



**TOWN OF DURHAM**  
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***Town Planner's Recommendation***  
**Wednesday, June 24, 2015**

XVII. **246 Packers Falls Road – 3-lot subdivision**. Informal pre-application discussion with Julian Smith, property owner. Proposed subdivision of 9.84-acre lot into one 1-1/2 to 2 acre lot containing the existing house and two conservation lots. Tax Map 14, Lot 13-1. Rural District.

- I recommend the board discuss the project and then continue or close the discussion as appropriate. (See the explanation below about the process contained in the Subdivision Regulations.) Does the board wish to schedule a site walk or wait until further discussion or the next submittal?

Please note the following:

- 1) **Informal discussion**. This is submitted for an informal, pre-application discussion, not as an application. Note that it may not be treated as a preliminary conceptual application because the Subdivision Regulations prescribe a fairly elaborate process for those applications as the regulations fail to provide a process for subdivisions that are not conservation subdivisions. This is no matter at this stage since a pre-application discussion functions similarly to a preliminary conceptual application.
- 2) **Preliminary application**. If Mr. Smith wishes to continue or change the application to a conventional preliminary (conceptual or design review, the latter involving a public hearing) then the board would need to consider waiving inapplicable provisions of the regulations.
- 3) **Exemption**. Three-lot subdivisions are exempt from the requirements for a conservation subdivision. The applicant may wish to create an easement to protect one or two of the lots, but this would not be a “conservation subdivision,” which involves a specific, detailed process for setting aside conservation land.
- 4) **TRG**. Mr. Smith attended the Technical Review Group meeting on June 16. Mainly, the applicant simply provided an overview of his plans. Tom Johnson noted that some variances might be needed. Mike Lynch noted that the scenic overlook and access should be formalized.
- 5) **Easements**. Mr. Smith is considering various types of easements and ownership arrangements for the 2 prospective conservation lots.

- 6) Access. Access to the two conservation lots would need to be clarified, including road, trail, and public access (if the applicant wishes to provide the latter).
- 7) Zoning review. We will do a full zoning review if the applicant submits another iteration of plans. As now presented, one or more variances would be needed. The Rural District specifies:
  - a minimum lot size of 150,000 square feet (3.44 acres)
  - a minimum road frontage of 300 feet (none is provided for the rear conservation lot)
- 8) Structures. What structures are presently located on the parcel, including the 2 conservation lots, and what new ones would be contemplated?
- 9) Lot B. Mr. Smith said that the rear conservation lot, lot B, would likely follow the wetland boundary rather than a straight line.
- 10) Boundary Line Adjustment. Mr. Smith noted that he might include a boundary line adjustment with the adjacent Lot 13-2 (owned by an abutter) to extend the lot to the rear.
- 11) Tax Map. Here is the map of the subject lot – 13-1. The rear parcel is owned by UNH.

