



**TOWN OF DURHAM**  
8 NEWMARKET RD  
DURHAM, NH 03824-2898  
603/868-8064  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

## **NOTICE OF DECISION**

**Project Name:** 38 Bagdad Road – 2 lot subdivision  
**Action Taken:** APPROVAL  
**Property Owner:** Tom Toye for Purple Chair Interiors LLC  
**Map and Lot:** Map 3, Lot 3-3  
**Zoning:** Residence A  
**Date of approval:** July 11, 2018

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The application is approved as stated below.

### **CONDITIONS PRECEDENT**

All of the precedent conditions below must be met by the applicant prior to the plans being certified by the Planning Department. Certification of the plans is required prior to issuance of a building permit or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please note. If all of the precedent conditions are not met within 6 calendar months to the day of the board's approval – by January 11, 2019 - the board's approval will be considered to have lapsed and resubmission of the application will be required (unless an extension is granted by the Planning Board).

- 1) Plan modifications. The plan drawings are to be modified as follows:
  - a) Change approval block to read: “Final Approval by Durham Planning Board. Certified by Michael Behrendt, Town Planner, \_\_\_\_\_  
Date \_\_\_\_\_”
  - b) Monuments. Show new corner monuments.
  - c) Address. The address for the parent lot will need to be changed to accommodate a number for the new lot. Coordinate with the Fire Department on new addresses and show the revised numbers on the plans.
  - d) Wetland buffer. Label the easterly setback line on the main lot as “wetland buffer”.
  - e) Electric lines. Show prospective plan to extend electricity to the new lot. The new line(s) must be underground but one new pole may be placed at the front of

the lot at/near the right of way line if needed to avoid extending lines across the road or other properties.

- f) Add note: “For more information about this subdivision, or to see the complete plan set, contact the Town of Durham Planning Department, 8 Newmarket Road, Durham, NH. (603) 868-8064.”
  - g) Add note: “Impact fee. In accordance with the Town’s Impact Fee ordinance, the school impact fee of \$3,699 for a new single family house is assessed for the new lot as part of this subdivision. The fee shall be paid prior to issuance of a certificate of occupancy for a new house on the new lot.”
  - h) Sewer. Provide details for how the new lot would connect to the sewer line, to be approved by the Town Engineer and submit a copy of the easement to allow for sewer across the adjacent lot.
  - i) Concrete tank. “Prior to issuance of a certificate of occupancy for a new house on the new lot, the concrete tank shown on that lot must be removed and the ground reclaimed, or the presence of the tank must be otherwise addressed in a manner acceptable to the Building Official.”
- 2) Sign this notice at the bottom.
  - 3) Boundary markers. Set boundary markers (actually physically set in place in the field) and note on plans (“marker set” or equivalent)
  - 4) Final drawings. The following complete sets of final approved drawings shall be submitted for signature (except the electronic version) by the Town: (a) two large sets of black line drawings; (b) one mylar drawing – main sheet only; (c) one set of 11"x17" drawings; plus (d) one electronic version by pdf Each individual sheet in every set of drawings must be stamped and signed by the land surveyor responsible for the plans.

### **GENERAL AND SUBSEQUENT TERMS AND CONDITIONS**

All of the conditions below are attached to this approval.

- 1) Recording. The plat, sewer easement, and this notice of decision (per RSA 676:3 III) must be recorded at the Strafford County Registry of Deeds within two (2) calendar months to the date the plat is certified. See RSA 478:1-a regarding plat requirements. Failure to comply with this requirement herein shall render the subdivision null and void.
- 2) Execution. The project must be executed exactly as specified in the approved application package unless modifications are approved by the Town.
- 3) Approval. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in

part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

- 4) Tax Implications. It is recommended that the applicant contact Jim Rice, Durham Tax Assessor, to learn about any tax implications of this project. You can contact Mr. Rice at (603) 868-8064 or [jrice@ci.durham.nh.us](mailto:jrice@ci.durham.nh.us)

Findings of fact. a) The applicant submitted an application, supporting documents, and plans for the project; b) The application was presented to the Technical Review Group on July 3, 2018; c) The Planning Board accepted the application as complete and held a public hearing on the application on July 11, 2018; d) The Planning Board held a site walk on July 11, 2018; e) The Planning Board reviewed the application in accordance with the Durham Zoning Ordinance, the Durham Subdivision Regulations, and other applicable law and found that the application meets all requirements; and f) The Planning Board duly approved the application as stated herein.

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
date

\_\_\_\_\_  
Printed name of applicant

\_\_\_\_\_  
Signature of Planning Board Chair

\_\_\_\_\_  
date

\_\_\_\_\_  
Printed name of Planning Board Chair