



**TOWN OF DURHAM**  
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**Town Planner's Review**  
**Wednesday, March 23, 2022**

VIII. **Durham Point Road – New Driveway.** Conditional Use Application for driveway to cross wetland buffer for new single-family house. Located catty corner to the Durham Transfer Station. The lot shares a driveway with 101 Durham Point Road. Karon Walker, owner. Scott Boudreau, surveyor. Map 11, Lot 38-2. Residence Coastal Zone.

- I recommend that the board discuss the project, schedule a site walk, and schedule the public hearing for a meeting in April.

Please note the following:

- 1) **Application.** This application is for a driveway on a vacant lot. Karon Walker, the property owner, plans to build a single-family house on the lot. The proposed driveway would come off an existing shared gravel driveway that also serves the adjacent lot to the west, 101 Durham Pont Road, owned by Barbara and Robert McNitt.
- 2) **Lot.** The lot is 53 acres. It is zoned Residence Coastal. The northerly portion adjacent to the Oyster River is in the Shoreland Protection Overlay District. See the tax map at the bottom.
- 3) **Conditional Use.** A conditional use is needed because the driveway would go through two wetland buffers - for grading in one section impacting 924 square feet and for the driveway in another section impacting 7,942 square feet. It would not cross a wetland so approval would not be needed from NHDES. The Conservation Commission will make a recommendation regarding the four Wetland Conservation Overlay District (WCOD) criteria. The board will review those wetland criteria along with the eight general criteria (which are to a fair degree nonapplicable for conditional uses in the WCOD). A conditional use application is not accepted as complete.
- 4) **Driveway.** The gravel driveway will be around 1,100 feet long. One section, from 200 feet in to 350 feet is quite steep with an 11.43% grade. Work in the buffer includes the driveway, grading for the driveway, installation of a 15" culvert, installation of a 15" culvert with rip rap, and underground utilities. Temporary erosion control will be installed in the buffer.
- 5) **Schedule.** The application is being presented to the Conservation Commission on March 28. The commission may make its recommendation that evening or continue the review to its following meeting on April 25. The Planning Board could schedule the public hearing for the April 13 meeting or the April 27 meeting. Mill Plaza will be discussed on April 13.

- 6) TRG. The application will not be presented to the Technical Review Group, but it was sent to the group in case any member has any comments.
- 7) Note from owner. Here is an email that I received from the property owner:

“Michael, yes; we want to put a single-family residence there, with very limited impact on the wetlands and well outside other protected areas on the parcel. We are hoping to install solar and geothermal power and to maintain the vast majority of the lot in current use. Scott Boudreau is filing an application Tuesday to go before the Planning Board on March 23 for a conditional use permit to allow a proposed driveway to cross a wetlands buffer. We are required to use a shared driveway for much of our access to the lot, and so are trying to avoid crossing actual wetlands to get to the possible site of the house. I look forward to meeting with you as we are able to progress.”

**Lot 38-2**

