



TOWN OF DURHAM  
8 NEWMARKET ROAD  
DURHAM, NH 03824  
Tel: 603/868-8064  
www.ci.durham.nh.us

Property Referenced:  
Tax Map 4, Lot 42-2 - 42-17, 47-0

## ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Young Drive LLC, Seabrook, New Hampshire, for an APPLICATION FOR VARIANCE from Article XIII, Section 175-59(A)(2)(d) of the Durham Zoning Ordinance to allow for the construction of Elderly Housing Multi-Unit buildings within the Wetland Conservation Overlay District, to allow structures within the wetland setback. The properties involved are shown on Tax Map 4, Lots 42-2 through 42-17 inclusive, and Lot 47-0, are located on Young Drive, and are in the Coe's Corner 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 Young Drive LLC and testimony given at a Public Hearing on March 21, 2017 a motion was made and seconded:

*that the Zoning Board of Adjustment deny a petition submitted by Young Drive LLC, Seabrook, New Hampshire, for an APPLICATION FOR VARIANCE from Article XIII, Section 175-59(A)(2)(d) of the Durham Zoning Ordinance to allow structures within the wetland setback due to the fact that the application did not meet the requirements for unnecessary hardship, substantial injustice, or meeting the spirit and intent of the Ordinance.*

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

3/28/17  
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.