



**TOWN OF DURHAM**  
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[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

***Town Planner's Recommendation***  
**Wednesday, August 24, 2022**

IX. **Public Hearing - 74 Mill Road – Conditional Use**. Conditional use for garage and accessory dwelling unit for single-family house to be located within the Shoreland Protection Overlay District (SPOD). Iago and Erin Hale, property owners. Alex Ross, engineer. Map 109, Lot 85. Residence B District.

➤ I recommend approval as shown below.

**\*Draft\***

**NOTICE OF DECISION**

**Project Name:** Conditional Use for Garage and ADU – 74 Mill Road  
**Action Taken:** APPROVAL  
**Project Description:** Conditional use for new building to be located within Shoreland Protection Overlay District (SPOD)  
**Address:** 74 Mill Road  
**Property Owner:** Iago and Erin Hale  
**Engineer:** Alex Ross, Ross Engineering  
**Map and Lot:** Map 109, Lot 85  
**Zoning:** Residence B  
**Date of approval:** August 24, 2022

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The application is approved as submitted and presented to the Conservation Commission and the Planning Board.

The applicant shall submit a plan to buffer and treat runoff from the new building to the Oyster River. The plan is to be approved by the Town Engineer prior to issuance of a building permit.

The conditional use is valid provided the applicant substantially commences construction on the new building by August 24, 2025.

Findings of fact. The Durham Planning Board finds the following: **A)** The applicant submitted an application, supporting *documents*, and plans for the project; **B)** The Conservation Commission *recommended approval*. **C)** The Planning Board held a *site walk* and a *public hearing* on the application; **D)** The Planning Board found that the eight criteria for *conditional uses* and four specific criteria outlined in the Zoning Ordinance are adequately addressed in the applicant's application and **E)** The Planning Board duly *approved the application* as stated herein.