



TOWN OF DURHAM
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Town Planner's Review
Wednesday, September 27, 2023

VIII. **Request for Extension – Gerrish Drive Subdivision.** Parcel at 91 Bagdad Road. Request for extension to meet precedent conditions for approved 18-unit subdivision. The subdivision was approved on October 26, 2022, with a deadline of October 26, 2023. Marti and Michael Mulhern, property owners. ***Recommended action:*** Approval of extension to October 26, 2024.

- I recommend that the Planning Board grant an extension to October 26, 2024, as stated below.

Please note the following:

The subdivision was re-approved, after being remanded from Superior Court, on October 26, 2022. The deadline to meet precedent conditions was October 26, 2023, the standard timeframe. The applicant requests a one-year extension to October 26, 2024.

This request makes sense. As the Mulherns note in the request, they are waiting for a decision from Superior Court on an appeal by Gail Kelley, an abutter. It is reasonable for the Mulherns to hold off on spending money addressing the precedent conditions while the case is still in court.

The Planning Board customarily grants extensions as requested, unless there are unusual circumstances where an applicant appears to have abandoned a project or has been unduly lax in addressing requirements. That is not the case here.

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NOTICE OF EXTENSION

Project Name:	Gerrish Drive Subdivision
Action Taken:	APPROVAL of request for extension to meet precedent conditions to <u>October 26, 2024</u>
Address:	Parcel at 91 Bagdad Road
Property Owner:	Marti and Michael Mulhern
Map and Lot:	Map 206, Lot 46
Date of approval:	September 13, 2023