



TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824-2898

AUDREY CLINE
Zoning Administrator
Code Enforcement Officer
Health Officer

TEL: (603) 868-8064
acline@ci.durham.nh.us

Decision or Order of the Building Inspector/Code Enforcement Officer

175-12. Administrative Appeals.

Any person who believes that the Zoning Administrator has made an error in the interpretation or application of the provisions of this Ordinance, may appeal such determination to the Zoning Board of Adjustment as an administrative appeal under the provisions of Section 175-19. If the Board finds that the Zoning Administrator erred in his/her interpretation of the Ordinance, it shall modify or reverse the decision accordingly.

175.19. Powers and Duties

B. In exercising the above-mentioned powers, the Board may, in conformity with the provisions hereof, reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from and may make such order or decision as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.

Applicant: Matthew & Colleen Lake, PO Box 875, Durham NH 03824

Date of order: June 22, 2020

Deadline for application for appeal: July 23, 2020

Decision or Order of the Building Inspector/Code Enforcement Officer:

Building Permit Application number 20-151 dated May 20, 2020, for property located at 266 Newmarket Road, is **DENIED** as the proposal does not meet the requirements of ARTICLE XIV of the Durham Zoning Ordinance below:

ARTICLE XIII WETLAND CONSERVATION OVERLAY DISTRICT

175-59. Applicability.

A. The provisions of the WCOD shall apply to the following areas of the Town of Durham:

2. An upland buffer strip adjacent to each wetland subject to the provisions of this district as identified in 1. above. The width of the upland buffer strip from the reference line of the wetland shall vary with the type of wetland as follows:

d. all other non-tidal wetlands

- in the R and RC Zones: **100 feet**

By Durham's Building Inspector/Code Enforcement Officer:



Audrey Cline CEO