



TOWN OF DURHAM
 8 NEWMARKET RD
 DURHAM, NH 03824-2898
 603/868-8064
www.ci.durham.nh.us

Town Planner's Recommendation
Wednesday, July 10, 2019

VIII. Public Hearing - 72 Piscataqua Road – Resubdivision of 2 existing lots.

Resubdivision/lot line adjustment of 2 lots, one with frontage on Route 4/Piscataqua Road and one with frontage on Riverview Road. Donna Vittands, property owner. Paul Dobberstein, Ambit Engineering, Surveyor. Map 11, Lots 29 and 31-15. Residence Coastal District.

➤ I recommend approval as stated below.

Please note the following:

Waivers. This approval includes two waivers: on showing high intensity soils and to retain above ground electric lines for the existing house. I recommend approval. These waivers are granted upon a finding that specific circumstances relative to the subdivision or the conditions of the land in the subdivision indicate that the waivers will properly carry out the spirit and intent of these regulations.

Draft

NOTICE OF DECISION

Project Name: 72 Piscataqua Road – Lot Line Adjustment/2 Lot Reconfiguration

Action Taken: APPROVAL

Address: 72 Piscataqua Road and 8 Riverview Road

Property Owner: Ingvar Vittands

Surveyor: Paul Dobberstein, Ambit Engineering

Map and Lot: Map 11, Lots 29 and 31-15

Zoning: Residence Coastal

Date of approval: July 10, 2019

[Office use only. Date certified: _____]

“Applicant,” herein refers to the applicant and her agents, successors and assigns.

PRECEDENT CONDITIONS

All of the conditions precedent below must be met by the applicant prior to the plans being certified by the Town Planner. Certification of the plans is required prior to recording the plans. Once the plans are certified the approval is considered final.

Please note. If all of the conditions precedent are not met within 6 calendar months to the day of the board's approval - by July 10, 2020 - the Planning Board's approval will be considered to have lapsed. Extension(s) may be granted by the Planning Board for reasonable cause. It is the sole responsibility of the applicant (or his/her agent) to ensure that the conditions precedent are met by this deadline. No changes to the plans that were reviewed and approved by the Planning Board on July 10, 2019 may be made except for the specific required changes that follow. The most up to date plans were revised June 20, 2019.

Plan Modifications

- 1) Easement. Show easement for electric line for lot 31-15 to cross small section of Lot 29. See condition below for electric service.

Notes on Plans

- 2) Notes on plans. Add the following notes on the plans/plan set that were reviewed and approved by the Planning Board:
 - a) “Underground utilities. All new electric lines shall be located underground.”
 - b) “Additional information. For more information about this lot line adjustment, or to see the complete plan set, contact the Town of Durham Planning Department, 8 Newmarket Road, Durham, NH 03824. (603) 868-8064.”
 - c) “Notice of decision. “It is the applicant’s responsibility to follow all requirements related to this site plan approval. Please review these plans and the Planning Board Notice of Decision carefully. Contact the Durham Planning Department at (603) 868-8064 with any questions or concerns.”

Other Conditions Precedent

- 3) Signature. Sign this notice at the bottom.
- 4) NHDOT Driveway permit. Obtain a driveway permit from the New Hampshire Department of Transportation to add access for the second lot off the existing driveway on Piscataqua Road. Note that if the driveway must be widened or otherwise altered a conditional use with the Town of Durham may be required as the existing driveway is located in the wetland conservation overlay district. Any significant changes to the plans as approved by the Planning Board shall be submitted to the Planning Board for review. In the event of such review, no notices or public hearing shall be required (unless otherwise stipulated by the Planning Board).
- 5) State approval. State approval of subdivisions is not required for any lots over 5 acres and Lot 29 will be reduced to 5.3 acres. However, given the amount of wetlands, open water on the lot and the Town’s buffers the applicant must obtain approval or an okay (email is acceptable) confirming that Lot 29 is acceptable.

- 6) Electric service approval. Obtain written confirmation from Eversource Energy that the plans for electric service to and on the site are acceptable.
- 7) Easements. Submit draft written easements for utilities and the shared driveway to the Town for review and approval, including provisions for access and maintenance of the shared driveway.
- 8) Monumentation. The surveyor shall provide a certificate of monumentation to the Planning Department.
- 9) Current use and Tax Implications. If all or a portion of the subject property is enrolled in Current Use per RSA 79-A, the applicant shall provide the Town of Durham Assessing Department with a revised Current Use map and any other items needed to assure that the requirements of RSA 79-A are satisfied. Please contact the Town Assessor, at 868-8065 with any questions. (Please note that the current use penalty must be paid for property that comes out of current use. The penalty is set at 10% of the market value of the property at the time that it no longer qualifies for current use designation. Consult the Town Assessor regarding the timing for the payment.)
- 10) Final drawings. The following complete sets of final approved drawings shall be submitted for signature (except the electronic version) by the Town Planner: a) two large sets of black line drawings (one for recording); b) one set of 11"x17" drawings; plus c) one electronic version by pdf. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans.

SUBSEQUENT AND GENERAL TERMS AND CONDITIONS

All of the terms below are also attached to this approval.

- 11) Recording. The plat and this notice of decision (per RSA 676:3 III) must be recorded together at the Strafford County Registry of Deeds within 60 days of when the plat is certified. Failure to comply with this requirement herein shall render the lot line adjustment null and void.
- 12) Porkchop Subdivision. This application is approved in accordance with the standards of the Porkchop Subdivision provision of the Durham Zoning Ordinance.
- 13) Electric service. Electric service for the development of a house on Lot 31-15 shall be provided in this manner. Service will be from PSNH pole 22/30B situated at the end of the utility easement on Lot 29. It will go underground from the pole the rest of the way. It will extend about 10 feet through the edge of the Wetland Conservation Overlay District and then alongside and outside of the overlay district directly to Lot 31-15 where it will run to the proposed new house. Placement of the underground line within the overlay district will be reviewed administratively under Section 175-60. The applicant for the new house shall provide a simple plan to minimize impact upon the overlay district.

