



**TOWN OF DURHAM**  
8 NEWMARKET RD  
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[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

## **NOTICE OF DECISION**

**Project Name:** 27 Durham Point Road Amendment and Conditional Use  
**Action Taken:** APPROVAL  
**Project Description:** Amendment to allow for a new, separate driveway to serve the lot and a conditional use for activity within the wetland and shoreland overlay districts, including a waiver to retain above-ground electric utilities  
**Applicant:** Greg Sancoff  
**Engineer:** Mike Sievert, MJS Engineering  
**Map and Lot:** Map 11, Lot 34-1  
**Zoning:** Residence C District  
**Date of approval:** June 27, 2018

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The application is approved as submitted with the following terms and conditions:

- 1) Application. This approval includes an amendment from the original subdivision approval to allow for a separate driveway to serve the subject lot rather than a shared driveway and a conditional use for the driveway, utilities, drainage, and other accessory structures to be located within the wetland and shoreland overlay districts.
- 2) Improvements. All of the improvements shown on the revised plans dated May 29, 2018 (received May 30) must be adequately completed prior to issuance of any additional certificates of occupancy for the lot.
- 3) Above ground utilities: A waiver was approved to allow for the existing above ground utilities.
- 4) State permits. The Alteration of Terrain, the NH Shoreland Impact Permit, and the state septic system permit have all been issued. No additional certificate of occupancy will be issued until/unless approval for filling the two wetlands is granted by NHDES.
- 5) Paved apron. The apron adjacent to Durham Point Road must be paved as specified by the Department of Public Works (The HDC approved the front portion of the driveway provided the apron is paved with asphalt or Belgian block).
- 6) Modifications. The applicant may apply for changes to the approved plans in accordance with Planning Board policy. It is not the intent of this approval to bind the

applicant to the specific layout of the house and structures near the house unless any aspect of those structures is deemed to be related to the driveway amendment and conditional use.

- 7) Gate. The gate at the entrance must be removed unless the applicant coordinates retaining the gate with requirements of the Fire and Police departments.
- 8) Addressing. The address of the subject lot must be changed. It appears that 15 Durham Point Road is the appropriate address (adjacent lots on each side are 11-13 and 17 Durham Point Road, respectively).
- 9) Other requirements. The applicant should coordinate with the Building Official if he plans to keep horse on site and regarding other potential uses and structures on the lot for compliance with the zoning ordinance and building code and other Town regulations.
- 10) Execution. The project must be built and executed exactly as specified in the approved plans.

Findings of fact. As part of this review and approval the Durham Planning Board finds the following: **A)** The applicant submitted an application, supporting documents, and plans for the project; **B)** The Planning Board held a site walk and one public hearing on the application; **C)** The applicant revised and updated the plans pursuant to comments from the Planning Board; **D)** The Planning Board reviewed the application in accordance with all applicable law and found that the application meets all requirements (except where a waiver may have been granted); **E)** The Conservation Commission reviewed the application and recommended approval of the conditional uses; **F)** the Planning Board found that the eight criteria for conditional uses outlined in the Zoning Ordinance section 175-23 C. and the four specific criteria in the wetland and shoreland overlay districts are adequately addressed in the applicant's application for a conditional use; **G)** The Historic District Commission approved the application; and **H)** The Planning Board duly approved the application as stated herein, including the conditional uses. Substantial records are maintained of the process and documentation submitted in the Planning Department. A record of documentation and a timeline of the project will be prepared as needed.