



PLANNING DEPARTMENT

Town of Durham
8 Newmarket Road
Durham, NH 03824-2898
Phone (603) 868-8064
www.ci.durham.nh.us

Amendment to Approved Project
Durham, New Hampshire

Project name Greg Sancoff Residence

Property Address 27 Durham Point Road Map and Lot # 11/34-1

Type of project: Site Plan ☐; Subdivision ☒; Lot Line Adjustment ☐; Other ☐

Date of original Planning Board approval 09/2002

Description of amendment To relocate the access driveway from Durham Point Road

Reason for amendment The owner would like to relocate the driveway to improve

safety and minimize the access conflict that results from having four residences

using one common driveway

Name of applicant or agent filling out this form Michael J. Sievert, P.E.

Applicant? ☐ Agent? ☒

E-mail Address: mjs@mjs-engineering.com Phone # 603-659-4979

Today's date 4-18-18

Please note: Amendments are reviewed by the Planning Board and a public hearing is held. Abutters must be renotified by the applicant. The applicant must submit any supplementary materials necessary to explain and support the amendment, such as a narrative and plans.

----- Office use below -----

Amendment approved ☐ Amendment denied ☐ Date of Planning Board action ☐

Conditions ☐

Signature: ☐ Date: ☐

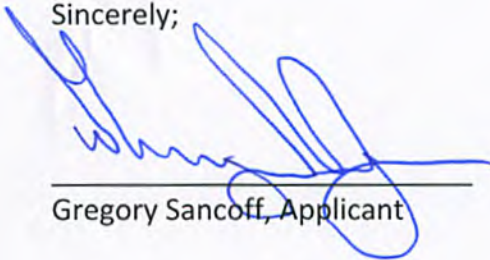
April 16, 2018

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

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

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



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 – Amend Original Subdivision Approval
of
The Estate of Isabelle Sawyer
For
Gregory E. Sancoff
Tax Map 11 / Lot 34-1

April 18, 2018

The Subject Property

The subject property is an existing lot of record subdivided in 2002 as Lot 1 of a three lot “pork chop” subdivision. However, the original parcel totaling approximately 40 Acres, was subdivided in 1983, into two lots with the condition that the access to both lots would be from a common driveway that existed in 1983. A copy of the original planning board minutes with conditions, the deed and plan are included as exhibits 1,2 & 3.

In 2002, Lot B, of the original two lot subdivision from 1983, was further subdivided into three lots, using the “pork chop” standards of the Durham Zoning Regulations. The condition of the common driveway access was carried forward and included as a condition of this subdivision approval that all four lots would be required to be accessed from the common driveway. A copy of the subdivision plan and approval has been submitted herewith as exhibits 4 & 5. The lots are in the RC District and two of the lots are also subject to the Wetland and Shoreland Conservation Overlay District.

The Proposed Use

The owner Greg Sancoff has recently purchased the property and is proposing to construct a single-family home on the parcel. The application is being submitted to amend the approval to locate the primary driveway access from Durham Point Road at another location on the frontage of the subject parcel instead of using the common driveway that was originally approved as part of the original subdivision (1983 & 2002).

Mr. Sancoff has completed the construction of an access road originally to harvest timber from the property but has decided to move forward with permitting the temporary construction access road as the primary permanent driveway for access to the single-family house. He has since completed the majority of the driveway on the parcel which totals over 2000’ and constructed a barn. The reason for the relocation of the driveway is safety but also ease of access. The current driveway provides access for three residences currently and this will add a fourth. In addition, the existing driveway is very steep, narrow, and has limited site distance to the east

along Durham Point Road. The new location will provide a much safer access both for personal vehicles and emergency vehicles. Also, Mr. Sancioff has several horses and the grade of the current driveway is problematic for hauling horse trailers in and out of the property. The new location has a very flat grade and more than adequate site distance at the intersection with Durham Point Road.

Other Approvals Requested from the Town of Durham

1. Planning Board Conditional Approval:
 - Request for a conditional use approval for WCOD and SPOD impacts.

Approvals from NHDES;

1. Onsite subsurface disposal system.
2. Wetlands permit for filling wetlands to construct a driveway for access to the parcel.
3. Alteration of Terrain permit for construction of the site development.
4. Shoreland permit for site development.

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

Sincerely;

A handwritten signature in black ink, reading "Michael J. Sievert". The signature is written in a cursive, flowing style.

Michael J. Sievert PE
MJS Engineering

MINUTES
SAWYER PUBLIC HEARING
DURHAM PLANNING BOARD
Wednesday, April 6, 1983

PRESENT: Dick Hardy, Sheldon Prescott, Leonard Jerabek, Jodi Handi, Ann Goodman, Bruce Bragdon and Bob Holland.

OTHERS PRESENT: David Walker, G. Sawyer, Richard Marsh, James Quinn, Eve Quinn, Audrey Heckel, Diane Langlois, Walter Cheney, Elsa Brodie, Louis Adabahr, Wayne Burton, Wm. Nescot, and others.

Chairman Bragdon opened the meeting at 7:37 with the reading of the appropriate notices. The parcel to be subdivided is located in the RC zoning district and will be divided into two lots, one containing 123,710 square feet and the other lot containing 36.6⁺ acres. Lot A has an existing building on it. The Planning Board waived the septic permit requirement for Lot B on February 16, 1983.

Len Jerabek questioned the presentation of the mylar. He would like to request that the Shorland Conservation District, the Flood Hazard District and the Wetland Conservation District be delineated on the mylar before final signature by the Planning Board.

Bob Holland, a member of the site Inspection Team, noted that the application was pretty straight forward and only needed the addition of the data indicated by Mr. Jerabek. The Findings of Fact and Conditions of Approval were amended as follows:

FINDINGS OF FACT

1. The proposed Limited Subdivision is located in the Residence Coastal (RC) Zoning District.
2. The proposed Limited Subdivision is using the Porkchop Option.
3. Lot A contains 123,710 square feet of area and 200.00 feet of road frontage on Durham Point Road.
4. Lot B contains 36.6⁺ acres with 380⁺ feet of road frontage on Durham Point Road.
5. Both Lot A and Lot B are entered from a common driveway over Lot A. The common driveway is the existing driveway. No new driveways will be constructed.
6. Lot B is part of the Wetland Conservation District as outlined in Article 13 of the Durham Zoning District.
7. Lot B is part of the Shoreland Conservation Zone as outlined in Article 14 of the Durham Zoning Ordinance.
8. Lot B is part of the Flood Hazard District as outlined in Article 17 of the Durham Zoning Ordinance.
9. Lot A contains an existing residence.
10. The Applicant has petitioned for a waiver of the requirement of a test pit and perc test on Lot B as outlined in Section 4.4.c Sewerage Facilities of the Durham Subdivision Regulations. This waiver was granted by the Durham Planning Board on February 16, 1983.

CONDITIONS OF APPROVAL

- * 1. Lot A and Lot B must be entered by a common driveway whose maintenance is guaranteed in the deeds to the lots concerned.
2. Prior to issuing a Building Permit for construction on Lot B, a septic system design must be approved by State and local agencies.
3. Development of Lot B must conform to the Wetland Conservation District, the Shoreland Conservation District and the Flood Hazard District as outlined in the Durham Zoning Ordinance.
4. The Wetland Conservation District, Shoreland Conservation District and Flood Hazard Zone must be added to the map currently dated February 1983.

WARRANTY DEED

George F. Sawyer and Isabelle D. Sawyer, husband and wife, of Newmarket Road, Town of Durham, Strafford County and State of New Hampshire for consideration paid, grant to James J. and Eve M. Quinn, husband and wife, as joint tenants with rights of survivorship, of Durham Point Road, Town of Durham, Strafford County and State of New Hampshire with WARRANTY covenants

A certain tract or parcel of land situate on the Northerly side of the Durham Point Road in the Town of Durham, County of Strafford and State of New Hampshire, being designated as Lot A on a plan entitled, "Limited Subdivision Plan of Land George F. Sr. & Isabelle D. Sawyer Durham, N.H.", by G.L. Davis and Associates dated February, 1983 and recorded as Plan 24-11 of the Strafford County Registry of Deeds, bounded and described as follows:

Beginning at a point on the Northerly side of said Durham Point Road at a steel stake in a stone wall at land now or formerly of Arthur E. Teeri; thence running N. 29° 58' E. by and along said stone wall and Teeri land a distance of Two Hundred Eighty Two and five tenths (282.5) feet to an iron rod at an intersecting stone wall; thence turning and running N. 54° 24' W. by and along said stone wall and Teeri land a distance of Three Hundred One and three tenths (301.3) feet to a point at an intersecting stone wall at land now or formerly of William L. and Millicent Prince; thence turning and running N. 39° 12' E. by and along said stone wall and Prince land a distance of Seventy Six and eight tenths (76.8) feet to a steel stake at Lot B as shown on said plan; thence turning and running N. 47° 00' E. by and along said Lot B a distance of Two Hundred Nine and six tenths (209.6) feet to a steel stake; thence turning and running S. 48° 35' E. by and along said Lot B a distance of Three Hundred Fifty Two and nine tenths (352.9) feet to a steel stake; thence turning and running S. 37° 13' W. by and along said Lot B a distance of Five Hundred One (501.0) feet to a point; thence turning and running S. 09° 25' E. by and along said Lot B a distance of One Hundred Seventy Two and four tenths (172.4) feet to a point at a stone wall on the Northerly side of said Durham Point Road; thence turning and running N. 26° W. by and along said stone wall and Durham Point Road a distance of Two Hundred (200) feet, more or less, to a steel stake at a stone wall at land now or formerly of Teeri and the point of beginning, containing 2.840 acres.

Excepting and Reserving, however, a right of way for the purpose of vehicular and pedestrian ingress and egress to Lot B. Said right of way shall run from the Durham Point Road and a generally Northerly direction across Lot A over the existing driveway for a distance of no more than Two Hundred (200) feet. At said Two Hundred (200) foot point, said right of way shall turn to the right at an angle no greater than 45° and run in a Northeasterly direction to Lot B. Said right of way shall be located as described above, notwithstanding the approximate location of same as shown on said plan.

PROVIDED, HOWEVER, that Grantees, their heirs, successors, administrators or assigns, shall maintain that portion of said Right of Way that is on the within described parcel at their sole expense, until such time as the Grantors, their heirs, successors, administrators or assigns commence use of same as access to Lot B on said Plan; at which time, Grantors, their heirs, successors, administrators or assigns shall be solely responsible for the construction of that portion of the right of way from that point where it turns at an angle in a Northeasterly direction to Lot B. Once the said Grantors begin to use same as access to Lot B, the parties shall share equally in the cost of maintaining that portion of said right of way that is on the within described parcel.

1983 MAY 25 PM 3:22

1983 MAY 25 PM 3:22

L. Sawyer D. Carey

REGISTER OF DEEDS
STRAFFORD COUNTY

004490

Meaning and intending to convey a portion of the property inherited by the said George F. Sawyer from Mary D. Sawyer, Strafford County Probate #A4330. Reference is also made to deed of Charles H. Sawyer to Isabelle D. Sawyer, dated November 21, 1963 and recorded at Book 772, Page 238 of the Strafford County Registry of Deeds.

Witness our hands this 25th day of May, 1983.

Witness:

Jeannette O. Dixon
Jeannette O. Dixon

George F. Sawyer, Sr.
 George F. Sawyer, Sr.

Isabelle D. Sawyer
 Isabelle D. Sawyer

STATE OF NEW HAMPSHIRE
 STRAFFORD, SS.

George F. Sawyer, Sr. personally appeared and acknowledged the foregoing instrument to be his voluntary act and deed.

May 25, 1983.

Before me,

Jeannette O. Dixon
 Notary Public - Justice of the Peace

STATE OF NEW HAMPSHIRE
 STRAFFORD, SS.

Isabelle D. Sawyer personally appeared and acknowledged the foregoing instrument to be her voluntary act and deed.

May 25, 1983.

Before me,

Jeannette O. Dixon
 Notary Public - Justice of the Peace

Louisa D. Carey

REGISTER OF DEEDS
 STRAFFORD COUNTY

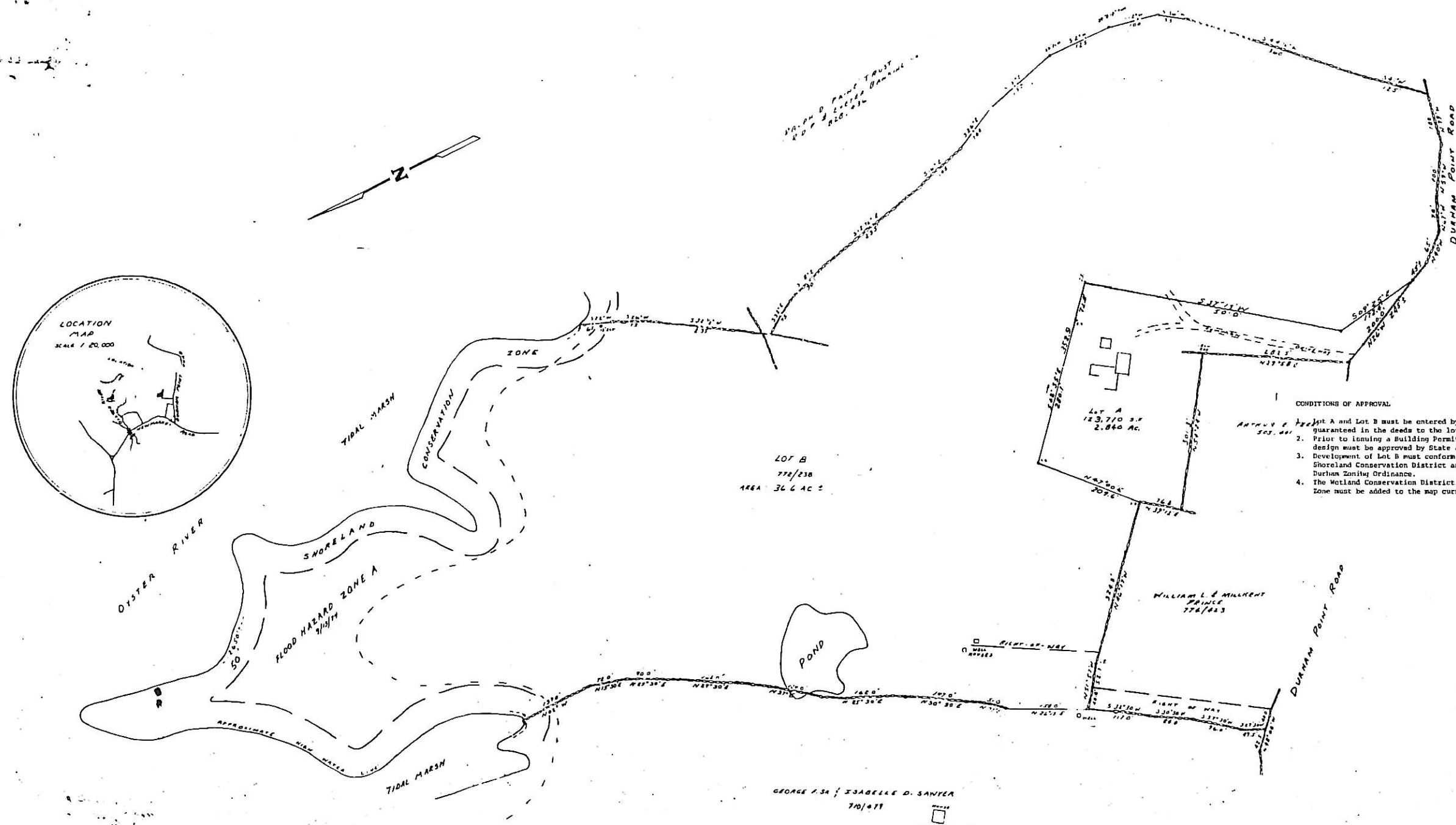
-3335 -1983 APR 27 AM 10:24 -SCRD

DATE: 21 APR 84

REF: 100-1-1
STW: 100-1-1

PLAN 828-11

George Sawyer
15-17-3



NOTE
1) US DA SCA MAP SHOWS NO WETLAND
2) FLOOD HAZARD LINE IS FROM MAP
AND IS NOT THE ACTUAL ELEVATION
OF THE 100 YEAR FLOOD.
REVISED: FLOOD HAZARD CONSERVATION DIST.
LINES ADDED, APRIL 1983.

CONDITIONS OF APPROVAL

1. Lot A and Lot B must be entered by a common driveway whose maintenance is guaranteed in the deeds to the lots concerned.
2. Prior to issuing a Building Permit for construction on Lot B, a septic system design must be approved by State and local agencies.
3. Development of Lot B must conform to the Wetland Conservation District, the Shoreland Conservation District and the Flood Hazard District as outlined in the Durham Zoning Ordinance.
4. The Wetland Conservation District, Shoreland Conservation District and Flood Hazard Zone must be added to the map currently dated February 1983.

Sawyer Public Hearing 4/6/83

APPROVED, DATE April 6, 1983
DURHAM PLANNING BOARD

[Signature]
[Signature]

PLAN OF LAND
GEORGE F. SR. & ISABELLE D. SAWYER
DURHAM, N. H.

G. L. DAVIS & ASSOCIATES
SURVEYING & ENGINEERING
200 N. ROAD 1
DOVER, NEW HAMPSHIRE 03820

DATE: FEB 1983
BY: R.W.M.
FILE: 83-54

GRAPHIC SCALE ON ORIGINAL

GEORGE F. SAWYER / ISABELLE D. SAWYER
7/10/83



TOWN OF DURHAM L' Rd. 14-
 15 NEWMARKET ROAD Jc 2-
 DURHAM, NH 03824-2898
 603/868-8064 • 603/868-8065
 FAX 603/868-8033
 www.ci.durham.nh.us

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

Approval of an Application for Subdivision submitted by McEneaney Survey Associates, Inc., Dover, New Hampshire, on behalf of the Estate of Isabelle D. Sawyer, Durham, New Hampshire, to subdivide a 39.37 acre lot into 3 "pork chop" lots in accordance with Article IV, Section 175-33 of the Durham Zoning Ordinance. The property involved is shown on Tax Map 11, Lot 34-1, is located on Durham Point Road, and is in the Residence C Zoning District.

FINDINGS OF FACT

1. The applicant submitted a Subdivision Plan entitled "Subdivision of Land Prepared for The Estate of Isabelle Sawyer, Tax Map 11, Lot 34-1, Durham Point Road, Town of Durham, County of Strafford, State of New Hampshire" prepared by McEneaney Survey Associates, Inc., Dover, NH., dated May 24, 2002, and last revised on June 17, 2002.
2. The applicant submitted an Application for Subdivision of Land with supporting documents on June 6, 2002.
3. The applicant submitted a Test Pit Evaluation Report from New Hampshire Soil Consultants, Inc., Newmarket, New Hampshire, on June 6, 2002, and an updated report received on July 10, 2002.
4. The applicant submitted a letter of intent on June 6, 2002.
5. The applicant submitted a copy of the Quitclaim Deed for the property on June 21, 2002.
6. The applicant submitted a letter on June 21, 2002, from John K. Herbert, III, the Administrator of the Sawyer Estate, stating that McEneaney Survey Associates, Inc., is authorized to represent the Sawyer Estate at the Planning Board meetings.
7. There was a site walk of the property on July 9, 2002.

WAIVERS

The applicant requested a waiver to Section 9.05(B) of the Durham Subdivision Regulations, the requirement to locate all non-municipal utilities underground. The Planning Board hereby denies the requested waiver.



2002 OCT 15 PM 1:46

STRAFFORD COUNTY
REGISTRY OF DEEDS

026212

BK2601PG0581

CONDITIONS OF APPROVAL

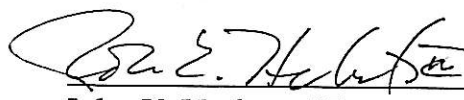
The following conditions shall be met prior to the Signature of Approval on the Subdivision Plan. These conditions shall be met within six months of the signing of these Findings of Fact and Conditions of Approval by the Chair of the Planning Board. If these conditions are not met within six months, the applicant must come before the Planning Board for review of the conditions:

1. The applicant shall supply two mylar plats and one paper copy for signature by the Planning Board Chair.
2. In consideration of Section 4.04 of the Subdivision Regulations the Planning Board requires that a note will be placed on the final subdivision plan that no further subdivision resulting in the creation of new lots will be permitted except for the purpose of permanent conservation use.
3. A note will be placed on the final subdivision plan stating that all utilities will be underground.

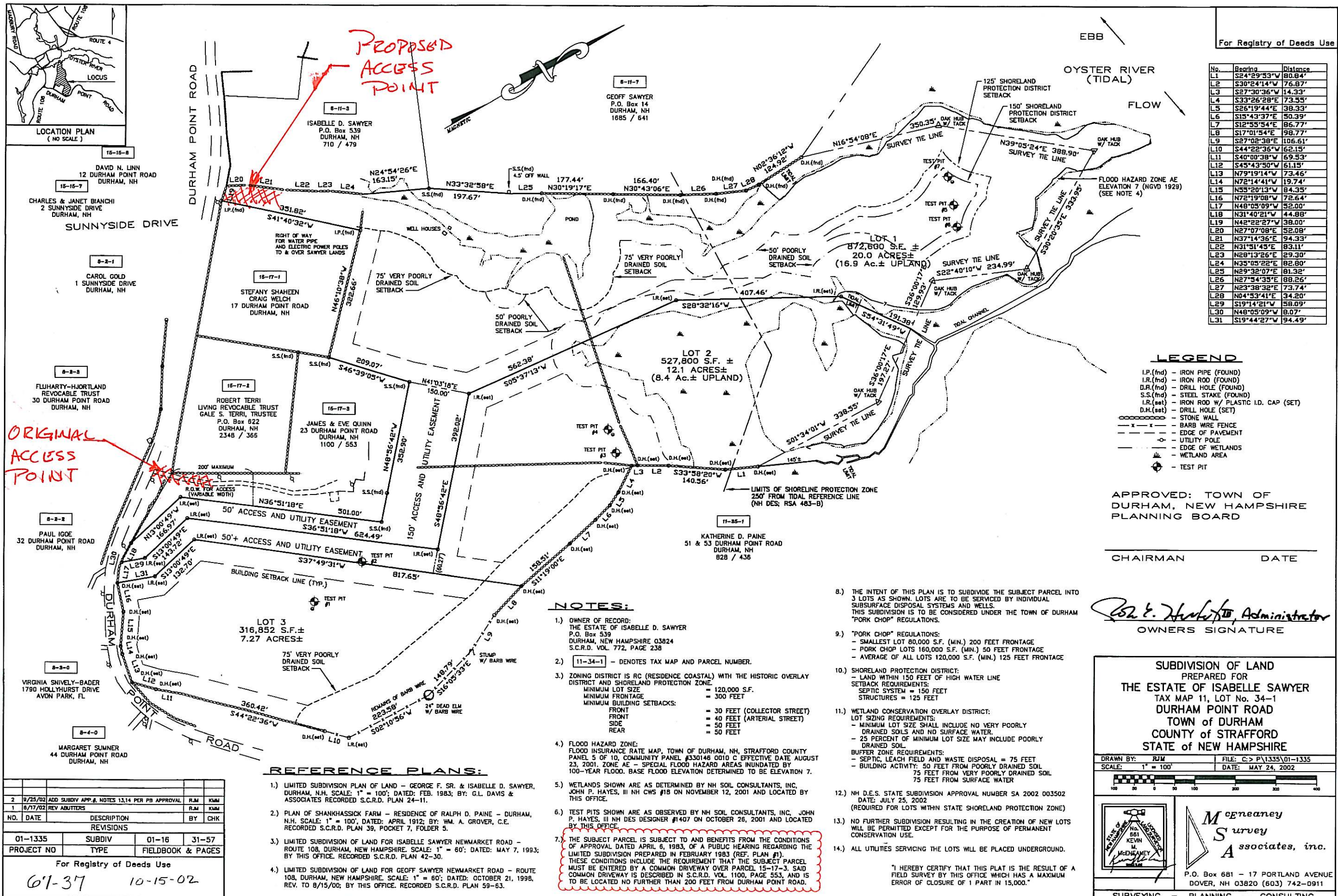
Conditions to be Met Subsequent to the Signature of Approval on the Subdivision Plan:

1. The referenced Subdivision Plan and these Findings of Fact and Conditions of Approval shall be recorded with the Strafford County Registry of Deeds, at the applicant's expense, within seven (7) days of the Chair's signature on the Plan.
2. The applicant must meet with the Tree Warden before any cutting of trees is done on the lot as required in Section 175-77(A)(6) of the Zoning Ordinance.
3. To ensure compliance with the Zoning regulations, the applicant shall meet with the Zoning Administrator before cutting of trees in the Shoreland Protection Zone.
4. The location of the underground utilities will be shown on the final as-built plan.
5. Evidence of State Subdivision Approval shall be provided.

CONDITIONALLY APPROVED AT THE PLANNING BOARD MEETING OF JULY 24, 2002.

 10/1/02
John K. Herbert, III Date
Administrator Sawyer Estate

 09/05/02
Dave Pease Chair Date
Durham Planning Board



Isabelle D. Sawyer
ADMINISTRATOR

SUBDIVISION OF LAND
PREPARED FOR
THE ESTATE OF ISABELLE SAWYER
TAX MAP 11, LOT No. 34-1
DURHAM POINT ROAD
TOWN OF DURHAM
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

DRAWN BY: RJM FILE: C:\P\1335\01-1335
SCALE: 1" = 100' DATE: MAY 24, 2002

McGoneaney Survey Associates, inc.
P.O. Box 681 - 17 PORTLAND AVENUE
DOVER, NH 03820 (603) 742-0911
SURVEYING - PLANNING - CONSULTING