



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, April 11, 2018

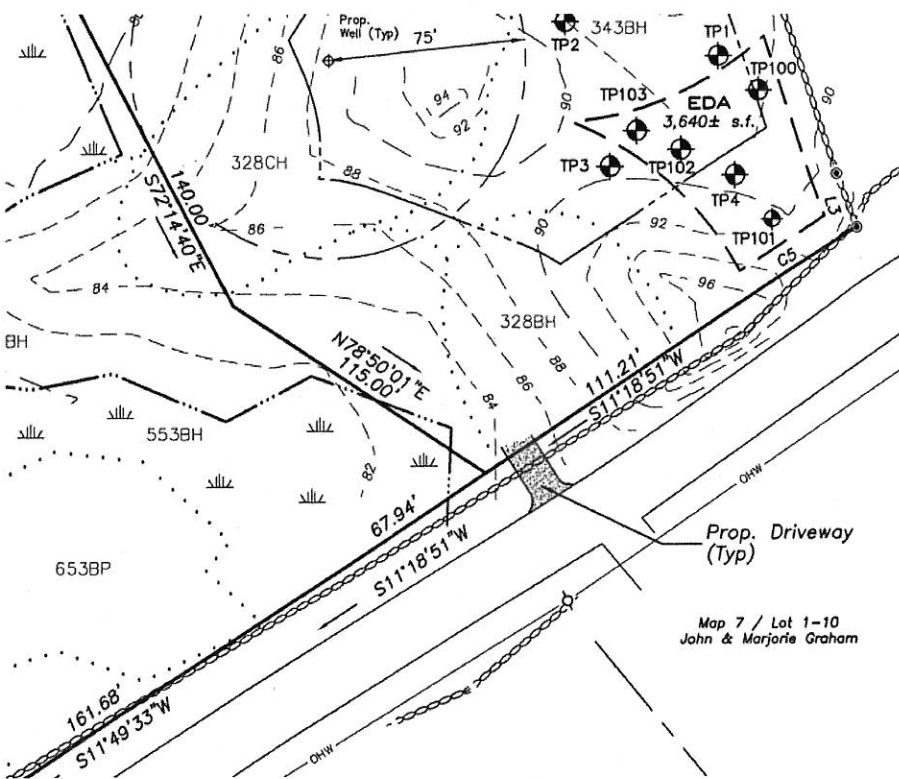
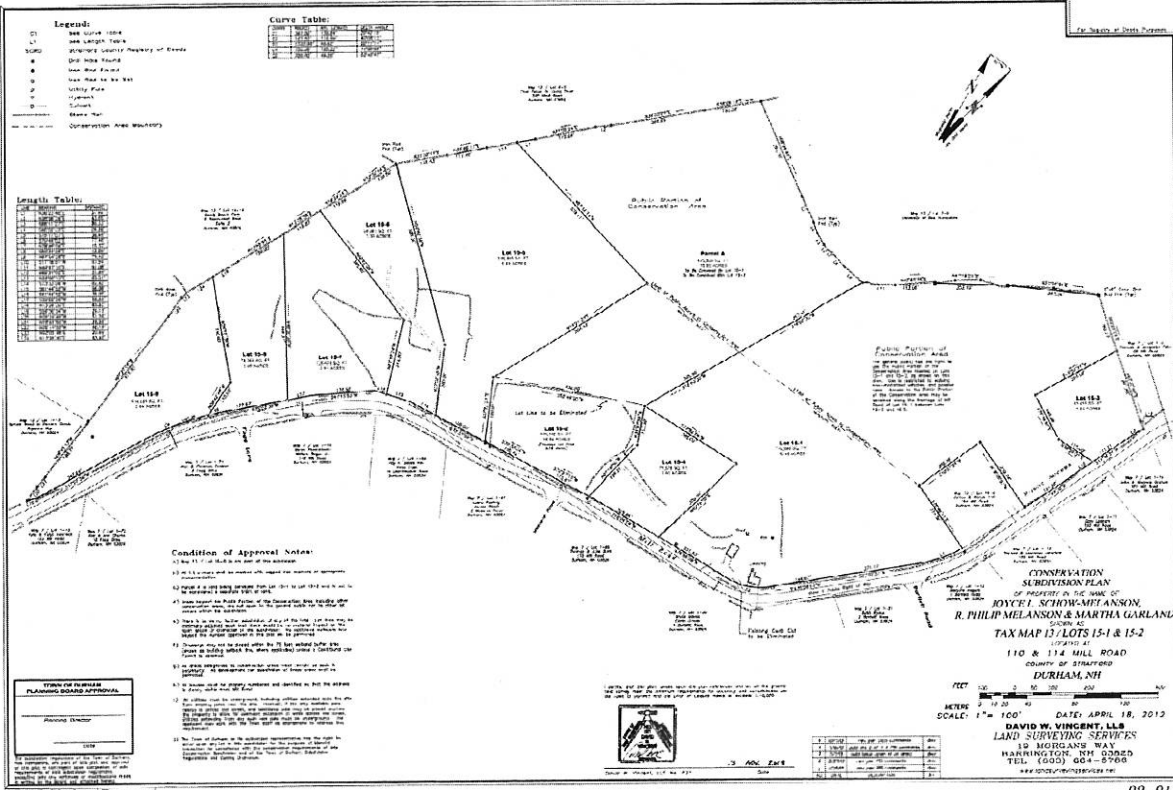
VIII. **100 Mill Road – Conditional Use for Driveway.** Proposal to install driveway and utilities within the Wetland Conservation Overlay District for a new single family house. Linda Stoxen and Louis Tisa, property owners. Chris Berry, surveyor/agent. Map 13, Lot 15-3. RB District.

➤ I recommend that the board schedule a public hearing for April 25 and a site walk.

Please note the following:

- 1) The property owners purchased the subject lot last year and are making plans for building a house there. The application is to install a driveway and underground electric within the wetland buffer. Driveways and utilities are allowed within the buffer by conditional use. The buffer is 75 feet in the Residence B district.
- 2) This lot was created as part of the Garland-Melanson conservation subdivision that was approved May 8, 2013 (Jack Farrell served as agent). Three sheets from the plat are included in the packet. See the images below of the subdivision layout (15-3 is the lot on the far right) and the subject lot. The property is located on the *right side* of Mill Road as one leaves the downtown, just past the intersection with Woodridge Road.
- 3) The application will be presented to the Conservation Commission on April 12 for a recommendation on the conditional use.
- 4) We can ask the applicant/surveyor to have the wetlands flagged for the site walk if they are not already flagged.
- 5) The applicant has addressed the eight general conditional use criteria and the four specific criteria for the WCOD.
- 6) The information has been sent to the Technical Review Group. If members have any comments they will send them but the application will not be presented at a TRG meeting nor am I asking for signoffs from members, given the particular nature of the application.
- 7) The driveway location was set when the lot was created as part of the original subdivision. The driveway was located where shown due to sight distance and site constraints, with the knowledge, I believe, that it was within the wetland buffer. I think that the applicant did not pursue a conditional use at that time as part of the subdivision, but rather left it to a future lot buyer to determine where they would like the driveway to be located, since a conditional use would not be needed if a future buyer wished to locate it elsewhere. The new lot owner wishes to use this same driveway location so a conditional use is needed now. (over)

8) There is a knoll situated to the northeast of the proposed driveway location plus sight distance seems best here given the bend in the road to the northeast. We discussed with the applicant the options of applying for a conditional use or building the driveway elsewhere on the lot. April Talon, Town Engineer, stated in an email, "...the driveway as shown on the approved plans is the best location on the lot. Applying for conditional use for the driveway is the best route."



Map 7 / Lot 1-10
John & Marjorie Graham