



**PLANNING DEPARTMENT**

**Town of Durham**

8 Newmarket Road

Durham, NH 03824-2898

Phone (603) 868-8064

[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

**CONDITIONAL USE APPLICATION**

Date: April 7, 2023

**Property information**

Property address/location: Longmarsh Road

Tax map #: 118; lot #'s): 3; Zoning District: Residence B

**Property owner**

Name (include name of individual): SEJ Properties LLC C/O Ted Mulligan

Mailing address: 4 Rocky Lane, Durham, NH 03824

Telephone #: 603-315-4521 Email: tsm5066@gmail.com

**Engineer, Surveyor, or Other Professional**

Name (include name of individual): Ambit Engineering, Inc. Steven D. Riker, CWS

Mailing address: 200 Griffin Road, Unit 3

Telephone #: 603-430-9282 Email address: sriker@haleyward.com

**Proposed project**

Activity within the WCOD x; Activity within the SPOD    ; Other proposal or activity    

What is the proposed project? The project proposes 691 sq. ft. of impact to wetland and 3,824 sq. ft. of impact to the wetland buffer for the construction of a driveway to access the buildable portion of the existing residential lot.

Which provision in the zoning ordinance calls for this conditional use?    

Article XIII Wetland Conservation Overlay District 175-61.

Justification for granting the conditional use:    

Have you completed the conditional use checklist? Yes, attached.

## Other Information

Please note the following:

- Coordinate with Michael Behrendt, the Durham Town Planner, at 868-8064 or [mbehrendt@ci.durham.nh.us](mailto:mbehrendt@ci.durham.nh.us) about the process and other information that may be needed.
- Coordinate with Andrea Novotney, Planning Department Administrative Assistant, at 868-8064 or [anovotney@ci.durham.nh.us](mailto:anovotney@ci.durham.nh.us) about fees and preparing the abutters list. All property owners within 300 feet of the site will be notified about the application and public hearing.
- Please be sure to attend all meetings of the Planning Board and the Conservation Commission, if the latter will be making a recommendation.
- The Planning Board may schedule a site walk after the first meeting.
- A public hearing will be held on the application. A sign must be placed on the property by the applicant at least 10 days prior to the hearing.
- The applicant will need to address the eight general conditional use criteria. For conditional uses within the Wetland or Shoreland Overlay Districts four additional specific criteria must be addressed by the applicant.
- For conditional uses within the Wetland or Shoreland Overlay Districts, the application will be presented to the Conservation Commission for a recommendation.
- See Article VII in the Zoning Ordinance for additional information about conditional uses.
- We encourage you to check with the New Hampshire Division of Environmental Services to see if any state permits are needed prior to spending money on any Town applications.

## Submission of application

This application must be signed by the property owner(s) *and/or* the agent.

*I(we) attest to the best of my(our) knowledge that all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As agent, I attest that I am duly authorized to act in this capacity.*

Signature of property owner: \_\_\_\_\_



Date: \_\_\_\_\_

Signature of agent: \_\_\_\_\_

Date: April 7, 2023

Site Photograph #1

April 2023



Site Photograph #2

April 2023



Site Photograph #3

April 2023



Site Photograph #4

April 2023



Site Photograph #5

April 2023



Site Photograph #6

April 2023



# ***Conditional Use Checklist*** ***for WCOD and SPOD applications***

*\*To be filled out by the applicant/agent*

Address or location of property: Longmarsh Road

Applicant/agent: Steven D. Riker, CWS Ambit Engineering, Inc.

Owner, if different from applicant: \_\_\_\_\_

Map: 118 Lot: 3 Date: April 7, 2023

The following items must be included in a conditional use application for activity within the Wetland Conservation Overlay District (WCOD) and the Shoreland Protection Overlay District (SPOD). Please mark the items below and return this form to the Planning Department.

### **General items and documentation:**

- Conditional use application
- This conditional use checklist
- A letter of intent/narrative describing the project
- A narrative addressing the 8 general conditional use criteria
- A narrative addressing the 4 specific criteria for activity within the WCOD and SPOD
- An electronic/pdf version of the plan (below)
- Application and notice fees. Please coordinate with Andrea Novotney, Admin. Asst.
- Abutters list including properties within 300 feet of the subject lot. Please coordinate with Andrea Novotney.
- Letter or email from property owner authorizing agent to submit the application or represent them, if applicable
- Photograph(s) of the site showing where the proposed activity will occur
- Confirmation that the applicant will install a sign on the property about the public hearing once the hearing date with the Planning Board is set
- Confirmation that the applicant has seen the documents *Considerations for Potential Impacts on Wetlands* and *Wetland and Shoreland Resources for Applicants*. No action is required in regard to these documents; rather applicants are simply encouraged to review and consider information contained in the documents.
- Confirmation that the applicant has discussed their project with the Town Planner

(over)

**Information to be included on the plan:**

The function of the plan is to convey very clearly the nature and pertinent details of the project. Some of these items may not be needed depending on the character and scope of the proposal. Please check with the Town Planner with any questions. The Town Planner can advise the applicant about which items he believes may not be needed in order to save the applicant expense. However, the Conservation Commission and Planning Board make their own determination about particular items that are necessary to conduct their review. If the timeframe for the project is tight, the applicant is encouraged to provide more information up front to reduce the chances of the review being continued to an additional meeting allow for additional information to be submitted.

- A plan drawing to scale prepared by a surveyor, engineer, or other qualified professional
- A title block with title, owner's name, address of the property, date, and name, address and seal of the person preparing the plan
- A north arrow and a bar scale. A legend if applicable
- A locus plan showing the location of the subject lot at an appropriate scale (such as 1" = 500 feet or 1" = 1,000 feet)
- Names of owners of abutting lots
- Property lines and location of the proposed activity within the lot. Where the proposed activity is close to a property line and on larger, more significant projects inclusion of surveyed property lines may be needed.
- Existing buildings, structures, driveways, parking areas, utilities, drainage structures, water bodies, and other salient features in the vicinity of the proposed activity
- The wetland and edge of wetlands in the WCOD and the waterbody and reference line in the SPOD delineated by a qualified professional
- The buffer/setback line from the edge of wetlands or reference line
- All proposed activity within the buffer/setback area and in the vicinity of the buffer/setback area clearly delineated
- On larger or more significant projects existing and proposed contours in the vicinity of the proposed activity
- Erosion and sedimentation control measures, if applicable
- Restoration plan, if applicable
- Landscaping plan, if applicable