



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, September 26, 2018

VIII. **20 Cedar Point Road – Walkway.** Application for permitted use for a walkway for a single-family residence in the Durham Shoreland Protection Overlay District under Section 175-71 B. Michael Lehrman, property owner. Mike Sievert, MJS Engineering, and Vicky Martel, Woodburn & Company, agents. Map 12, Lot 1-21. Residence Coastal District.

➤ I recommend approval as stated below.

Please note the following:

1) **Application.** This application is to build a stone walkway adjacent to a single family house. It is situated in the Shoreland Protection Overlay District. See the enclosed documentation from the applicant.

2) **SPOD.** A walkway is a *permitted use* within the SPOD as a “path” as follows:

175-71. Permitted Uses in the SPO District.

...B. The following uses or activities shall be permitted in the SPO provided that the Zoning Administrator issues a permit for the activity after the Planning Board, with the advice of the Conservation Commission, determines that appropriate erosion control measures will be used, any disturbed area will be restored, and the activity will be conducted in a manner that minimizes any impact on the shoreland:

...11. The construction of nature trails and *paths*.

3) **Conservation Commission.** The application was presented to the Conservation Commission on August 27 and the commission found that the criteria above were met and voted to endorse the plan.

4) **Criteria.** MJS Engineering responded to the criteria as follows: “Erosion control measures, including silt soxx will be used during construction and the location is shown on the plan. All disturbed lawn areas will be reseeded as described in the plan notes. For these reasons, the work or activity is being conducted in a manner that minimizes any impact on the shoreland.”

- 5) Permitted use. This is a permitted use, not a conditional use, so there are no notices and no public hearing. It is appropriate for the Planning Board to take action for this kind of applicatoin in one meeting if the board finds that all is in order.
- 6) Driveway. Note that the drawing also shows changes to the existing driveway. These changes are not subject to Town review under the SPOD because the area of impact for the driveway is not changing and the overall permeability of the driveway is the same or better as existing. However, these changes are subject to review by NHDES and are thus shown on the drawing.

Draft

NOTICE OF DECISION

Project Name: 20 Cedar Point Road – stone walkway
Action Taken: APPROVAL
Project Description: Permitted use under Shoreland Protection Overlay District
Applicant: Michael Lehrman, property owner
Engineer: Mike Sievert, MJS Engineering
Landscape Designer: Vicky Martel, Woodburn & Company
Map and Lot: Map 12, Lot 1-21
Zoning: Residence Coastal
Date of approval: September 26, 2018

The application for the stone walkway is approved as presented and as shown on the submission materials. The walkway was approved in accordance with Section 175-71 - Permitted Uses in the Shoreland Protection Overlay District as a path.