



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

SEACOAST CHABAD JEWISH CENTER
72-1 MAIN STREET
DURHAM, NH 03824

Rabbi Berel Slavaticki
2 Chesley Drive
Durham NH 03824

September 21, 2020

Dear Rabbi Slavaticki :

The Town has received a number of complaints that, by all appearances, the activity this weekend constituted religious services held at your residence at 2 Chesley Drive. As I wrote previously, this use is not permitted in the residential district.

Durham's Zoning Ordinance defines the use: RELIGIOUS USE/FACILITY – A structure or place in which worship ceremonies, rituals and education pertaining to a particular system of beliefs are held.

And as such, it appears that services were held. The Town's enforcement authority for compliance with the Zoning Ordinance begins with the included Notice of Violation.

Sincerely,

Audrey Cline CBO
Code Enforcement Officer



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9/21/2020
CERTIFIED MAIL

SEACOAST CHABAD JEWISH CENTER
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DURHAM, NH 03824

Rabbi Berel Slavaticki
2 Chesley Drive
Durham NH 03824

Re: Tax Map & Lot 06/ 7/ 61; 2 Chesley Drive

NOTICE OF VIOLATION

This **NOTICE** is to inform you that the 2 Chesley Drive property referenced above is in violation of *Durham Zoning Ordinance*:

Article XII.1, Use and Dimensional Standards,
175-53. Table of Land Uses.

Religious use/facility permitted only by Condition Use in the Residence A Zone

ARTICLE II, 175-7. Definitions.

RELIGIOUS USE/FACILITY – A structure or place in which worship ceremonies, rituals and education pertaining to a particular system of beliefs are held.

In order to comply you must:

- 1.) Cease and Desist from holding religious services on the premises**

Failure to comply with this Notice of Violation could result in the imposition of civil fines and penalties, including attorney's fees and costs, pursuant to RSA 676:17. This statute provides, in part, that a violation is punishable by a civil penalty of \$275 for the first offense and \$550 for subsequent offenses for each day that such violation is found to continue after the date on which you receive this written **Notice of Violation**. In addition, **RSA 676:17 provides that the Town *shall be entitled to recovery of its costs*** and reasonable attorney's fees actually expended if the Town is found to be the prevailing party in this action. If you fail to comply with this notice, the Town will take all appropriate legal actions under **RSA 676:17** and other provisions of New Hampshire law to enforce Durham's Zoning Ordinance, including district or superior court action. You have **ten (10) days** to file for an appeal of this Notice of Violation under Durham Zoning Article IV Section 175-12.

The Town's goal in this matter has always been and remains your compliance with Durham's Ordinance. If you have questions about how best to comply with these requirements, or statements about your compliance with the ordinance, please don't hesitate to contact me.

Audrey Cline
Code Enforcement Officer