



**TOWN OF DURHAM**  
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**Town Planner's Project Review**  
**Wednesday, April 25, 2018**

XI. **32 Cedar Point Road – Conditional Use.** Conditional use for accessory structures to accommodate new house replacing existing house, including driveway, patio, retaining walls, steps, and well. Heiderscheidt Revocable Trust, property owner. Steve Riker, Ambit Engineering, designer. Map 12, Lot 1-8. RC District.

➤ I recommend schedule a public hearing for May 9 and a site walk.

Please note the following:

- 1) New house. The applicant proposes to demolish the existing house and build a new one. The designs for the new house are included in the application materials. Audrey Cline has determined that the new house is allowed under the Nonconforming provisions of the Zoning Ordinance. I do think that the proposed house fits the lot very well.
- 2) Conditional use - accessory structures. The conditional use is for various accessory structures related to the new house. These are not considered grandfathered and thus a separate conditional use review is needed for the proposed driveway, patio, retaining walls, steps, and well. A colored drawing is included which identifies the house and accessory structures. The well is proposed to be located in the new driveway area.
- 3) Setback. The conditional use is required under the Shoreland Protection Overlay District (SPOD) which specifies a setback of 125 for all structures (including these accessory structures). Nearly the entire lot is within the 125 foot setback. The drawing shows the 100 foot line but the applicant will submit a revised drawing with the 125 foot mark.
- 4) Criteria. The applicant has addressed the 8 general conditional use criteria and the 4 specific criteria under the SPOD.
- 5) ZBA review. Though the new house is allowed, the applicant has submitted several appeal and variance requests. These will be heard by the ZBA on May 8. I will let the Planning Board know the results of that review. The Planning Board will need to wait for final action until the ZBA completes its review, which could be on May 8 or later if the board continues the review to its next meeting on June 12.
- 6) Leach field. Audrey has approved the new leach field under the provisions of the SPOD.
- 7) Conservation Commission. The commission reviewed the application on April 12 and recommends approval based on the 4 SPOD criteria. It did not recommend any conditions.
- 8) TRG. The information was sent to the Technical Review Group. If I receive any comments I will forward them to the board.
- 9) Pervious pavement. Note that the applicant proposes pervious pavement for the patio and driveway

- 10) Well and walls. The well and retaining walls are actually permitted uses under Section 175-71 B. but still require Conservation Commission comments and Planning Board approval so it is simplest to review them with the other accessory structures.
- 11) NHDES. The applicant already received a permit for the work from NHDES under the New Hampshire Shoreland Water Quality Protection Act, RSA 483-B.
- 12) Lot 8. The subject property is Lot 1-8 here. An area map is shown below.

