



PLANNING DEPARTMENT

Town of Durham

8 Newmarket Road

Durham, NH 03824-2898

Phone (603) 868-8064

www.ci.durham.nh.us

CONDITIONAL USE APPLICATION

Date: 04-18-18

Property information

Property address/location: 27 Durham Point Road

Tax map #: 11; lot #'s): 34-1; Zoning District: RC

Property owner

Name (include name of individual): Gregory E. Sancioff

Mailing address: 62 Deer Street Portsmouth, NH 03801

Telephone #: 603-777-2345 Email: gs@livepureinc.com

Engineer, Surveyor, or Other Professional

Name (include name of individual): MJS Engineering, P.C. Michael J. Sievert, P.E.

Mailing address: 5 Railroad Street Newmarket, NH 03857

Telephone #: 603-659-4979 Email address: mjs@mjs-engineering.com

Proposed project

What is the proposed project? To develop the lot with a single family home, access, and utilities

Which provision in the zoning ordinance calls for this conditional use? Article XIII

175-60 B.2,3 & 175-61 A1, 4; Article 175-71B.1,2,3 & 175-72A.4

Justification for granting the conditional use: The uses are allowed in the underlying zone and they meet all the requirements of the conditional use criteria.

Have you completed the conditional use checklist? yes

Have you addressed the eight conditional use criteria? yes

(over)

Other Information

Please note the following:

- Coordinate with Michael Behrendt, the Durham Town Planner, at 868-8064 or mbehrendt@ci.durham.nh.us about the process and any additional information that may be needed.
- Coordinate with the Karen Edwards, the Planning Department Administrative Assistant, at 868-8064 or kedwards@ci.durham.nh about preparing the list of abutters. All property owners within 300 feet of the site will be notified of the application and public hearing.
- Please be sure to attend all meetings of the Planning Board and the Conservation Commission, if the latter will be making a recommendation.
- The Planning Board may schedule a site walk after the first meeting.
- A public hearing will be held on the application. A sign must be placed on the property at least 10 days prior to the hearing.
- The applicant will need to address the eight general conditional use criteria. For conditional uses within the Wetland or Shoreland Overlay Districts additional criteria must be addressed by the applicant.
- For conditional uses within the Wetland or Shoreland Overlay Districts, the application will be presented to the Conservation Commission for a recommendation.
- See Article VII in the Durham Zoning Ordinance for additional information about conditional uses.

Submission of application

This application must be signed by the property owner(s) *and/or* the agent.

I (we) attest to the best of my(our) knowledge that all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As agent, I attest that I am duly authorized to act in this capacity.

Signature of property owner: _____

Date: _____

17 April 2018

Signature of agent: _____

Date: _____

4-18-18

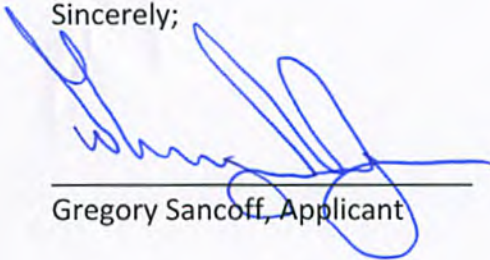
April 16, 2018

Durham Planning Board
8 Newmarket Road
Durham, NH 03824

Dear Chairperson:

I hereby authorize Michael J. Sievert, PE, of MJS Engineering to represent me as applicant for the request of an amendment to the original subdivision approval and a conditional use permit for the construction of a driveway and utilities within the wetland conservation overlay district and shoreland conservation overlay district. The subject property is located at 27 Durham Point Road and shown as Tax Map 11, Lot 34-1.

Sincerely;



Gregory Sancoff, Applicant



ENGINEERING, P.C.
CIVIL • STRUCTURAL • ENVIRONMENTAL

5 Railroad Street • P. O.Box 359
Newmarket, NH 03857
Phone: (603) 659-4979
Email: mjs@mjs-engineering.com

Letter of Intent –Conditional Use Application
For
Gregory E. Sancoff
Driveway and Utility Construction for Residential Lot Development
Tax Map 11 / Lot 34-1

April 18, 2018

The Subject Property

The subject property is an existing lot of record subdivided in 2002. The parcel is Lot 1 of a 3-lot “pork chop” subdivision from the estate of Isabelle D. Sawyer. The subject lot is approximately 20 Acres and is located in the RC District. It is also subject to the Wetland Conservation Overlay District and Shoreland Conservation Overlay District and a very small portion in the Historic Overlay District. The parcel is bordered by residential properties on the east, west and south, has approximately 1200’ of frontage on the Oyster River and 82.88’ of frontage on Durham Point Road. The property is not serviced by municipal water or sewer, thereby requiring an onsite well and septic system. The existing access is via a common driveway serving three other residential properties within an easement.

The Proposed Use

The owner Greg Sancoff purchased the property last year and is proposing to construct a single-family house and accessory barns for his personal use. The ideal development area is located at the northerly point of the lot near the waterfront and requires the construction of a 2000’+/- driveway. There was an existing woods road on the parcel which originated from Durham Point Road and accessed the old farm pond, well house and the point of land at the Oyster River. This is the general location where the driveway was constructed to provide access to the buildable area at the water front.

Other Planning Board Approval being Requested from the Town of Durham

1. Planning Board Approval:
 - Request for an amendment from the original subdivision approval for relocation of the access point from Durham Pt. Rd.

Approvals Granted from NHDES;

1. Onsite subsurface disposal system Approval # CA2017091816.

2. Alteration of Terrain permit # AoT - 1311.
3. Shoreland permit # 2017-00887.

Approval Required from NHDES;

1. Wetland permit for construction of driveway. (Pending)

Planning Board Approval requested under this application:

A. Conditional Use Permit (CUP) in accordance with Article XIII, Section 175-61.A.1&4 - for construction of a driveway, construction of utilities and construction of accessory structures to include retaining walls within the WCO District.

B. Conditional Use Permit (CUP) in accordance with Article XIV, Section 175-72 A.1 & 4 – for construction of driveway, and accessory structures including retaining walls and a pool.

The following information outlines how this project complies with the provisions of the general conditions for a Conditional Use Permit contained within Section 175-23.C and specific conditions for a CUP contained within Section 175-61. A for the Wetlands Conservation Overlay (WCOD) and Section 175-72. A, for the Shoreland Protection Overlay (SPOD) Districts of the Town of Durham Zoning Ordinance. The numbering below coincides with the applicable sections. We anticipate that this application will be presented to the Conservation Commission at May 10, 2018 meeting in order to obtain their advice and comments for the Planning Board relative to approval of the CUP.

As previously stated, the project requires a CUP for the construction of access ways, utility lines, culverts, retaining walls and a pool in the WCO & SPO Districts. The statements below demonstrate how this development project complies with the CUP criterion. The plans incorporate best management practices for the construction and thereby satisfy the CUP criterion.

175-23.C

1. Site Suitability:

The property is suitable for the proposed single-family home development because it is an allowed use in this zone. The original parcel was subdivided in 1983 and again in 2002 into a 3-lot “pork chop” subdivision for the construction of single-family homes. The subject property has the required amount of frontage on Durham Point Road, a Town approved road and contains 20+/- acres. The other two parcels in the subdivision have been previously developed.

(a) Currently this property and three others, gain access from a common driveway. The driveway is very steep and has limited site distance at Durham Point Road. The proposal to construct a separate access for the subject lot will reduce congestion, minimize erosion and

maintenance, and greatly improve safety. Pedestrian access is available along the proposed driveway.

(b) Adequate, emergency services can be provided to the site by the police and fire departments with easy access from town-maintained roadway with the construction of the new access driveway. This second access also provides an alternative emergency access for the four residences. The schools are adequate and there is availability for this development; This project will have onsite water and sewer systems, therefore no impact to municipal services; Solid waste and recycling will be provided by the Town of Durham;

(c) The environmental constraints on and adjacent to the property includes wetlands, the Oyster River and steep slopes. However, the development proposal incorporates a balanced environmental design approach by minimizing the site development area, impervious areas, grading changes and providing stormwater collection and treatment facilities. During construction, erosion controls will be installed to minimize the transport of sediments. Construction will be sequenced to minimize overall disturbance and re-establish ground cover to stabilize disturbed areas. Culverts have been designed to maintain the current flow patterns and swales are being proposed along the driveway to collect runoff and direct it to stormwater treatment facilities. The change in runoff due to the development of the lot will be minimal based on the overall lot size. The site grading was designed to collect the majority of the runoff from impervious services and provide stormwater treatment onsite before treatment. The lot will remain mostly wooded and the disturbed areas will be loamed and seeded as detailed on the construction plans.

(d) The site is suitable because of the availability of appropriate utilities to serve the intended use including electricity, and other utilities. Water and sewer service will be private on site.

2. *External Impacts:*

The external impacts of the proposed construction of the single-family home on the abutting properties and the neighborhood will be no greater than the impacts of adjacent existing residential uses or other uses permitted in the zone because:

- The traffic generated by the use will not cause a negative impact to the surrounding properties or public ways with the exception of the three other residences using the common access point. The owner is proposing to relocate the driveway to separate his from the other three lots which will minimize the congestion, erosion from over use and increase safety by reducing traffic to this steep driveway with limited site distance; the development will have minimal impact to abutting properties with respect to noise, odors, vibrations, dust, fumes, and lighting because the nearest structure is greater than 300' in all direction, and this structure will be used as a residential structure similar to all the neighbors. In addition, screening will be provided by maintaining the existing woods, to minimize the visual impact from the public ways and adjacent properties.

The location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use will have no adverse effect on the surrounding environment and will not discourage the appropriate and orderly development and use of the land and buildings in the neighborhood because:

- The building is being designed to blend into the surrounding landscape and gain its view to the river to the northeast which is in a downstream direction of the river with no impact to other properties. Screening will be maintained by the existing and proposed vegetation.
- The building architecture will be consistent with the surrounding properties and will blend with the lot constraints.
- The building design will incorporate high quality energy efficiency technologies.

3. *Character of the site development:*

The proposed layout and design of the site is compatible with the established character of the neighborhood and mitigates any external impacts of the use on the neighborhood because:

- The building orientation on the lot works with the lot topography and views from the site.
- The entire perimeter of the property will remain vegetated with the existing forest cover.
- The driveway location and profile is being designed to minimize the wetland impact, fit into the landscape by designing the driveway centerline to hug the existing surface and follow the existing old woods road as closely as possible and minimize cuts and fills.

4. *Character of the buildings and structures:*

The design of the new buildings is compatible with the established character of the neighborhood because:

- The scale, height, building massing, roof line, architectural treatment of the front façade, location of the principal entrance, and materials and colors of the building will meet the surrounding properties.

5. *Preservation of natural, cultural, historic, and scenic resources:*

The proposed use of the site, including all related development activities, preserves identified natural, cultural, historic, and scenic resources on the site and does not degrade such identified resources on abutting properties because:

- The orientation of the building and associated site grading is designed to avoid impacts to the adjacent wetland and buffers to the greatest extent possible except to provide access.; a significant wooded buffer will be maintained throughout the parcel and will not degrade any views or viewsheds.
- Site grading and fill activities will conform to the existing conditions as close as possible.
- The existing property affords equal wildlife habitat consistent with other large properties and this will be maintained by constructing the access road in the existing location and minimizing the clearing on the remainder of the lot. There is no cemeteries, graveyards, or designated historic buildings on the site. An existing agricultural pond and dam is being maintained on the property.

6. *Impact on property values:*

- The proposed development will not cause a decline in property values of adjacent properties. The increased value of this property and the significant preservation of the vegetation on the property will not cause a decrease to adjacent property values.

7. Availability of Public Services and Facilities:

- Water and sewer will be provided to the house from private onsite well and septic. The septic system approval has been obtained from the NHDES.
- Solid Waste removal and recycling will be provided by the town.
- Drainage will be controlled on site. The quality of the stormwater leaving the site will be equal to or improved from the existing condition. An AOT permit has been issued by NHDES
- Electric, telephone, and data utilities will connect to the existing overhead public lines via underground conduit into the site.
- With the construction of the new access point, the Police and Fire Departments will have safer access to the site without any constraints. In addition, the second access will provide an alternative access to all residences in the event of an accident at the common driveway.

8. Fiscal impacts:

- The construction of one single-family house on a previously approved subdivision will not have a negative fiscal impact on the town.
- The site will be serviced by private onsite water and sewer.

This section pertains only to the conditional use request within the WCO & SPO District:

175-61.A.1&4 & 175-72.A.4

- 1. There is no alternative location on the parcel that is outside of the WCO & SPO District that is reasonably practical for the proposed use.*

Given the long narrow north/south orientation of the lot, a significant portion of the parcel is encumbered by the wetland conservation overlay district and the shoreland conservation overlay district due to the surrounding tidal and freshwater wetlands and River. There are two buildable areas on the lot, one on the southerly side and one on the northerly point. The southerly area has a slope of 18 – 22% and is fully wooded and the northerly area is 1% slope, is closer to the water and has excellent views of the river. Therefore, this is the more desirable location for construction with less environmental constraints with respect to erosion, and tree removal. The driveway was constructed in the location of the existing woods road to minimize the disturbance.

- 2. The amount of soil disturbance will be the minimum necessary for the construction and operation of the facilities as determined by the Planning Board.*

The proposed house location and associated grading has been prepared with the primary intent of minimizing soil disturbance by maintaining the existing grades of the property to the extent feasible. In addition, due to the clayey soils the fills on the site

have been minimized except where necessary to grade in the driveway and septic system. The fill around the house has been minimized by designing the building close to the grade without a full basement. All utility construction will be within the proposed driveway areas or proposed construction areas.

3. *The location, design, construction, and maintenance of the facilities will minimize any detrimental impact on the wetland and on the adjacent shoreland and water body as well as downstream water bodies, and mitigation activities will be undertaken to counterbalance any adverse impacts.*

Every feasible effort has been made in the design of the site layout and grading to minimize any detrimental impacts described above and mitigation activities incorporated as well.

These include:

- Use of temporary erosion control measures such as silt soxx along the perimeter of the disturbed area; temporary and permanent stormwater control systems constructed to treat increased runoff; siting the house construction to meet all the required environmental setbacks while minimizing the removal of existing tree cover.
 - The disturbed area for construction will be minimized to retain the existing vegetation to the maximum extent possible. In addition, reseeding around the house area is proposed to enhance the site both visually and ecologically.
 - Temporary and permanent disturbances to the wetland buffer to allow construction of the site amenities, will be fully reclaimed and properly stabilized for the intended use and these disturbances have been significantly minimized for the development of this project by following the existing woods road as much as possible, minimizing slopes and constructing the driveway as narrow as possible for safe access.
4. *Restoration activities will leave the site, as nearly as possible, in its pre-existing condition and grade at the time of application for the Conditional Use Permit.*

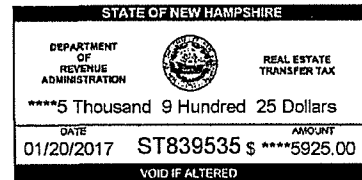
Any disturbances outside of the current limits of disturbance on the property will be fully restored and re-vegetated.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely;

A handwritten signature in dark ink, reading "Michael J. Sievert". The signature is fluid and cursive, with the first name "Michael" being larger and more prominent than the last name "Sievert".

Michael J. Sievert PE
MJS Engineering



Return to:

Attorney Peter L. Hatem
258 U.S. Route One
Scarborough, ME 04074

Warranty Deed

KNOW ALL BY THESE PRESENTS, that we, **Stefany Shaheen and Craig Welch**, wife and husband, of 77 South Street, Portsmouth, NH 03801, as joint tenants with rights of survivorship, for consideration paid grant(s) to **Gregory E. Sancioff**, of one Harbour Place, Unit 4F, Portsmouth, NH 03802, an unmarried man,

with **Warranty Covenants**:

A parcel of land, with improvements thereon, located on the Durham Point Road, so-called in the Town of **Durham**, County of **Strafford** and State of **New Hampshire**, bounded and described as follows:

Starting at a point on the northerly sideline of the Durham Point Road at land now or formerly of Isabelle Sawyer and the lot herein conveyed;
thence running North 27° 07' 08" East along said Sawyer land and a stone wall a distance of 52.08 feet to a point;
thence continuing North 37° 14' 36" East along said stone wall a distance of 94.33 feet to a point;
thence continuing North 31° 51' 45" East along said stone wall a distance of 83.11 feet to a point;
thence continuing North 28° 13' 26" East along said stone wall a distance of 29.30 feet to a point;
thence continuing North 35° 05' 22" East a distance of 82.80 feet to the end of said stone wall;
thence continuing North 24° 54' 26" East along said Isabelle Sawyer land a distance of 163.15 feet to a steel stake at land now or formerly of Geoffrey Sawyer;
thence continuing North 33° 32' 58" East along Geoffrey Sawyer land a distance of 197.67 feet to a point which is 4.5 feet easterly of a steel stake;
thence continuing North 29° 32' 07" East along said Sawyer land a distance of 81.32 feet to a drill hole at the end of a stone wall;
thence continuing North 30° 19' 17" East along said stone wall a distance of 177.44 feet to a drill hole;
thence continuing North 30° 43' 06" East along said stone wall a distance of 166.40 feet to a drill hole;

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CS
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thence continuing North 27° 54' 35" East along said stone wall a distance of 88.26 feet to a drill hole;
thence continuing North 23° 38' 32" East along said stone wall a distance of 73.74 feet to a drill hole;
thence continuing North 04° 53' 41" East along said stone wall a distance of 34.20 feet to a drill hole at or near the high-water line of a tidal inlet;
thence following the tidal inlet and the high-water line of said inlet and the Oyster River northwesterly, northerly and southeasterly to the midpoint of a tidal creek;
thence turning and running South 54° 31' 49" West from the tidal channel of the Oyster River along said midpoint of the creek and Lot #2 a distance of 191.38 feet to an iron rod;
thence turning and running South 28° 32' 16" West along Lot #2 a distance of 407.26 feet to an iron rod;
thence running South 05° 37' 13" West along Lot #2 a distance of 562.38 feet to an iron rod;
thence running South 41° 03' 18" West along an easement a distance of 150 feet to a steel stake at land now or formerly of Quinn;
thence running South 46° 39' 05" West along said Quinn land a distance of 209.07 feet to a steel stake at the end of a stone wall and land now or formerly of Stefany Shaheen;
thence turning and running North 46° 10' 38" West along said stone wall and Shaheen land a distance of 322.66 feet to an iron pin;
thence turning and running South 41° 40' 32" West along said Shaheen land a distance of 351.82 feet to an iron pin at the northerly sideline of the Durham Point Road;
thence turning and running North 42° 22' 27" West along said northerly sideline a distance of 38.00 feet to the point of beginning.

Meaning and intending to convey Lot #1 as shown on a subdivision of land for the Estate of Isabelle Sawyer, May 24, 2002, McEneaney Survey Associates, Inc., recorded in the Strafford County Registry as Plan #67-37 (the "Plan").

Also conveyed in fee simple is a certain tract of land which is referred to in the Plan as a 50' Access and Utility Easement and a 150' Access and Utility Easement, bounded and described as follows:

Beginning at a point on the northerly sideline of Durham Point Road and land now or formerly of Quinn;
thence running North 13° 00' 49" West along said Quinn land a distance of 166.97 feet to an iron rod;
thence turning and running North 36° 51' 18" East along said Quinn land a distance of 501 feet to a steel stake;
thence turning and running North 48° 56' 42" West along said Quinn land a distance of 352.90 feet to a steel stake at Lot #1;
thence turning and running North 41° 03' 18" East along Lot #1 a distance of 150 feet to an iron rod at Lot #2;
thence turning and running South 48° 56' 42" East along Lot #2 a distance of 392.02 feet to an iron rod at an access and utility easement for Lot #2;
thence turning and running South 36° 51' 18" West along said easement a distance of 624.49 feet to an iron rod;



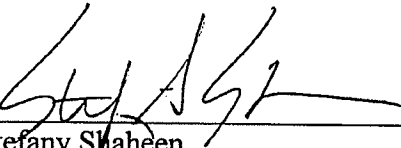
thence turning and running South 13° 00' 49" East along said easement a distance of 143.72 feet to an iron rod;
thence running South 19° 14' 21" West along said easement a distance of 58.09 feet to the northerly sideline of Durham Point Road;
thence turning and running North 31° 40' 21" West along said sideline a distance of 44.88 feet to the point of beginning.

Meaning and intending to describe and convey the same premises conveyed to Stefany Shaheen and Craig Welch by Deed dated February 7, 2005 and recorded in the Strafford County Registry of Deeds in Book 3141, Page 0577 as corrected by Corrective Deed dated March 16, 2011 and recorded in the Strafford County Registry of Deeds in Book 3912, Page 0849.

Subject to and with the benefit of a Right of Way as further described in deed dated May 25, 1983 and recorded in the Strafford County Registry of Deeds in Book 1100, Page 0553.

This is not homestead property.

Executed this 20th day of January, 2017.



Stefany Shaheen



Craig Welch

State of New Hampshire
County of Rockingham

Then personally appeared before me on this 20th day of January, 2017, the said **Stefany Shaheen** and **Craig Welch** and acknowledged the foregoing to be their voluntary act and deed.



New Hampshire Commissioner of Deeds

PETER L. HATEM
Commissioner of Deeds - New Hampshire
My Commission Expires April 20, 2021



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

APPROVAL FOR CONSTRUCTION OF INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS)

AS AUTHORIZED BY THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES, WATER DIVISION PURSUANT TO RSA 485-A, WATER POLLUTION AND WASTE DISPOSAL AND ENV-WQ 1000, SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES.

APPLICATION APPROVAL DATE: 9/18/2017

APPROVAL NUMBER: eCA2017091816

CORRECTED APPROVAL DATE: 9/19/2017

I. PROPERTY INFORMATION

Address: 27 DURHAM POINT ROAD
DURHAM NH 03824

Subdivision Approval No.: 5 PLUS ACRES

Subdivision Name:

County: STRAFFORD

Tax Map/Lot No.: 11/34

Registry Book/Page No.: 4450/0931 -0933

Probate Docket No.:

II. OWNER INFORMATION

Name: GREGORY E SANCOFF

Address: 62 DEER STREET
PORTSMOUTH NH 03801

III. APPLICANT INFORMATION

Name: MICHAEL J SIEVERT

Address: 5 RAILROAD ST
NEWMARKET NH 03857

IV. DESIGNER INFORMATION

Name: MICHAEL J SIEVERT

Address: 5 RAILROAD ST
NEWMARKET NH 03857

Permit No.: 00773

V. SPECIFIC TERMS AND CONDITIONS: Applicable to this Approval for Construction

A. TYPE OF SYSTEM: STONE AND PIPE

B. NO. OF BEDROOMS: 5

C. APPROVED FLOW: 750 GPD

D. OTHER CONDITIONS AND WAIVERS:

1. This approval is valid for 4 years from date of approval, per Env-Wq 1004.13.
2. Approved with Clean Solution pretreatment system in accordance with PART Env-WQ 1024.
3. All activity shall be in accordance with RSA 483-B, the Shoreland Water Quality Protection Act.
4. If construction on this lot involves dredge or fill in a jurisdictional wetland or stream, DES Wetlands Bureau approval is required prior to construction per RSA 482-A.
5. No waivers have been approved.

Corrected spelling of owner's name: 9/19/2017

Darren K. King
Subsurface Systems Bureau

DES Web Site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 Fax: (603) 271-6683 TDD Access: Relay NH 1-800-735-2964

VI. GENERAL TERMS AND CONDITIONS: Applicable to all Approvals for Construction

- A. This Approval for Construction is issued to construct the ISDS as identified on Page 1 of this Approval.
- B. This Approval is valid until 9/18/2021, unless an Approval for Operation has been granted.
- C. By exercising any rights under this approval, the parties have agreed to all terms and conditions.
- D. No liability is incurred by the State of New Hampshire by reason of any approval of any Approval for Construction. Approval by the Department of Environmental Services of sewage and waste disposal systems is based on plans and specifications supplied by the Applicant.
- E. The system must be constructed in strict accordance with the approved plans and specifications.
- F. The installed system must be left uncovered and cannot be used after construction until it is inspected and has received an Approval for Operation of Individual Sewage Disposal System (ISDS) by an authorized agent of the Department.
- G. This system must be installed by an installer holding a valid permit. An owner may install the system for his/primary domicile.
- H. This Approval for Construction does not supersede any equivalent or more stringent local ordinances or regulations. State standards are minimal and must be met statewide.

WORK NUMBER: 201701609-1
APPROVAL NUMBER: eCA2017091816
RECEIVED DATE: May 19, 2017
TYPE OF SYSTEM: STONE AND PIPE
NUMBER OF BEDROOMS: 5



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



September 18, 2017

Greg Sancoff
62 Deer Street
Portsmouth, NH 03801

Re: Greg Sancoff Residence
Tax Map 11, Lot 34-1, Durham, NH

Permit: AoT-1311

Dear Applicant:

Based upon the plans and application, approved on September 18, 2017, we are hereby issuing RSA 485-A:17 Alteration of Terrain Permit AoT-1311. The permit is subject to the following conditions:

PROJECT SPECIFIC CONDITIONS:

1. The approved plans, latest revision dated September 14, 2017, and supporting documentation in the permit file are a part of this approval.
2. **This permit expires on September 18, 2022.** No earth moving activities shall occur on the project after this expiration date unless the permit has been extended by the Department. If requesting an extension, the request must be received by the department before the permit expires. The Amendment Request form is available at:
<http://des.nh.gov/organization/divisions/water/aot/categories/forms.htm>.
3. As part of the processing of this application, DES waived specific requirements of Rule Env-Wq 1507.04 requiring the applicant to capture and infiltrate the groundwater recharge volume (GRV) in accordance with Env-Wq 1508.15. Based upon Site Specific Soil mapping throughout the site, the property contains a majority of poorly-drained, hydrologic group 'C' and 'D' soils with very low infiltration rates. DES also waived specific requirements in Env-Wq 1507.05 channel protection and Env-Wq 1507.06 peak runoff control requirements due to the fact that this project is discharging treated stormwater directly to the Oyster River. Granting these waivers will not have an adverse impact on the environment, public health, public safety, or abutting properties, and granting the request is consistent with the intent and purpose of the rules waived. Additional documentation relative to the waiver is contained within the file.

GENERAL CONDITIONS:

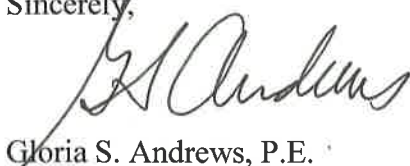
1. Activities shall not cause or contribute to any violations of the surface water quality standards established in Administrative Rule Env-Wq 1700.
2. You must submit revised plans for permit amendment prior to any changes in construction details or sequences. You must notify the Department in writing within ten days of a change in ownership.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

3. You must notify the Department in writing prior to the start of construction and upon completion of construction. Forms can be submitted electronically at: <https://forms.nh.gov/onlineforms/> . Paper forms are available at that same web page.
4. All stormwater practices shall be inspected and maintained in accordance with Env-Wq 1507.08 and the project Inspection and Maintenance (I&M) Manual. All record keeping required by the I&M Manual shall be maintained by the identified responsible party, and be made available to the department upon request. Photographs of the site and BMPs must accompany the I&M submittals.
5. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (e.g., from US EPA, US Army Corps of Engineers, etc.). Projects disturbing over 1 acre may require a federal stormwater permit from EPA. Information regarding this permitting process can be obtained at: <http://des.nh.gov/organization/divisions/water/stormwater/construction.htm>.
6. If applicable, no activity shall occur in wetland areas until a Wetlands Permit is obtained from the Department. Issuance of this permit does not obligate the Department to approve a Wetlands Permit for this project.
7. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have not been surveyed in detail, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.

Sincerely,



Gloria S. Andrews, P.E.
Alteration of Terrain Bureau

cc: Durham Planning Board

ec: Michael Sievert, PE; MJS Engineering (Email: mjs@mjs-engineering.com)



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



16-075

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SHORELAND IMPACT PERMIT 2017-00887

Permittee: GREGORY E. SANCOFF
1 HARBOUR PL. 4-F
PORTSMOUTH, NH 03801

Project Location: 27 DURHAM POINT RD, DURHAM
TAX MAP/LOT NO: 11 / 34-1

Waterbody: OYSTER RIVER

NOTE CONDITIONS

APPROVAL DATE: May 01, 2017 **EXPIRATION DATE:** May 01, 2022

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Based upon review of the above referenced application, in accordance with RSA 483-B, a Shoreland Impact Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Impact 60,500 square feet (SF) of protected shoreland in order to construct a primary structure, barn, pool and driveway on a 20 acre lot.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by MJS Engineering, P.C. dated March 30, 2017 and received by the NH Department of Environmental Services (NHDES) on April 3, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 6.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 36,906 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

LIST OF OWNERS OF ABUTTING PROPERTY

(This includes property directly across the street or streams from the land under consideration. **List must also include any and all preparers of plans, studies, etc...**)

PLEASE PROVIDE NAME & MAILING ADDRESS

<p><u>ENGINEER/AGENT:</u></p> <p>MJS ENGINEERING, P.C. 5 RAILROAD STREET NEWMARKET, NH 03857</p>	<p><u>LAND SURVEYOR:</u></p> <p>McENEANEY SURVEY ASSOCIATES, INC. 24 CHESTNUT STREET DOVER, NH 03820</p>
<p><u>WETLAND SCIENTIST:</u></p> <p>WEST ENVIRONMENTAL, INC. 48 STEVENS HILL ROAD NOTTINGHAM, NH 03290</p>	<p><u>LAND SURVEYOR:</u></p> <p>NORWAY PLAINS ASSOCIATES 2 CONTINENTAL BLVD. ROCHESTER, NH 03867</p>
<p><u>ABUTTER:</u> 35 Durham Point Road MAP 11/LOT 34-3</p> <p>JENNIFER SAYRE 35 DURHAM POINT ROAD DURHAM, NH 03824</p>	<p><u>ABUTTER:</u> 30 Durham Point Road MAP 8/LOT 2-3</p> <p>KATHLEEN H. MORRIS 30 DURHAM POINT ROAD DURHAM, NH 03824</p>
<p><u>ABUTTER:</u> 12 Durham Point Road MAP 15/LOT 15-8</p> <p>TIMOTHY G. & ELEANOR BUTLER GOLDS COTTAGE, PETERSFIELD ROAD GREATHAM HAMPSHIRE, XX GU33 6HA</p>	<p><u>ABUTTER:</u> 7 Durham Point Road MAP 6/LOT 11-5</p> <p>JAN A. RICE CATHERINE N. FITZGERALD-RICE 7 DURHAM POINT ROAD DURHAM, NH 03824</p>
<p><u>ABUTTER:</u> 2 Sunnyside Drive MAP 15/LOT 15-7</p> <p>GUANLAI LI WENYUAN YU 2 SUNNYSIDE DRIVE DURHAM, NH 03824</p>	<p><u>ABUTTER:</u> 1 Sunnyside Drive MAP 8/LOT 2-1</p> <p>JOEL MULLINS TYANNE SYLVESTRE 1 SUNNYSIDE DRIVE DURHAM, NH 03824</p>
<p><u>ABUTTER:</u> 32 Durham Point Road MAP 8/LOT 2-2</p> <p>PAUL & PAULABETH J. IGOE 32 DURHAM POINT ROAD DURHAM, NH 03824</p>	

LIST OF OWNERS OF ABUTTING PROPERTY

(This includes property directly across the street or streams from the land under consideration. **List must also include any and all preparers of plans, studies, etc...**)

PLEASE PROVIDE NAME & MAILING ADDRESS

<u>PROPERTY OWNER:</u> 27 Durham Point Road MAP 11/LOT 34-1 GREGORY SANCOFF 1 HARBOUR PLACE 4-F PORTSMOUTH, NH 03801	<u>ABUTTER:</u> 14-16 Old Landing Road MAP 5/LOT 6-5 HOLLY A. NEIWEEM & KATHERINE H. SCHULTEN 192 DURHAM ROAD DOVER, NH 03820
<u>ABUTTER:</u> 31 Durham Point Road MAP 11/LOT 34-2 GEOFFREY N. & MARY T. CLARK 31 DURHAM POINT ROAD DURHAM, NH 03824	<u>ABUTTER:</u> Old Landing Road MAP 5/LOT 6-6 TOWN OF DURHAM 8 NEWMARKET ROAD DURHAM, NH 03824
<u>ABUTTER:</u> 51 & 53 Durham Point Road MAP 11/LOT 35-1 KATHARINE D. PAINE 51 DURHAM POINT ROAD DURHAM, NH 03824	<u>ABUTTER:</u> 32 Dover Road MAP 10/LOT 20-1 ALEXANDER FAMILY REVOCABLE TRUST 32 DOVER ROAD DURHAM, NH 03824
<u>ABUTTER:</u> 17 Durham Point Road MAP 15/LOT 17-1 PER BERGLUND & JULIA G. BRYCE 17 DURHAM POINT ROAD DURHAM, NH 03824	<u>ABUTTER:</u> 36 Dover Road MAP 10/LOT 20-2 JOHN F. DURKIN, JR. 140 BRICK MILL ROAD BEDFORD, NH 03110
<u>ABUTTER:</u> 23 Durham Point Road MAP 15/LOT 17-3 JAMES E. SEIDENBERG 23 DURHAM POINT ROAD DURHAM, NH 03824	<u>ABUTTER:</u> 38 Dover Road MAP 10/LOT 20-5 CATHERINE NADEAU P.O. BOX 536 DURHAM, NH 03824
<u>ABUTTER:</u> 35 Newmarket Road MAP 6/LOT 11-7 CHRISTINA H. FELIX 35 NEWMARKET ROAD DURHAM, NH 03824	<u>ABUTTER:</u> 11-13 Dover Point Road MAP 6/LOT 11-3 ARTHUR R. S. KLAESON III 1 DURHAM POINT ROAD DURHAM, NH 03824
<u>ABUTTER:</u> 27 & 31 Newmarket Road MAP 6/LOT 11-8 GREAT BAY ANIMAL HOSPITAL LLC 31 NEWMARKET ROAD DURHAM, NH 03824	<u>ABUTTER:</u> 21 Durham Point Road MAP 15/LOT 17-2 SCOTT A. & SARAH C. SCHAIER 21 DURHAM POINT ROAD DURHAM, NH 03824