

Conditional Use Permit Narrative - 8 General Use Criteria, 4 Criteria for Wetland and Shoreland Zones

Naithan Couse

22 Colony Cove Road

Durham, NH

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Site Location and Description

The subject parcel is 22 Colony Cove Road and is located along Durham Point Road. The parcel is 1.03 Acres and is located on the eastern side of Durham, New Hampshire along Little Bay.

The parcel is abutted by residential homes within the RC – Residence C District. The two images below show the existing home and property.





1. Site suitability:

- **There is adequate pedestrian access from the home to the patio.** A large slider door from the house kitchen/living area will access the patio. The hot tub will be accessed by a slider door from the Master Bedroom. Pedestrian access to the existing dock will also be close to the patio.
- **The existing surface is a flat grade. The surface is grass and gravel. The proposed patio will be permeable pavers** so as to not create runoff. There are two decks that are impervious that are being torn down that the patio will replace. This will also create less runoff from the site.
- **There is water and electricity in place for the intended use** including an exterior outlet and outdoor lighting.

2. External impacts: The external impacts of the proposed use will be the same or less than existing. The patio will be facing the water and dock side of the property. This area has adequate buffer from abutting properties from existing trees. The square footage of the patio is less than the square footage of the two decks that were taken down.

3. Character of the site development: The proposed layout and design of the site is

compatible with the established character of the neighborhood. Many homes on Little Bay have patios, decks or open lawns.

4. Character of the buildings and structures: Not applicable

5. Preservation of natural, cultural, historic, and scenic resources: **The proposed permeable patio design will not impact** the natural, cultural or historic resources of the area.

6. Impact on property values: The proposed permeable patio will not cause property values to go down.

7. Availability of Public Services & Facilities: Not applicable

8. Fiscal impacts: The proposed permeable patio will not lower the assessed value of the property.

4 Criteria for Wetland and Shoreland Zones

The Planning Board shall approve a Conditional Use Permit for a use in the SPOD only if it finds, with the advice of the Conservation Commission, that all of the following standards have been met in addition to the general standards for conditional uses and any performance standards for the particular use:

1. There is no alternative location on the parcel that is outside of the SPOD that is reasonably practical for the proposed use.

- Given that the entire existing house is within the SPOD, the new patio is placed at the best location. The location near the kitchen slider door will allow the homeowner to go from the center of the home to the patio for enjoying the outdoors. The patio will be next to the path to the dock and this will minimize walking or erosion off of the patio to the rest of the yard. The hot tub is in the best location, accessed directly from the Master slider door and also from the main patio by step stones.

2. The amount of soil disturbance will be the minimum necessary for the construction and operation of the facilities as determined by the Planning Board.

- Yes, the permeable design of the patio will prevent erosion in the long run and will not disturb more land area than a usual design. See cross section of permeable patio pavers attached.
- Construction access will come into and exit the site by the existing gravel driveway and will directly go around the house to access the patio the most minimal way possible.

3. 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.

- The permeable design of the patio will minimize runoff and erosion.
- The construction of the patio will be by small equipment such as a small excavator or Bobcat or similar, and this will be of minimal impact to the site.

4. 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.

- Yes, the patio will be constructed with layers of aggregate underneath to allow water to go through, but the grade of the patio will be the same as the existing grade.
- The area around the patio will be grass on the sides and mulch with groundcover and plantings on the shore front side. The grade will be the same as existing.