



CELEBRATING OVER 30 YEARS OF SERVICE TO OUR CLIENTS

**VIA E-MAIL**

April 6, 2020

Chris Sterndale, Chair  
Durham Zoning Board of Adjustment  
8 Newmarket Road  
Durham, NH 03824

Re: Kathleen Morris/Variance Application  
30 Durham Point Road

Dear Chair Sterndale and Members of the Board:

This supplements the application materials submitted to you on March 25, 2020 and is provided in anticipation of the hearing on April 14, 2020.

We offer the following comments which address specific requirements of the accessory dwelling unit ordinance and which provide comments on the existing state of the property. These comments are as follows:

- 1) Currently there is a well on site which is capable of providing water to the current occupants and the occupants of the proposed accessory dwelling units.
- 2) There is an existing town approved septic system on site which has capacity for five bedrooms. A copy of the town approval is attached. The system was installed in 2009. Due to the impacts of the Governor's Emergency Orders on various businesses, we have been unable to reach the septic


DONAHUE, TUCKER & CIANDELLA, PLLC  
16 Acadia Lane, P.O. Box 630, Exeter, NH 03833  
111 Maplewood Avenue, Suite D, Portsmouth, NH 03801  
Towle House, Unit 2, 164 NH Route 25, Meredith, NH 03253

designer to determine whether the existing septic system has sufficient capacity to service the additional bedrooms which will be included in the proposed accessory dwelling units. Further if additional capacity is required such that modifications to the system are needed, we are unable to determine at this time what such modifications would be. It is highly unlikely that we will obtain that information prior to the April 14, 2020 meeting. In order to move the application forward and yet still protect the Town's interest, we propose that the variance be granted subject to a condition of approval that no certificate of occupancy will be issued until such time as evidence is provided to the satisfaction of the Building Inspector that the property contains a septic system which is adequate to service the proposed bedrooms as well as the existing ones.

- 3) A one bedroom apartment exists on the basement floor of the building. Approval of this use is evidenced by the attached building permit. Also see the architectural drawings submitted with the March 25, 2020 application which depict a one bedroom apartment.

Please contact me if there are any questions.

Very truly yours,  
DONAHUE, TUCKER & CIANDELLA, PLLC



Sharon Cuddy Somers  
SCS/sac  
Enclosures

cc: Kathleen & Margo Morris  
Heather Rivera

# APPROVAL FOR OPERATION

N.H. DEPARTMENT OF ENVIRONMENTAL SERVICES  
SUBSURFACE SYSTEMS BUREAU  
CA2007087669 P.O. BOX 95, 29 HAZEN DRIVE, CONCORD, NH 03302-0095 APPROVAL NO. CA2007087669

AMENDED DUE TO:

OWNER:

JORG/LUAN JENSEN  
30 DURHAM PT RD  
DURHAM NH 03824-

RECEIVED  
Town of Durham

Map No./Lot No.: 8/23  
Subd. Appvl. No.: PRE 67  
Subd. Name: STRAFFORD  
County: 0031  
Registry Book No.: 3334  
Registry Page No.:  
Probate Docket No.:  
(If Applicable)

FILE COPY

COPY SENT TO:

BUILDING INSPECTOR  
13-15 NEWMARKET RD  
DURHAM NH 03824

DEC - 8 - 2008  
Planning, Assessing,  
Zoning & Code Enforcement

Type of System: 0  
5 BR  
750 GPD  
Town/City Location: DURHAM

Street Location: 30 DURHAM POINT ROAD

Installer WAYNE ROSA Permit No. 1002

Owner Installed For His/Her Domicile

Was Inspected On (Date) 11/12/08  
Before Covering And Is Hereby Approved For Use.

Date Approved: 11/12/08

By: Jay Beahm  
Authorized Agent Of N.H. Department of  
Environmental Services

(OVER)

Subsurface waste disposal systems must be operated and maintained in a manner so as to prevent nuisance or health hazard due to system failure. (RSA 485-A:37)

It is unlawful to discharge any hazardous chemicals or substances into subsurface waste disposal systems. Included are paints, thinners, gasoline and chlorinated hydrocarbon solvents such as TCE, sometimes used to clean failed septic systems and auto parts. (Env-Ws 1503.04)

REVISED 8/01

200702436

TOWN'S



CERTIFICATE ISSUED

DATE \_\_\_\_\_

# BUILDING PERMIT - CERTIFICATE OF OCCUPANCY

DATE December 14, 19 88 PERMIT NO. 88-119

APPLICANT Douglas Clark ADDRESS 36 Durham Point Road  
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO Alteration in Apartment ) STORY \_\_\_\_\_ NUMBER OF DWELLING UNITS \_\_\_\_\_  
(TYPE OF IMPROVEMENT) NO. (PROPOSED USE)

AT (LOCATION) 36 Durham Point Road ZONING DISTRICT RC  
(NO.) (STREET)

BETWEEN \_\_\_\_\_ AND \_\_\_\_\_  
(CROSS STREET) (CROSS STREET)

SUBDIVISION \_\_\_\_\_ LOT 08 BLOCK 02-03 LOT SIZE \_\_\_\_\_

BUILDING IS TO BE \_\_\_\_\_ FT. WIDE BY \_\_\_\_\_ FT. LONG BY \_\_\_\_\_ FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

TO TYPE \_\_\_\_\_ USE GROUP \_\_\_\_\_ BASEMENT WALLS OR FOUNDATION \_\_\_\_\_ (TYPE)

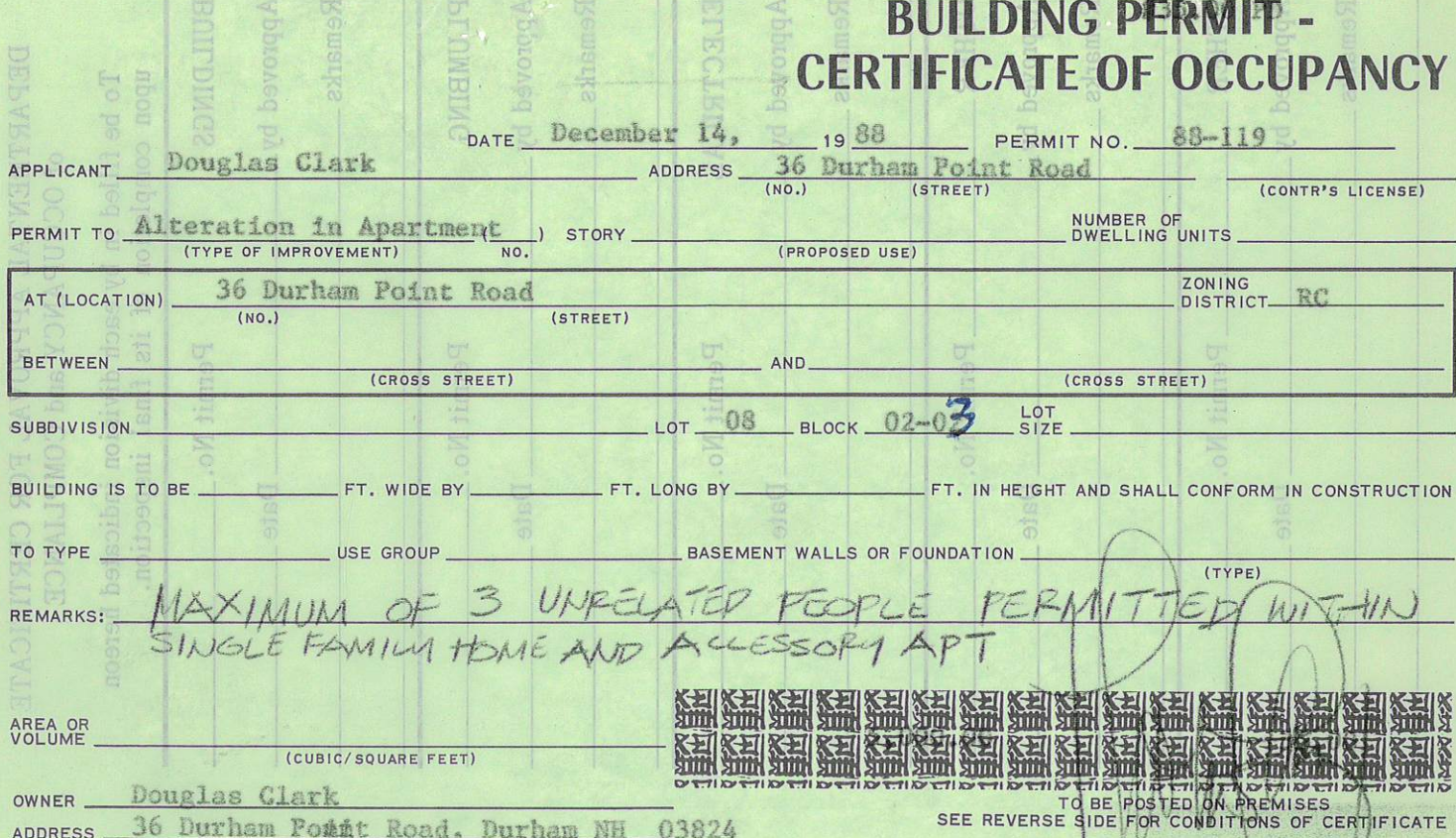
REMARKS: MAXIMUM OF 3 UNRELATED PEOPLE PERMITTED WITHIN SINGLE FAMILY HOME AND ACCESSORY APT

AREA OR VOLUME \_\_\_\_\_  
(CUBIC/SQUARE FEET)

OWNER Douglas Clark  
ADDRESS 36 Durham Point Road, Durham NH 03824

TO BE POSTED ON PREMISES  
SEE REVERSE SIDE FOR CONDITIONS OF CERTIFICATE

FORM NO. BOCA - BP 1969







Plan Review No. 88-119

TOWN OF DURHAM  
13-15 NEWMARKET ROAD  
DURHAM, N. H. 03824-2898

APPLICATION FOR  
PLAN EXAMINATION AND  
BUILDING PERMIT

IMPORTANT - Applicant to complete all items in sections: I through VI

I. LOCATION OF BUILDING	NAME <u>Douglas Clark</u>	TAX MAP #: <u>8-2-2</u>	ZONING DISTRICT: <u>RC</u>
	ADDRESS: <u>36 Durham Pt Rd</u>	AND _____	(CROSS STREET)
	SUBDIVISION _____	APPROVAL DATE _____	LOT SIZE _____

II. TYPE AND COST OF BUILDING - All applicants complete Parts A - C

<p>A. TYPE OF IMPROVEMENT</p> <p>1 ___ New building</p> <p>2 ___ Addition (If residential, enter number of new housing units added, if any, in Part B)</p> <p>3 <input checked="" type="checkbox"/> Alteration (See 2 above)</p> <p>4 ___ Repair, replacement (If multifamily residential, enter number of units in building in Part B)</p> <p>5 <input checked="" type="checkbox"/> Moving (relocation)</p> <p>6 <input checked="" type="checkbox"/> New Electrical</p> <p>7 ___ Demolition</p> <p>8 ___ Other _____</p>		<p>B. PROPOSED USE - For demolition, list most recent use</p> <table border="0"> <tr> <td>Residential</td> <td>Nonresidential</td> </tr> <tr> <td>10 ___ One family</td> <td>.16 ___ Amusement, recreational</td> </tr> <tr> <td>11 <input checked="" type="checkbox"/> Apartment</td> <td>.17 ___ Church, other religious</td> </tr> <tr> <td>Number of units <u>1</u></td> <td>.18 ___ Industrial</td> </tr> <tr> <td>12 ___ Elderly Housing</td> <td>.19 ___ Signs</td> </tr> <tr> <td>Number of units _____</td> <td>.20 ___ Service station, repair garage</td> </tr> <tr> <td>13 ___ Town House</td> <td>.21 ___ Hospital, institutional</td> </tr> <tr> <td>14 ___ Duplex</td> <td>.22 ___ Office, bank professional</td> </tr> <tr> <td>15 ___ Other - Specify _____</td> <td>.23 ___ Driveway</td> </tr> <tr> <td></td> <td>.24 ___ Stores, mercantile</td> </tr> <tr> <td></td> <td>.25 ___ Other - Specify _____</td> </tr> </table>		Residential	Nonresidential	10 ___ One family	.16 ___ Amusement, recreational	11 <input checked="" type="checkbox"/> Apartment	.17 ___ Church, other religious	Number of units <u>1</u>	.18 ___ Industrial	12 ___ Elderly Housing	.19 ___ Signs	Number of units _____	.20 ___ Service station, repair garage	13 ___ Town House	.21 ___ Hospital, institutional	14 ___ Duplex	.22 ___ Office, bank professional	15 ___ Other - Specify _____	.23 ___ Driveway		.24 ___ Stores, mercantile		.25 ___ Other - Specify _____
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<p>C. COST</p> <p>26. ___ Cost of improvement . . . . . \$ <u>3000</u></p> <p>To be installed but not included in the above cost</p> <p>a. Electrical . . . . . <u>1000</u></p> <p>b. Plumbing <u>1000</u></p> <p>c. Heating, air conditioning. . . <u>1000</u></p> <p>d. Other (Elevator, etc.). . . . .</p> <p>27. ___ TOTAL COST OF IMPROVEMENT \$ <u>5000</u></p>		<p>Nonresidential - Describe in detail proposed use of buildings, e.g., food processing plant, machine shop, laundry building of hospital, elementary school, secondary school, college, parochial school, parking garage for department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.</p>																							

III. SELECTED CHARACTERISTICS OF BUILDING - For new buildings, additions, and alterations, complete Parts D - M

<p>D. PRINCIPAL TYPE OF FRAME</p> <p>28 ___ Masonry (wall bearing)</p> <p>29 <input checked="" type="checkbox"/> Wood frame</p> <p>30 ___ Structural steel</p> <p>31 ___ Reinforced concrete</p> <p>32 ___ Other - Specify _____</p>		<p>F. TYPE OF SEWAGE DISPOSAL</p> <p>38 ___ Town</p> <p>39 <input checked="" type="checkbox"/> Private (septic tank, etc.)</p>		<p>I. EXTERIOR WALLS</p> <p>45 ___ Wood shingles</p> <p>46 <input checked="" type="checkbox"/> Clapboards</p> <p>47 ___ Brick</p> <p>48 ___ Other _____</p>		<p>J. ROOF</p> <p>49 <input checked="" type="checkbox"/> Asphalt</p> <p>50 ___ Wd Shingles</p> <p>51 ___ Other _____</p>	
<p>E. PRINCIPAL TYPE OF FOUNDATION</p> <p>33 ___ Concrete</p> <p>34 <input checked="" type="checkbox"/> Concrete block</p> <p>35 ___ Concrete pier</p> <p>36 ___ Wood post</p> <p>37 ___ Other - Specify _____</p>		<p>G. TYPE OF WATER SUPPLY</p> <p>40 ___ Town</p> <p>41 <input checked="" type="checkbox"/> Private (well, cistern)</p>		<p>K. NUMBER OF OFF-STREET PARKING SPACES</p> <p>51. Required <u>0</u></p> <p>52. Provided <u>4</u></p>			
		<p>H. Chimney(s) No. _____</p> <p>42 <input checked="" type="checkbox"/> Masonry</p> <p>43 ___ Factory-Built</p> <p>44 ___ Other</p>		<p>L. ELECTRICAL</p> <p>54 ___ New</p> <p>55 <input checked="" type="checkbox"/> Alteration</p> <p>56 ___ Repair</p> <p>57 ___ Addition</p>		<p>M. TEMPORARY SERVICE</p> <p>yes</p> <p><input checked="" type="checkbox"/> no</p>	

A. Description of Building:

- . Seasonal Use:  winterized (year-round) or \_\_\_ summer
- . The building is  heated, and/or \_\_\_ mechanically cooled

B. Design Details:

Roof: Style (specify) \_\_\_\_\_  
 Ventilation:  eave, \_\_\_ ridge, other (specify) \_\_\_\_\_  
 Ceilings:  flat, \_\_\_ cathedral, other (specify) \_\_\_\_\_  
 Basement:  full, \_\_\_ crawl space, \_\_\_ open, \_\_\_ none (slab on grade)  
 heated, \_\_\_ unheated

C. Thermal (heat) Envelope:

<u>Assembly</u> Type	R Value	<u>Thickness and Material</u>	
		<u>Insulation</u>	<u>Vapor Barrier</u>
Roof/Ceiling	<del>30</del>	Fiberglass	no
Wall (solid)	19	Fiberglass	no
Floor	_____	_____	_____
Foundation	_____	_____	_____

D. Mechanical/Electrical:

Energy Source (primary and back-up):

- . Non-renewable:  oil, \_\_\_ gas, \_\_\_ electricity, \_\_\_ coal;  primary, \_\_\_ back-up
- . Renewable (specify): wood stove; \_\_\_ primary,  back-up

Heating System, type and specifications:

- . Description: Electric

Capacity: \_\_\_\_\_ Efficiency (minimum 75%): \_\_\_\_\_ %

- . Heat Pumps: \_\_\_\_\_ COP, No. installed \_\_\_\_\_
- . Zoning: No. of zones 1; Controls:  automatic, \_\_\_ manual
- . Thermostats/Range (minimum 55F to 75F): \_\_\_\_\_ F to \_\_\_\_\_ F

Hot Water System, type and specifications:

- . Description: ~~Gas~~ Electric

Capacity: 30 gal Efficiency (minimum 75%): high eff. %

- . Shower flow rate (maximum 3 gallons per minute): \_\_\_\_\_

Electric Service: Service disconnect rating:  100A, \_\_\_ 200A, other (specify) \_\_\_\_\_ A

E. Calculations/Wall Openings:

. GROSS WALL AREA (Include all wall openings and insulated foundation walls)

160 linear feet EXTERIOR WALL x 7 feet WALL HEIGHT = 1120 sq. ft.

. AREA OF OPENINGS

Type of Glazing	Area in Square Feet		
	Windows	Doors	Total
Single	<u>125</u> Sq. Ft.	<u>20</u> Sq. Ft.	<u>145</u> Sq. Ft.
Double	_____ Sq. Ft.	_____ Sq. Ft.	_____ Sq. Ft.
Triple (storm units)	_____ Sq. Ft.	_____ Sq. Ft.	_____ Sq. Ft.
TOTAL	<u>125</u> Sq. Ft.	<u>20</u> Sq. Ft.	<u>145</u> Sq. Ft.

. PER CENT (%) OF WALL OPENINGS

Area of openings ÷ gross wall area: ACTUAL  $\frac{145 \text{ sq. ft.}}{1120 \text{ sq. ft.}} \times 100 =$  \_\_\_\_\_ %

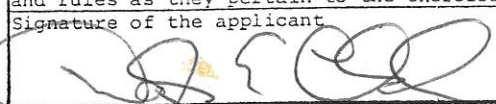
ALLOWABLE (See Compliance Manual Tables I or II) = \_\_\_\_\_ %

v. SITE OR PLOT PLAN - For Applicant Use. Draw a reasonable facimile of the plot plan to scale showing location of buildings, driveway and access road. Indicate on plan all lot dimensions, building setbacks and abuttors.



VI IDENTIFICATION - To be completed by all applicants				
	Name	Tel.	Mailing address - Number, street, city, & State	
1. Owner or Lessee	Douglas Clark	868-2326	36 Durham Pt Rd Durham	
2. Architect or Engineer	N/A			N. H. Registration Number
3. General Contractor	Seacoast Home Group	868-2466	13 Jenkins Ct Durham	
4. Electrician	DE Rosenthal	868-1737	Newmarket Rd Durham	N. H. License Number MA/17H 7714
5. Plumber	Denis Mussen Pumping/Hedig		Dover, NH	N. H. License Number 2158

The undersigned owner/applicant hereby agrees to comply with all applicable statutes, ordinances, codes, regulations, and rules as they pertain to the exercising of the building permit.

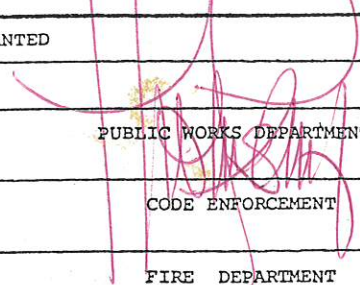
Signature of the applicant	Address	Application date
	36 Durham Pt Rd	12/12/88

DO NOT WRITE BELOW THIS LINE

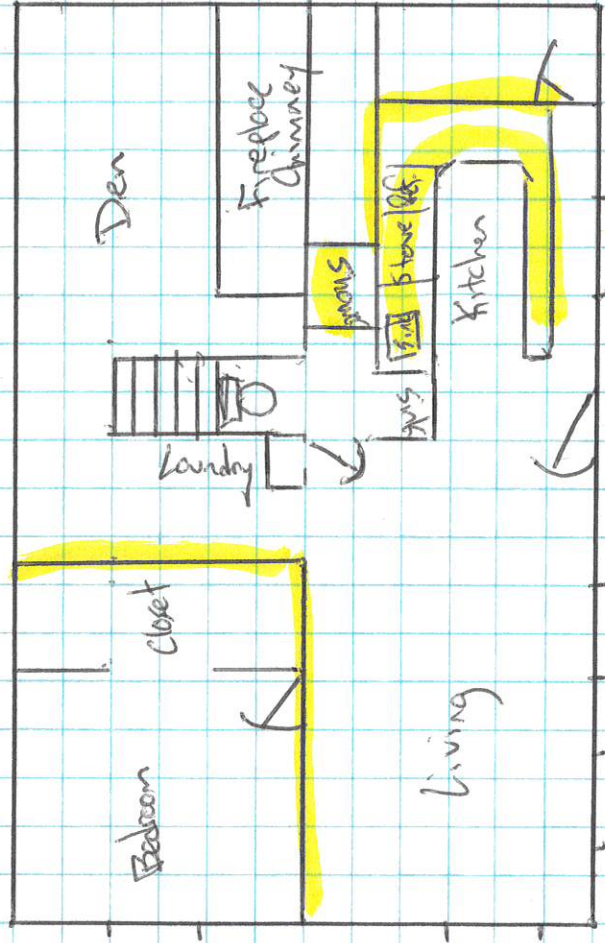
VII VALIDATION/REQUIREMENTS

FIRE DEPARTMENT:	FOR DEPARTMENT USE ONLY
	Use Group _____
	Fire Grading _____
	Live Loading _____
	Occupancy Load _____
HEALTH OFFICER:	
CODE ENFORCEMENT OFFICER:	SETBACKS: _____
	FEE: _____

PERMIT GRANTED

	HEALTH OFFICER
PUBLIC WORKS DEPARTMENT	
CODE ENFORCEMENT	DATE: 12/20/88
FIRE DEPARTMENT	





NEW CONSTRUCTION

Basement Floor Plan

36 Dickson Pt Rd.

Douglas Clark

88-119