



**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:** 72-74 Main Street 2-lot Subdivision  
**Action Taken:** APPROVAL  
**Applicant:** Doug Clark  
**Surveyor:** Doucet Survey  
**Property Owner:** Town & Campus Inc, c/o Jess Gangwer  
**Map and Lot:** Map 2, Lot 14-1  
**Zoning:** Central Business District  
**Date of approval:** August 22, 2018

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The application is approved as stated herein.

#### **Conditions Precedent**

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Department. Certification of the plans is required prior to 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 February 22, 2019 - the board's approval will be considered to have lapsed and resubmission of the application will be required. It is the sole responsibility of the applicant (or his/her agent) to ensure that these conditions are met by this deadline. See RSA 674:39 on vesting.

- 1) Plan modifications. The plan drawings are to be modified as follows:
  - a) Obtain new Assessor's Map and Lot #'s from the Assessing Office and show on each lot;
  - b) Obtain street address from the Fire Department and show on each lot;
  - c) Change solid proposed lot line to correspond to line in legend
  - d) Identify new corner monuments as having been set.

- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
  - a) “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.”
  - b) “Existing parking spaces are shown on this plan both at the front of the new northerly lot and in the Town’s property near Main Street. It is understood that no easement to provide access to these spaces is being established as part of this subdivision.”
- 3) Easement. Provide an easement for review by the Town Planner to include easements/cross easements for the rear portion of the two lots for access, parking, utilities, trash, and maintenance. The Town Planner will conduct only a basic review to see that these items are covered.
- 4) Signature. Sign this notice at the bottom.
- 5) Boundary markers. Set boundary markers (actually physically set in place in the field).
- 6) 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 large mylar drawing; (c) one 11"x17" drawing; plus (d) one electronic version by pdf. Each paper copy must be stamped and signed by the land surveyor.

### **General and Subsequent Terms and Conditions**

All of the conditions below are attached to this approval.

- 1) Recording. The plat, this notice of decision (per RSA 676:3 III), and the easements referred to above 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) 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 Planning Board held public hearings on the application on August 8 and August 22; c) The Planning Board held a site walk on August 8; d) The Zoning Administrator, in consultation with the Town Administrator, determined that the required 50 foot frontage requirement for the southerly lot was met based upon the existing

right of way for Ballard Street; e) The Planning Board reviewed the application in accordance with state law, 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.

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

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

\_\_\_\_\_  
date

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

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

\_\_\_\_\_  
date

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