

*Property Referenced:  
Tax Map 12, Lot 9-12*

## ZONING BOARD OF ADJUSTMENT

*RE: PUBLIC HEARING on a petition submitted by MJS Engineering PC, Newmarket, New Hampshire on behalf of Eric & Amber Sirles, Rochester, New Hampshire, for an APPLICATION FOR SPECIAL EXCEPTION in accordance with Article XIII, Section 175-62 and Article IX, Section 175-29(B) of the Durham Zoning Ordinance to construct a new septic system within the 125-foot wetland setback. The property involved is shown on Tax Map 12, Lot 9-12, is located at 12 Mathes Cove Road, and is in the Residence C 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 Eric & Amber Sirles and testimony given at Public Hearings on June 13 and July 11, 2017 a motion was made and seconded:

*that the Zoning Board of Adjustment approve a petition submitted by MJS Engineering PC, Newmarket, New Hampshire on behalf of Eric & Amber Sirles, Rochester, New Hampshire, for an APPLICATION FOR SPECIAL EXCEPTION in accordance with Article XIII, Section 175-62 and Article IX, Section 175-29(B) of the Durham Zoning Ordinance to construct a new septic system within the 125-foot wetland setback as depicted in the drawings provided by MJS Engineering dated 7/5/17.*

The motion PASSED on a vote of 5-0-0 and the application for special exception was granted.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chris Sterndale, Vice 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.