



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

NOTICE OF DECISION

Project Name: Yates Electric – New Building
Action Taken: APPROVAL
Project Description: Addition of storage building/garage, pavement, and drainage
Address: 88A Dover Road
Property Owner: Coyote Court, LLC, c/o William and Nancy Yates
Engineer: Erik Saari, Altus Engineering
Map and Lot: Map 11, Lot 4-2
Zoning: Office Research
Date of approval: April 14, 2021

[Office use only. Date certified: _____; CO signed off _____;
As-built's received? _____; All surety returned: _____]

“Applicant,” herein refers to the applicant and his/her/their/its agents, successors and assigns.

PRECEDENT CONDITIONS

All of the conditions 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 issuance of a building permit or performing any significant site work. Once these conditions precedent are met and the plans are certified the approval is considered final.

Please note. If all of the precedent conditions are not met within one year to the day of the board’s approval - by April 14, 2022 (or as extended) - 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 precedent conditions are met by this deadline. See RSA 674:39 on vesting. No changes to the plans that were reviewed and approved by the Planning Board on April 14, 2021 may be made except for the specific required changes that follow.

Notes on Plans

Notes on plans. Add the following notes on the plans that were reviewed and approved by the Planning Board:

- 1) Wetland buffer. “The 75-foot wetland buffer shall not be disturbed, including during construction for this project.”

- 2) Driveway maintenance. “The use of sodium-chloride-based materials/salt for winter maintenance shall be the minimum necessary for driveway and parking safety.
- 3) Stormwater infrastructure. “All stormwater infrastructure shall be maintained by the property owner as specified in the approved plans.”
- 4) Additional information. “For more information about this site plan, or to see the complete plan set, contact the Town of Durham Planning Department, 8 Newmarket Road, Durham, NH 03824. (603) 868-8064.”

Other Conditions Precedent

- 5) Bollards. Show locations of bollards on plans.
- 6) NHDOT. The applicant and the Town will coordinate with NHDOT in requesting that the current driveway permit be amended to reflect this change as requested by NHDOT.
- 7) Signature. Signature by the applicant at the bottom acknowledging all terms and conditions of this approval herein.

SUBSEQUENT CONDITIONS AND GENERAL TERMS

All of the conditions below are also attached to this approval. All work shall be completed and all required conditions shall be met prior to issuance of a certificate of occupancy unless otherwise specified or a surety acceptable to the Town is posted.

Conditions to be met prior to commencing site work

- 8) Site work. No significant site work (including any significant clearing of the site) or ground disturbance may be undertaken until:
 - a) all of the conditions precedent are met;
 - b) the preconstruction meeting with Town staff has taken place (Contact Michael Behrendt, Town Planner, to arrange for the meeting);
 - c) limits of clearing have been established in the field and approved by the Public Works Department; and
 - d) all appropriate erosion and sedimentation control structures are in place.
 - e) These erosion and sedimentation control measures and designation of the limits of clearing must be in place prior to the pre-construction meeting in order that they may be inspected at the meeting.

Conditions to be met prior to issuance of any certificate of occupancy

- 9) As-built drawings. One set of 11” x 17” drawings and one electronic copy of as-built (“record”) drawings of all buildings, structures, infrastructure, utilities, drainage structures, roads, parking areas, and other pertinent elements shall be provided prior to the certificate of occupancy. The plans shall be stamped and signed by the Engineer or Surveyor and include

the following language or comparable: “This as-built drawing substantially conforms with the final plans approved by the Town of Durham Planning Board and certified by the Planning Department except for the following significant modifications:”. If no significant modifications were made simply state “none”. Otherwise, itemize the modifications on the as-built or on an accompanying letter.

- 10) Improvements. All improvements included in this approval shall be completed prior to issuance of a certificate of occupancy unless an acceptable surety is posted.

Other terms and conditions

- 11) Recording. This notice of decision must be recorded at the Registry of Deeds within 14 days of certification of the plans.
- 12) Minor changes. Changes to the approved plans may be approved as described in the Planning Board’s Rules of Procedures, including minor changes which may be approved by the Town Planner.
- 13) Approval. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall be determining.
- 14) Waivers. Numerous waivers were granted by the Planning Board based on the limited nature of the project.

Findings of fact. As part of this review and approval the Durham Planning Board finds the following: **A)** The applicant submitted an application, supporting documents, and plans for the project; **B)** The Planning Board accepted the application as complete; **C)** The staff held a site visit with the applicant; **D)** The Planning Board held a site walk and one public hearing(s) on the application; **E)** The applicant revised and updated the plans including a drainage study; ; **F)** The Planning Board reviewed the application in accordance with state law, the Durham Zoning Ordinance and the Durham Site Plan Regulations and found that the application meets all requirements (except where waivers were granted); **G)** This project is not considered to be a Development of Regional Impact; and **H)** The Planning Board duly approved the application as stated herein. Substantial records are maintained of the process and documentation submitted in the Planning Department. A record of documentation and a timeline of the project will be prepared as needed.

(over)

