Eric and Amber Sirles have recently purchased the property and intend to build a single-family house on the lot for their own use.

Other Approvals Requested from the Town of Durham

1. Zoning Board Approval:
 - Request for a special exception as specified in Zoning Ordinance Article IX & XIII, Sections 175-29B and 62, to construct a septic system on an existing lot of record within the WCO district.

Approvals from NHDES;

1. Onsite subsurface disposal system.
2. Wetlands permit for filling wetlands to construct a driveway for access to the parcel.

Planning Board Approval Required

A. Conditional Use Permit (CUP) Section 175-61.A.1 - for construction of a driveway to access a single-family home and construction of utilities to service the single-family home within the WCO District.

The following information outlines how this project complies with the provisions of the general conditions for a Conditional Use Permit contained within Section 175-23.C and specific conditions for a CUP contained within Section 175-61.B for the Wetlands Conservation Overlay (WCO) and Shoreland Protection Overlay (SPO) Districts of the Town of Durham Zoning Ordinance. The numbering below coincides with the applicable sections. We anticipate that this application will be presented to the Conservation Commission at July 13, 2017 meeting in order to obtain their advice and comments for the Planning Board relative to approval of the CUP.

As previously stated, the project requires a CUP for use standards and for the construction of access ways and utility lines in the WCO District. The statements below demonstrate how this development 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 single-family home development because it is an allowed use in this zone. The original parcel was subdivided in 1966 into a 16-lot subdivision for the construction of single-family homes. The subject property has the required amount of frontage on Mathes Cove Road, a Town approved road and contains 1.87 acres. All the other parcels in the subdivision have been previously developed.

(a) This site provides adequate vehicle access as it has 200' of frontage on Mathes Cove Road which is connected to town maintained collector road named Durham Point Road. Pedestrian access is available along the existing dead-end road.

(b) Adequate, emergency services can be provided to the site by the police and fire departments with easy access from town maintained roadways. A driveway to the structure is also proposed. The schools are adequate and there is availability for this development; This project will have onsite water and sewer systems, therefore no impact to municipal services; Solid waste and recycling will be provided by the Town of Durham;

(c) The environmental constraints on and adjacent to the property includes wetlands, ledge outcrops and moderate slopes. However, the development proposal incorporates a balanced environmental design approach by minimizing the site development area, impervious areas, and grading changes. During construction, erosion controls will be installed to minimize the transport of sediments. Construction will be sequenced to minimize overall disturbance and re-establish ground cover to stabilize disturbed areas. Culverts have been designed to maintain the current flow patterns and swales are being proposed along the driveway to collect runoff. Due to the soil types and the amount of exposed ledge in the area, the change in runoff due to the development of the lot will be minimal. The lot will remain mostly wooded and the disturbed areas will be loamed and seeded as detailed on the construction plans.

(d) The site is suitable because of the availability of appropriate utilities to serve the intended use including electricity, and other utilities. Water and sewer service will be private on site.

2. *External Impacts:*

The external impacts of the proposed construction of the single-family home on the abutting properties and the neighborhood will be no greater than the impacts of adjacent existing residential uses or other uses permitted in the zone because:

- The traffic generated by the use will not cause a negative impact to the surrounding properties or public ways as they will match the existing uses; the development will have minimal impact to abutting properties with respect to noise, odors, vibrations, dust, fumes, and lighting because it will be used as a residential structure similar to all the neighbors. In addition, screening will be provided by maintaining the existing woods, to minimize the visual impact from the public ways and adjacent properties.

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 building is being design as a low-profile building to blend into the surrounding landscape due to the topography. Screening will be maintained by the existing and proposed vegetation.
- The building architecture will be consistent with the surrounding properties and will blend with the lot constraints.
- The building design will incorporate high quality energy efficiency technologies.

3. *Character of the site development:*

The proposed layout and design of the site is compatible with the established character of the neighborhood and mitigates any external impacts of the use on the neighborhood because:

- The building orientation on the lot works with the lot topography and ledge outcrops and the building height is low and blends into the surrounding landscape minimizing the visual impact into the site.
- The entire perimeter of the property will remain vegetated with the existing forest cover.
- The driveway location and profile is being designed to minimize the wetland impact, fit into the landscape by designing a garage under to minimize the fill requirements.

4. *Character of the buildings and structures:*

The design of the new buildings is compatible with the established character of the neighborhood because:

- The scale, height, building massing, roof line, architectural treatment of the front façade, location of the principal entrance, and materials and colors of the building will meet the surrounding properties.

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

The proposed use of the site, including all related development activities, preserves identified natural, cultural, historic, and scenic resources on the site and does not degrade such identified resources on abutting properties because:

- The orientation of the building and associated site grading is designed to avoid impacts to the adjacent wetland to the greatest extent possible except to provide access.; a significant wooded buffer will be maintained throughout the parcel.

- Site grading and fill activities will conform to the existing conditions as close as possible.
 - The existing property affords no significant wildlife habitat, cemeteries, graveyards, or designated historic buildings. An existing well is being saved and reconstructed for use on the site.
6. *Impact on property values:*
- The proposed house construction will not impact property values of adjacent properties. The increased value of this property and the significant preservation of the property will not cause a decrease to adjacent property values.
7. *Availability of Public Services and Facilities:*
- Water and sewer will be provided to the house from private onsite well and septic. The septic system requires approval from the NHDES.
 - Solid Waste removal and recycling will be provided by the town.
 - Drainage will be controlled on site. The quality of the stormwater leaving the site will be equal to or improved from the existing condition.
 - Electric, telephone, and data utilities will connect to the existing overhead public lines via underground conduit into the site.
 - Police and Fire Department can access the site without any constraints.
8. *Fiscal impacts:*
- The construction of one single-family house on a previously approved subdivision will not have a negative fiscal impact on the town.
 - The site will be serviced by private onsite water and sewer.

This section pertains only to the conditional use request within the WCO District:

175-61.B & 175-72.B

1. *There is no alternative location on the parcel that is outside of the WCO & SPO District that is feasible for the proposed use.*

A significant portion of the parcel is encumbered by the wetland conservation overlay district. The house and septic system will be constructed on the only buildable portion of the lot and the only way to access the parcel is through the wetland. The wetland area extends fully across the width of the lot making it impossible to access the buildable area without impact to the wetland and buffer.

2. *The amount of soil disturbance will be the minimum necessary for the construction and operation of the facilities as determined by the Planning Board.*

The proposed house location and associated grading has been prepared with the primary intent of minimizing soil disturbance by maintaining the existing grades of the property to the extent feasible. In addition, due to the clayey soils the fills on the site have been minimized except where necessary to grade in the driveway. The fill around the house has been minimized by designing the building into the exposed granite slope with only a small basement area and garage under. All utility construction will be within the proposed driveway areas or proposed construction areas

3. *The location, design, construction, and maintenance of the facilities will minimize any detrimental impact on the wetland and on the adjacent shoreland and water body as well as downstream water bodies, and mitigation activities will be undertaken to counterbalance any adverse impacts.*

Every feasible effort has been made in the design of the site layout and grading to minimize any detrimental impacts described above and mitigation activities incorporated as well. These include:

- Use of temporary erosion control measures such as silt soxx along the perimeter of the disturbed area; temporary and permanent stormwater control systems; Temporary construction fence is proposed around the active construction area to provide better assurance that construction equipment will not stray into the wetlands and buffers.
 - The disturbed area for construction will be minimized to retain the existing vegetation to the maximum extent possible. In addition, a reseedling plan is proposed to enhance the site both visually and ecologically.
 - Temporary and permanent disturbances to the wetland buffer to allow construction of the site amenities, will be fully reclaimed or properly stabilized for the intended use and these disturbances have been significantly minimized for the development of this project.
4. *Restoration activities will leave the site, as nearly as possible, in its pre-existing condition and grade at the time of application for the Conditional Use Permit.*

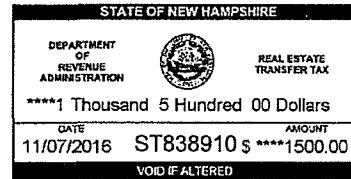
Any disturbances outside of the current limits of disturbance on the property will be fully restored and re-vegetated.

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



WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That Thomas Duff McNamara, a married person, of 104 Myrtle Place, Jacksonville, NC 28540, for consideration paid grants to Eric Sirles, Trustee of the Eric Sirles Revocable Trust, of 10 Pierce Drive, Rochester, NH 03867, with WARRANTY COVENANTS:

A certain parcel of land, situate on the Easterly side of Mathes Manor Drive in Durham, Strafford County and State of New Hampshire, being Lot #12 as shown on a plan entitled "Final Plan, White Enterprises, Inc., MATHES FARM, Durham, N. H., dated November 1966, G. L. Davis & Associates", a copy of which is recorded in Strafford County Registry of Deeds, Pocket #3, Folder #2, as Plan #45, and bounded and described as follows:

Beginning at a steel stake in the Southeasterly sideline of Mathes Manor Drive, said stake also being at the junction of the Northwesterly corner of the herein described premise with the Southwesterly corner of Lot #11; thence S 40° 12' E by Lot #11 a distance of three hundred seventy-five and seven-tenths (375.7) feet to a steel stake in the wall at land now or formerly of Poynter; thence S 27° W by said wall a distance of one hundred twenty and no tenths (120.0) feet; thence S 20° W by said wall a distance of fifty-five and no-tenths (55.0) feet to a steel stake at Lot #16; thence N 56° 20' W by Lots #16 and #15 a distance of two hundred thirty seven and nine tenths (237.9) feet to a steel stake at Lot #13; thence N 32° 52' E by Lot #13 a distance of sixty and no-tenths (60.0) feet to a steel stake; thence N 47° 44' W by Lot #13 a distance of two hundred thirty-four and six-tenths (234.6) feet to a steel stake in the Southeasterly sideline of said Drive; thence N 58° 10' E by said Drive a distance of two hundred and no-tenths (200.0) feet to the point of beginning.

Together also, to the said Grantees, their heirs and assigns, an undivided one-sixteenth (1/16) interest in and to the Water Front Lot as shown as Lot #8A, in common with the grantor, its successors and assigns, for all purposes relative to recreational use, including boating, picnicking, docking of boats, et cetera.

Subject, however, to the Protective Covenants as declared by White Enterprises, Inc., by instrument dated December 1, 1966, recorded in Book 851, Page 140.

Meaning and intending to describe and convey the same premises conveyed to Thomas Duff McNamara by virtue of a deed from Donald J. McNamara and Helen A. McNamara dated 03/07/1980 recorded in Book 1046, Page 570, with the Strafford County Registry of Deeds.

This is not homestead property of the grantor nor his spouse.

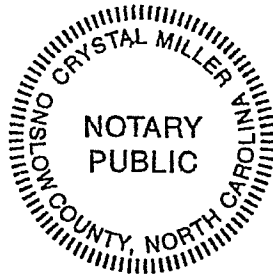
Executed this 1st day of November, 2016.

Thomas Duff McNamara
Thomas Duff McNamara

State of North Carolina

Onslow, ss.

On November 1, 2016, before me, the undersigned notary public, personally appeared the above-named, Thomas Duff McNamara and proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Crystal Miller
Notary Public: Crystal Miller
My Commission Expires: Aug 12, 2020

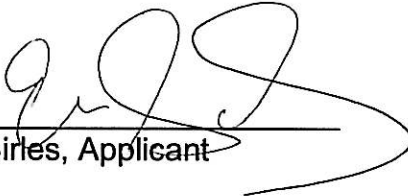
June 20, 2017

Durham Planning Board
8 Newmarket Road
Durham, NH 03824

Dear Chairperson:

I hereby authorize Michael J. Sievert, PE, of MJS Engineering to represent us as applicants requesting a conditional use permit for the construction of a driveway within the wetland conservation overlay district. The subject property is located at 12 Mathes Cove Road and shown as Tax Map 12, Lot 9-12.

Sincerely;


Amber Sirles, Applicant

LIST OF OWNERS OF ABUTTING PROPERTY

PLEASE PROVIDE NAME & MAILING ADDRESS

<p><u>PROPERTY OWNER:</u> 12 Mathes Cove Road MAP 12/LOT 9-12</p> <p>ERIC SIRLES REV. TRUST 10 PIERCE DRIVE ROCHESTER, NH 03867</p>	<p>MAP 12/LOT 9-9 26 Mathes Cove Road</p> <p>EDWARD J. & JUNE M. DURNALL REV TRUST 26 MATHES COVE ROAD DURHAM, NH 03824</p>
<p>MAP 12/LOT 9-11 16 Mathes Cove Road</p> <p>ROBERT M. WADE 16 MATHES COVE ROAD DURHAM, NH 03824</p>	<p>MAP 12/LOT 9-6 23 Mathes Cove Road</p> <p>CULLEN M. & ALLISON M. JUMPER 23 MATHES COVE ROAD DURHAM, NH 03824</p>
<p>MAP 12/LOT 9-13 8 Mathes Cove Road</p> <p>JAMES J. CONNELL REV INTERVIVOS TRUST 8 MATHES COVE ROAD DURHAM, NH 03824</p>	<p>MAP 12/LOT 9-5 15 Mathes Cove Road</p> <p>KATHLEEN FLEMING 15 MATHES COVE ROAD DURHAM, NH 03824</p>
<p>MAP 12/LOT 9-15 1 Langley Road</p> <p>ANDREW S. & SARAH K. GRANDY 1 LANGLEY ROAD DURHAM, NH 03824</p>	<p>MAP 12/LOT 9-4 9 Mathes Cove Road</p> <p>THOMAS W. & LEE A. HUPPUGH 9 MATHES COVE ROAD DURHAM, NH 03824</p>
<p>MAP 12/LOT 9-16 3 Langley Road</p> <p>CRAIG & ELIZABETH ANN LUND 3 LANGLEY ROAD DURHAM, NH 03824</p>	<p>MAP 12/LOT 9-3 5 Mathes Cove Road</p> <p>WHARTON/MCDONALD REV TRUST 5 MATHES COVE ROAD DURHAM, NH 03824</p>
<p>MAP 12/LOT 11-2 Lot 2 Langley Road</p> <p>NANCY P. SANDBERG TRUST 15 LANGLEY ROAD DURHAM, NH 03824</p>	<p>MAP 12/LOT 9-14 4 Mathes Cove Road</p> <p>JOHN E. SIMEONE 4 MATHES COVE ROAD DURHAM, NH 03824</p>

LIST OF OWNERS OF ABUTTING PROPERTY

PLEASE PROVIDE NAME & MAILING ADDRESS

MJS ENGINEERING, P.C. P. O. BOX 359 NEWMARKET, NH 03857	
DOUCET SURVEY, INC. 102 KENT PLACE NEWMARKET, NH 03857	
GZA GEOENVIRONMENTAL, INC. 5 COMMERCE PARK NO. #201 BEDFORD, NH 03110	