

**Property Referenced:
Tax Map 17, Lot 13-2**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Durbin Law, Portsmouth, New Hampshire, on behalf of the ARNE LLC, Hooksett, New Hampshire for an APPLICATION FOR SPECIAL EXCEPTION as specified in Article IX, Section 175-29(B) Durham Zoning Ordinance to construct a single-family home within approximately 49 feet of the wetland buffer. The property involved is shown on Tax Map 17, Lot 13-2, is located at 221 Packers Falls 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 Durbin Law and testimony given at a Public Hearing on October 9, 2018 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Durbin Law, Portsmouth, New Hampshire, on behalf of the ARNE LLC, Hooksett, New Hampshire for an APPLICATION FOR SPECIAL EXCEPTION as specified in Article IX, Section 175-29(B) Durham Zoning Ordinance to construct a single-family home within approximately 49 feet of the wetland buffer with the condition that the lower non-slope portion of the driveway be of pervious construction.

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

Date

Chris Sterndale, 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.