



TOWN OF DURHAM
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Zoning Administrator
Victoria Parmele,
Minutes Taker

ZONING BOARD OF ADJUSTMENT
Tuesday, February 11, 2020 at 7:00 p.m.
Town Council Chambers, Town Hall
8 Newmarket Road, Durham, NH
Agenda

- I. Call to Order
- II. Roll Call
- III. Seating of Alternates
- IV. Approval of Agenda
- V. Public Hearings:

A. **PUBLIC HEARING** on a petition submitted by Jeff & Vivian Miller, Durham, New Hampshire for an **APPLICATION FOR APPEAL TO BUILDING CODE BOARD OF APPEALS** from Chapter 1, Administration, and Chapter 18, Fire Department Access & Water Supply, of the 2015 NHPA1 to permit the construction of an accessory apartment. The property involved is shown on Tax Map 20, Lot 12-3, is located at 297 Durham Point Road, and is in the Residence C Zoning District. **(This application has been withdrawn.)**

B. **PUBLIC HEARING** on a petition submitted by Jeff & Vivian Miller, Durham, New Hampshire for an **APPLICATION FOR VARIANCE** from Article XX, Section 175-109(F)(2, 3 & 6) of the Durham Zoning Ordinance to permit the construction of an accessory building over 200 square feet in size, over 14 feet in height, and located forward of the front façade of the house. The property involved is shown on Tax Map 20, Lot 12-3, is located at 297 Durham Point Road, and is in the Residence C Zoning District. **(This application has been withdrawn.)**

C. **PUBLIC HEARING** on a petition submitted by Jeff & Vivian Miller, Durham, New Hampshire for an **APPLICATION FOR SPECIAL EXCEPTION** from Article XX, Section 175-109(F)(4), of the Durham Zoning Ordinance to permit an accessory building to contain heat. The property involved is shown on Tax Map 20, Lot 12-3, is located at 297 Durham Point Road, and is in the Residence C Zoning District. **(This application has been withdrawn.)**

D. **PUBLIC HEARING** on a petition submitted by Jeff & Vivian Miller, Durham, New Hampshire for an **APPLICATION FOR VARIANCE** from Article XII.1, Section 175-54 of the Durham Zoning Ordinance to permit the construction of a detached garage with an accessory apartment above within the frontyard and sideyard setbacks. The property involved is shown on Tax Map 20, Lot 12-3, is located at 297 Durham Point Road, and is in the Residence C Zoning District.

(Over)

E. **PUBLIC HEARING** on a petition submitted by Bob Caldicott, Edgewood Place LLC, Durham, New Hampshire for an **APPLICATION FOR VARIANCE** from Article XX, Section 175-109(F)(6), of the Durham Zoning Ordinance to permit the construction of shed located forward of the front façade of the house. The property involved is shown on Tax Map 2, Lot 3-7, is located at 20 Edgewood Road, and is in the Residence A Zoning District.

F. **PUBLIC HEARING** on a petition submitted by Sharon Cuddy Somers, Donahue, Tucker & Ciandella, PLLC, Exeter, NH on behalf of Charles & Trisha Waters, Durham, New Hampshire for an **APPLICATION FOR SPECIAL EXCEPTION** from Article XX, Section 175-109(F)(4), of the Durham Zoning Ordinance to permit an accessory building to be supplied with sewer. The property involved is shown on Tax Map 7, Lot 2-0 is located at 83 Mill Road, and is in the Residence B Zoning District.

G. **PUBLIC HEARING** on a petition submitted by Sharon Cuddy Somers, Donahue, Tucker & Ciandella, PLLC, Exeter, NH on behalf of Charles & Trisha Waters, Durham, New Hampshire for an **APPLICATION FOR VARIANCES** from Article XII.1, Section 175-53 of the Durham Zoning Ordinance to permit an accessory apartment in the RB Zoning District and from Article XIII, Section 175-65(F) of the Durham Zoning Ordinance to permit the placement of a septic tank and aeration tank within 125 feet of a wetland. The property involved is shown on Tax Map 7, Lot 2-0 is located at 83 Mill Road, and is in the Residence B Zoning District.

H. **PUBLIC HEARING** on a petition submitted by Sharon Cuddy Somers, Donahue, Tucker & Ciandella, PLLC, Exeter, NH on behalf of Thomas W. & Anne E. Duncan, Sudbury, Massachusetts, for an **APPLICATION FOR VARIANCE** from Article XX, Section 175-109(G)(3) of the Durham Zoning Ordinance to permit the construction of an accessory apartment of 1,735 square feet. The property involved is shown on Tax Map 19, Lot 19-7 is located at 560 Bay Road, and is in the Residence R/RC Zoning District.

VI. **Other Business**

A. Discussion of whether to hold the meetings of March and November on different dates due to elections being held the same day.

VII. **Approval of Minutes:** No Minutes

VIII. **Adjournment**

Please note:

- 1) **Public hearings.** The public is invited to attend all meetings of the Zoning Board of Adjustment. *The public is welcome to speak at all public hearings.* For other items the public may speak only at the discretion of the chair/board.
- 2) **Other information.** Files on the items above are available for review in the Planning Office from 8:00 a.m. to 5:00 p.m., Monday through Friday.
- 3) **Contacting us.** Contact the Planning and Building Department with questions or comments about the items above or any planning-related matters. Call (603) 868-8064 or email kedwards@ci.durham.nh.us (Karen Edwards, Administrative Assistant) or acline@ci.durham.nh.us (Audrey Cline, CEO/Zoning Administrator).
- 4) **Communication aids.** Please provide the Town 48-hours notice if special communication aids are needed.
- 5) **Meeting dates.** Meeting dates are subject to change. Contact the Planning and Zoning office about meetings. The next Zoning Board of Adjustment meeting is **March 10, 2020.**