

Zoning Board

Durham, NH

I am unfortunately not able to attend this meeting due to work conflicts scheduled 6 months ago.

I appreciate the invitation to address the Board.

We bought our home on Cedar Point last year because of its location, proximity to the water, quality of life in Durham, and view. I assume based on prior experience that our taxes are calculated in part due to our location and view.

From reviewing the plans, application, denial letter we know that this proposal exceeds the regulations of 15% in footprint and 30% in volume as well as potentially encroaching on other setbacks. When someone buys a house on the water, they know this. They are of course told they can apply for an exemption or variance, but they know what the regulations state. To the Zoning Board's credit it appears they have already denied this request for a variance.

This is the view from our house and patio. We enjoy this, daily. If we wanted a view of houses and trees, we wouldn't have bought a waterview house. Our new neighbors have bought a waterfront house, are petitioning for this variance but will always have an unobstructed waterview of the bay from their home. If they expand their home's footprint – out or up – we will lose our view.

This is what our view currently looks like from our patio.



This is how much of our view will be gone if they go up a story, and out a few feet to the right.



This is the view with a 3 story house more toward the street and a foot or two toward the right:



I have reviewed the plans and it appears they want to build a 3 story house, most of which will be more toward the street than the existing dwelling. I appreciate the desire to do with one's property what one wishes and I welcome our new neighbors. But the neighborhood, according to some of the long time residents of Cedar Point, has already had a number of small homes replaced with larger magnificent waterfront homes which have impinged on other residents views. If this happens it will damage much of the view for us and for our neighbors to our left. That is why there are restrictions in the first place, and I think it should be the Board's decision to protect our water view in keeping with the existing regulations.

If the new neighbors can build their home to minimize the obstruction of our view (e.g expanding out and up on the left only, only two stories and more toward the street, it might even improve our view, then I could possibly support the variance. But that doesn't take into account what that will do to the view of our neighbors (you would have to ask them) and how the city of Durham would view the setbacks, shorefront buffer, leach fields, as regards existing regulations, etc.

If the variance cannot be revised without impinging on our view and accommodating the existing regulations, I am sorry, I would ask the Board to respect our situation and uphold the denial.