



**TOWN OF DURHAM**  
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**Town Planner's Project Review**  
**Wednesday, December 12, 2018**

XII. **50 Langley Road – Conditional Use.** Conditional use for installation of various structures around an existing cabin within the 125 foot buffer of the Shoreland Protection Overlay District and the 100-foot buffer of the Wetland Conservation Overlay District. First Ranger LLC, property owner. Mike Sievert, MJS Engineering, design engineer. Robbi Woodburn, landscape architect. Map 12, Lot 13-1. Residence Coastal District.

➤ I recommend the board schedule a public hearing for January 9.

Please note the following:

- 1) **Project.** The proposal is to add several structures within the Shoreland Protection and Wetland Conservation Overlay Districts. The shoreland buffer extends 125 feet from Great Bay so all of the proposed activity falls within the buffer. The wetland buffer extends 100 feet so only about half of the activity falls within that buffer. I suggest the board simply review each of the activities without concern for which fall into both overlay districts and which fall into only the shoreland zone. The four special criteria are the same for both districts.
- 2) **Conditional use.** In both the WCOD and SPOD access ways, utilities, and accessory structures are allowed by conditional use. All of the changes proposed within the buffers fall into these categories. The proposed activities include the following:
  - expansion of gravel area
  - three stone walls
  - removal of existing gravel
  - two drip strips
  - PVC pipe
  - two stone landings
  - stepping stones
  - a low berm
- 3) **Criteria.** The applicant has addressed the 8 general conditional use criteria and the 4 specific WCOD and SPOD criteria in the application. Here are the 4 criteria:
  - a. There is no alternative location on the parcel that is outside of the SPO District that is feasible for the proposed use;

- b. The amount of soil disturbance will be the minimum necessary for the construction and operation of the facilities as determined by the Planning Board;
  - c. The location, design, construction, and maintenance of the facilities will minimize any detrimental impact on the adjacent shoreland and waterbody as well as downstream waterbodies, and mitigation activities will be undertaken to counterbalance any adverse impacts, and
  - d. Restoration activities will leave the site, as nearly as possible, in its pre-existing condition and grade at the time of application for the Conditional Use Permit.
- 4) Review. Once the public hearing is scheduled the applicant will need to post a sign with the hearing information. Approval will require an affirmative vote of 5 Planning Board members.
  - 5) Site walk. The board could schedule a site walk but hopefully the photos provided by the applicant convey a good sense of the site.
  - 6) Conservation Commission. The Conservation Commission discussed the project on November 26 and recommended approval subject to a few conditions:
    - The applicant provided more photos or a PowerPoint for the board in the event that the board would like to see the site but the snow prevents an effective site walk. (✓ provided)
    - Showing the flood line on the plan.
    - Providing information on the conservation easement.
    - Providing an approval/okay from the Nature Conservancy for the project since the activity will occur in the easement area.
    - Demarcating the edge of the gravel area in some way to discourage/convey that drivers should not drive beyond there.
    - Providing a stone/stone spreader at the end of the outlet pipe.

See the tax map and aerial photo below.

Lot 13-1

