

**Property Referenced:
Tax Map 19, Lot 4-1**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by the Michael Sievert, P.E., MJS Engineering, P.C., Newmarket, New Hampshire on behalf of Jason & Ryan Bailey, Durham, New Hampshire for an APPLICATION FOR VARIANCE from Article XIII, Section 175-65(A) to allow soil disturbances within 50 feet of the wetland buffer and maintain the existing lawn and vegetation as is. The property involved is shown on Tax Map 19, Lot 4-1, is located at 114 Dame Road, and is in the Rural Zoning District.

DECISION OF THE BOARD

After review of the pertinent sections of the Zoning Ordinance of the Town of Durham, and after full consideration of the evidence submitted by Michael Sievert, P.E. and testimony given at a Public Hearing on August 9, 2016 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by the Michael Sievert, P.E., MJS Engineering, P.C., Newmarket, New Hampshire on behalf of Jason & Ryan Bailey, Durham, New Hampshire for an APPLICATION FOR VARIANCE from Article XIII, Section 175-65(A) to allow soil disturbances within 50 feet of the wetland buffer and maintain the existing lawn and vegetation as is. The property involved is shown on Tax Map 19, Lot 4-1, is located at 114 Dame Road, and is in the Rural Zoning District.

The motion PASSED on a vote of 5-0-0 and the application for variance was approved.

Date

Sean Starkey, Chair
Durham Zoning Board of Adjustment

NOTE: Any person affected by this decision has the right to appeal this decision. If you wish to appeal, you must act within thirty (30) calendar days from the date of the hearing. The necessary first step before any appeal may be taken to the courts is to apply to the Zoning Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds upon which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677, for details.

As per RSA 674:33 Variances and Special Exceptions shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

Any questions should be directed to Audrey Cline, Zoning Administrator/Code Enforcement Officer.