



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, July 26, 2017

- VIII. **Mathes Cove Road – Conditional Use.** Conditional use application to install a driveway, utilities, drainage structures, a retaining wall, minor accessory structures, and temporary erosion control structures and to regrade the site in the Wetland Conservation Overlay District. The construction is for a new single family house on a 1.82-acre vacant lot at 12 Mathes Cove. Applicant – Eric and Amber Sirles. Property owner – Eric Sirles Revocable Trust, Eric Sirles, trustee. Engineer – Mike Sievert, MJS Engineering. Map 12, Lot 9-12. Residence Coastal District. **Recommended action:** Schedule site walk and set public hearing for August 9 or August 23.
- I recommend that the Planning Board schedule a site walk and a public hearing (for either August 9 or August 23).

Please note the following:

- 1) **Project.** The proposal is to build a driveway, utilities, drainage structures, erosion control structures, and other accessory structures to accommodate a new single family house. There is a fair amount of activity that will occur in both the wetland and the 100 foot wetland buffer. These structures/activities are allowed within the Wetland Conservation Overlay District (WCOD) by conditional use (per Section 175-61A). The district includes both the wetland itself and a buffer adjacent to the wetland (100 feet in the Residence C district). *See the tax map and aerial photo at the bottom.*
- 2) **Structures/activities.** The proposed conditional use would cover the following items to be located within the WCOD:
 - Grading, the concrete cover and pipe, and the 12” and 18” drainage pipes within the wetland
 - Driveway within the wetland and within the buffer
 - Utility pole and underground electric
 - Removal of dug well
 - Erosion control structures
 - Grading
 - Retaining wall
 - Partial removal of stone wall
 - A small section of sidewalk/path

- 3) Process. There is no need to accept a conditional use as complete. This project is not reviewed by the TRG but rather I have sent the application to the TRG so that members can forward any comments.
- 4) Conditional use. The project will need to go to the Conservation Commission for a recommendation on the conditional use. The commission's next meeting is on August 10. Once the Planning Board sets a public hearing we will notify neighbors within 300 feet and the applicant will post a sign for the public hearing. Approval requires an affirmative vote of 5 Planning Board members.
- 5) Conditional use criteria. Mike Sievert has addressed both the 8 general conditional use criteria and the 4 specific criteria in the Wetland Conservation Overlay District (per Section 175-61 B) in the application.
- 6) Timeframe. Since the application will likely be reviewed by the Conservation Commission on August 10 it makes sense to set the public hearing for the first Planning Board meeting after that: August 23. On the other hand, the board could hold the public hearing on August 9 (the night before the commission's review), if the board thinks an additional review would be useful, with the understanding that the public hearing and review would need to be continued to August 23.
- 7) Septic system. The ZBA granted a special exception for the leach field to be located within the 125 foot setback for septic systems. This is not part of the conditional use application.
- 8) Wetlands permit. Mike Sievert will send me a copy of the state wetlands permit for filling in the wetlands.

(over)

Lot 9-12

