



TOWN OF DURHAM
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Town Planner's Project Review
Wednesday, April 25, 2018

- XI. **Colony Cove Road – Lot Line Adjustment and Lot Combinations.** Lot line adjustment on Map 12 between Lot 25 and Lot 26 (22 and 18 Colony Cove Road, respectively) for the purpose of providing frontage for Lot 26 on Little Bay. Also combining Map 12, Lots 16-24 and 26 and Map 12, Lot 25 and .25 acre outparcel. All lots are owned by Mary Ann Lohnes Ehrenworth and Richard Hallett. Adam Fogg, Atlantic Survey, Surveyor. RC District.
- I recommend the board schedule a public hearing for May 9 and determine if a site walk would be beneficial.

Please note the following:

- 1) **Lot line adjustment.** This is an application for a lot line adjustment between lots 26-0 (aka 26) and 25-0 (aka 26). The purpose is to provide some frontage for Lot 25 on Little Bay. The owners hope to build a dock there in the future. They provide background information about the lots in their narrative. The applicants live on Lot 26 and said they intend to sell Lot 25. See the tax map below. The plat may be a little confusing so feel free to contact me with any questions.
- 2) **Lot combinations.** The application also includes two pairs of lot combinations: for Lot 16-24 and Lot 26 and for Lot 25 and a .25 acre parcel directly to the north. Ordinarily, lot combinations are approved and processed administratively but since these are shown on the same plat as the lot line adjustment it makes sense for the Planning Board to review all together.
- 3) **Variances.** With the lot line adjustment, the applicant will need three variances: 1) the new lot line will be closer to the existing house on Lot 25 than the required 50 foot side/rear setback; 2) the shoreland frontage for Lot 25 will be less than the required 200 feet and reduced from the current 195 feet +/-; and 3) the new shoreline frontage for Lot 26 will be less than the required 200 feet of frontage. The variances are being presented to the ZBA on May 8. Approval of the variances will be required prior to approval of the lot line adjustment by the Planning Board. I will let the Planning Board know on May 9 the outcome of the ZBA review.
- 4) **Outparcel.** Note that there is a discrepancy between the Town's tax maps and the map prepared by the applicant's surveyor. See the tax map below. There is a white triangle of land that is shown as being part of the Town's right of way, situated to the left/east

of Lot 24-3. The surveyor determined that this triangle is actually part of Lot 16-24 and is owned by the applicant. Jim Rice, Town Assessor, reviewed this discrepancy and does not have any objection to the determination made by the surveyor. This finding is beneficial for the Town as it would now be clear that the property owner, not the Town, would need to maintain the gravel driveway there.

- 5) Site walk? Does the board think a site walk would be useful?
- 6) TRG. The application is being presented to the Technical Review Group on May 1.
- 7) Lot line review. Lot line adjustments may be approved by the Planning Board in one meeting under the board's Rules of Procedures but given the need for a variance and the complexity of the plans it is appropriate for the board to take (at least) two meetings for the review.
- 8) Shed. The shed located near the new lot line will be relocated as it would not meet the setback from the new lot line.
- 9) Ownership clarification. The applicant owns all four lots – 16-24, 26, 25, and the .25 acre parcel but we need to confirm that all of the lots are owned under the same title prior to adjusting the lot line and combining the lots (This can also be a precedent condition).
- 10) Easements. The nature of the easements/access across the .25 acre parcel that lead to Lots 16-24 (planned to be combined anyway), 24-1, 24-3, 26, and 27 should be clarified since all of those lots take access through the .25 acre parcel. The .25 acre parcel is now owned by the applicant but they intend to combine this parcel with Lot 25 and then sell Lot 25. We should try to avoid any potential conflicts with access for those lots in the future. This may be seen only as a private matter, however.
- 11) Future dock. If a dock and path/driveway is to be built in the new section of Lot 26 in the future, appropriate reviews can be conducted at that time under the Shoreland Protection Overlay District.
- 12) Administrative items. A new monument/marker will be needed at the easterly end of the new lot line. Note 5 will need to be clarified. The Town's address on note 8 should be corrected. The wall around the garage on Lot 25 should be clarified. The lot lines around the .25 acre parcel should be clarified. What is the purpose of the 141.25 line? The 19.53 line should be marked with dashed lines (This can be done as a precedent condition).

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