



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

Town Planner's Project Review
Wednesday, August 24, 2022

VIII. **20 Adams Point Road – 2-Lot Subdivision.** 2-lot subdivision of 34-acre parcel at the southeast corner of Adams Point Road and Bay Road. Anthony and Natalie Diberto, owners. Chris Berry and Ken Berry, Berry Surveying. Map 230, Lot 7. Residence Coastal District.

- I recommend the board accept the application as complete (subject to obtaining a copy of the easement) and schedule a site walk and the public hearing.

Please note the following:

- 1) **Zoning.** The lot is situated in the Residence Coastal District. The minimum lot size is 150,000 square feet. The minimum frontage is 300 feet. The minimum setbacks are 30 feet, 50 feet, and 50 feet respectively.
- 2) **Buildable area.** The buildable area at the northwest (upper left) corner of the new lot is tight. The applicant should provide the square footage for the building area. See the details on Sheet 2 showing prospective house area, well area, area for the leach field, and driveway. The driveway should come off Adams Point Road rather than Bay Road. Accessory structures and utilities could be placed in the wetland buffer now or in the future by conditional use.
- 3) **Technical Review Group.** The application is not being brought to the TRG, but I have shared the information with the staff and invited them to comment.
- 4) **Well and septic.** Proposed locations for the well and septic on the new lot are shown. The existing well location and approximate septic location for the existing house are shown.
- 5) **Poorly drained soils.** Any poorly or somewhat poorly drained soils in the 100-foot wetland buffer do not count toward the 150,000 square foot minimum lot size. The surveyor noted, *“All of the soils shown outside the wetland boundary are outside of those exclusions, except areas on the big lot down in the lower field. The area on the “small” lot outside the pond and wetlands is 150,212 square feet...I made sure to have Deidra go out and make sure there were no somewhat poorly drained soils in the buffer. Unlike a natural wetland that has a transition zone that would ordinarily*

include somewhat poorly drained, this is a man-made pond dug into the soil and so the wetlands around it lack that transition.”

- 6) Electric. The electric must be run underground. It would be appropriate to add one pole on the lot if needed and run electric underground from there.
- 7) Frontage. Adams Point Road counts for frontage as a “public street” under the Zoning Ordinance defined as “a dedicated public right of way providing access to abutting properties.” Adams Point Road is owned by the state of New Hampshire. It leads from Durham Point Road to a facility on Little Bay owned by NH Fish and Game. It may be a standard Class II state highway or more likely it is a class III or class III-a which is for recreational purposes. It is separately platted with a right of way.
- 8) Easement. There is a conservation easement on the parcel comprising the southerly $\frac{3}{4}$ or so of the parcel. We should get a copy of the easement and confirmation that the Nature Conservancy does not object to the subdivision.
- 9) Existing house. The existing house lies entirely within the wetland conservation overlay district.
- 10) Impact fee. The impact fee for a new house on the new lot will be \$3,699. This will be assessed with the subdivision approval and payable prior to issuance of a certificate of occupancy.