



**TOWN OF DURHAM**  
**ZONING BOARD OF ADJUSTMENT**  
 8 NEWMARKET RD  
 DURHAM, NH 03824  
 PHONE: 603/868-8064  
 www.ci.durham.nh.us

RECEIVED  
 Town of Durham

JUL 22 2020

Planning, Assessing  
 and Zoning

VARIANCE

to 488 ft. 7/22

Prior to seeking a variance, the property owner must have been denied a building permit by the Building Inspector or denied an approval by the Planning Board.

Check # 2424

Name of Applicant David Hills

Address: 135 Piscataqua Rd Durham NH 03824

Phone # 603 674 6412 Email: Dhills6107@AOL.com

Owner of Property Concerned Same  
 (If same as above, write "Same")

Address: 147 Piscataqua Rd Durham NH 03824  
 (If same as above, write "Same")

Location of Property: 147 Piscataqua Rd  
 (Street & Number)

Tax Map & Lot number 11-22-3

A Variance is requested from Article(s) XXIII Section(s) 126 of the Zoning Ordinance to permit:

Revised signage for improved visibility at the entrance of Emery Farm Market and Cafe

All applications must include a statement explaining how the applicant meets each of the five (5) statutory requirements for granting a variance, (A) through (E), which are found on page 2. The Zoning Board of Adjustment may consider the variance application incomplete if these five statements have not been addressed. In addition all applications must be accompanied by adequate plans and exhibits.

July 21<sup>st</sup> 2020

To Whom It May Concern:

I, David Hills, am requesting a variance from the signage limitations in Article XXIII, Section 126. The purpose of this request is to advocate for new signage that will enable customers to safely and easily locate that they are at The Emery Farm, and to locate the driveway entrance itself.

- I am requesting the ZBA authorize a variance from the terms of the zoning ordinance since
- (A) The variance will not be contrary to the public interest as it will straighten the economic viability of the Emery Farm Market and Cafe, also support the town of Durham goal of supporting agriculture, support a scenic vista in a town entryway, and allow drivers to anticipate traffic behavior sooner than they do currently.
  - (B) The spirit of the ordinance is observed due to the fact that the new signage will be in the location of the existing sign, the signage will be tasteful, and will be lighted at night with downlighting as it currently is.
  - (C) Substantial justice is done with the variance as this stretch of roadway has seen a dramatic increase in traffic over the years (coupled with speed in excess of the posted 45 mph limit). By granting a variance to increase the signage, the chance of an accident

may be reduced, and people may feel safer pulling into the stand.

(D) The values of surrounding properties are not diminished by a variance as there are no properties that are able to see the entry signs.

(E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship since the current zoning increases the possibility that drivers will either slow abruptly, or if heading Eastbound, be afraid to pull into the stand, and therefore does not enable this agriculturally based business to thrive as it might with signage appropriate to the speed and traffic volume of the road. Appropriately sized signage will enable the public to see the entrance to the farm well in advance, and for them to safely and easily enter the parking area.

Thanks very much for your time,

David Hills

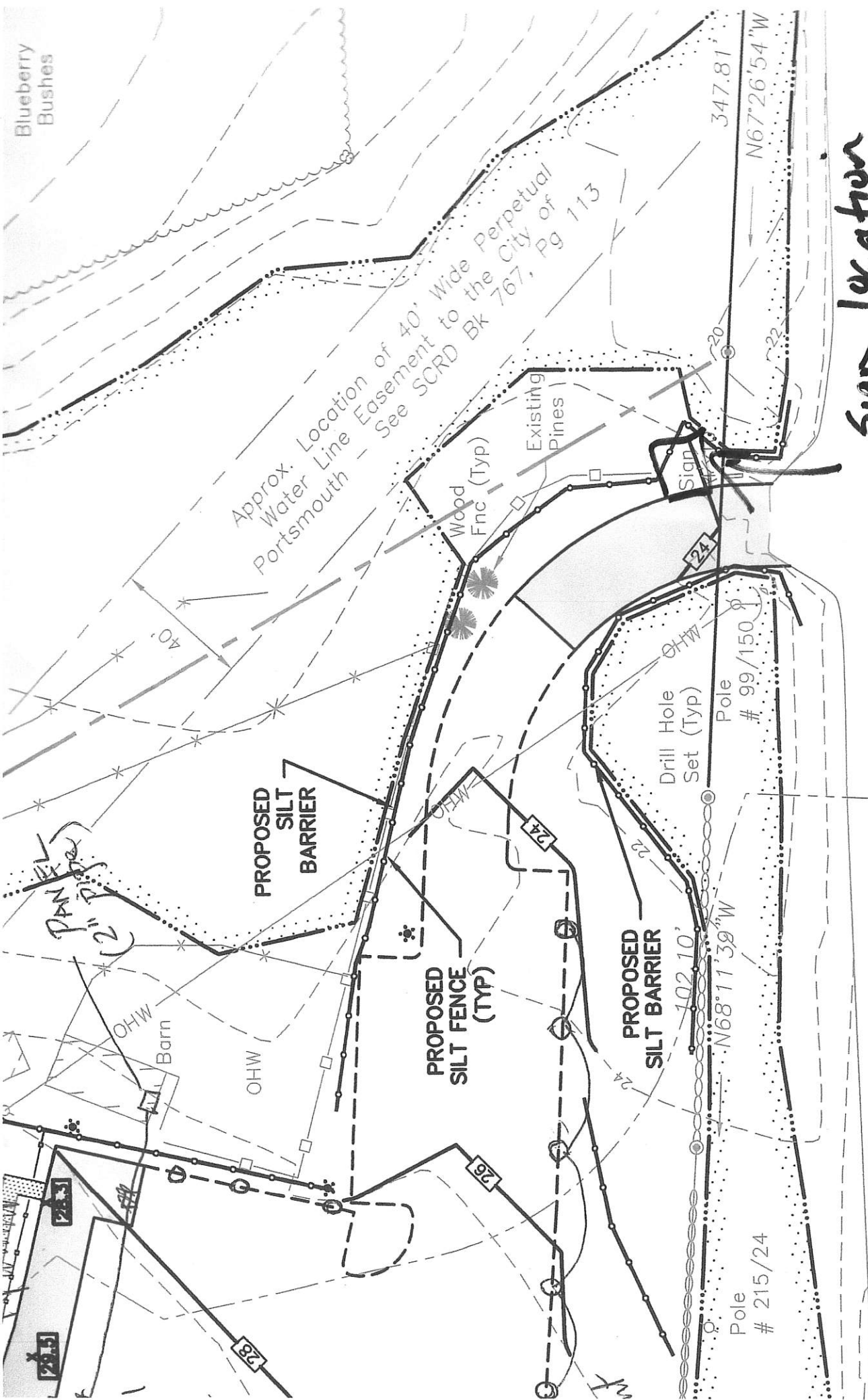
Blueberry Bushes

Approx. Location of 40' Wide Perpetual Water Line Easement to the City of Portsmouth - See SCR D Bk 767, Pg 113

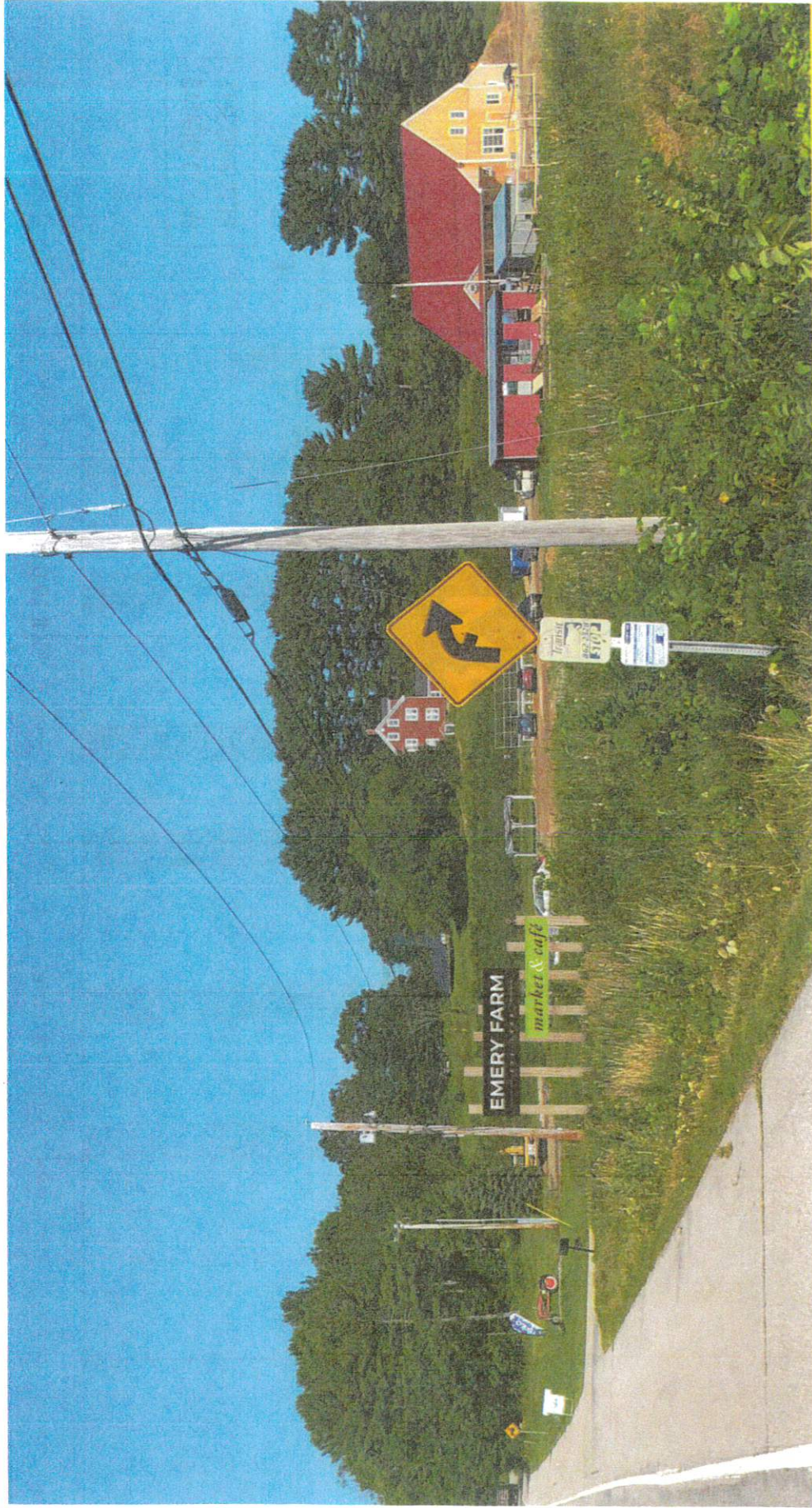
Sign location

# PISCATAQUA ROAD

(2 - 12' LANES)



# Emery Farm . Context View



PROJECT Emery Farm, Primary Site Signage

DRAWING Context View, next page for details

SCALE 3/32" = 1'0"

07/31/19

WINTER HOLBEN

# Emery Farm . Detail View

