



**PLANNING DEPARTMENT**

**Town of Durham**

8 Newmarket Road

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**Application for Waiver from Regulation**

**Town of Durham, New Hampshire**

Project name \_\_\_\_\_ Mulhern Pocket Neighborhood Conservation Subdivision \_\_\_\_\_

Property Address \_\_91 Bagdad Road\_\_\_\_\_ Map and Lot # 10/8-6\_\_\_\_\_

Site Plan: \_\_\_\_\_ Subdivision:\_\_\_X\_\_\_ Boundary line adjustment :\_\_\_\_\_

Section and subsection of the Site Plan Regulations or Subdivision Regulations from which the waiver is requested: Road Construction Regulations of the Town of Durham

\_\_\_\_\_ **4.01** min ROW width 50'; **4.02** min pavement width 20' ; **4.03** min shoulder width 4'; **4.13** min tangent length between reverse curves; **4.17** min center line curve radius 180'; **4.19** min gutter width 12"-18"; **4.20** min sidewalk const. \_\_\_\_\_

Reason/justification(s) for the waiver request: These waivers are being requested mainly because this is a private road and the goal of the type of subdivision is to reduce traffic, roadways and impervious surfaces. In addition, the average daily vehicle trips are only 72 trips, which is well within the maximum for these design requirements. The waiver request for sections 4.01, 4.02, 4.13 & 4.17 only apply to the loop road, the requirements in these 4 sections are met for the access road to the intersection. The min. tangent length between reverse curves is about 50', but we designed spiral curves to soften the transition between the reverse curves. This reduced distance helps reduce the overall road length and impervious surface which has been the goal from the beginning. The min. centerline radius of the proposed design is 50' in three locations for short curves, and this again reduces the road impact. The goal is to reduce disturbance, reduce speed and minimize impervious surfaces. The reason for the

waiver from sections 4.19 and 4.20 is due to the goal of minimization especially in this area for the reduction of wetland impact. To minimize the impact to the traveled way of not including a 12" to 18" additional width for a gutter, we paved the entire shoulder providing a gutter width of three feet on the low side. The 3' wide shoulders on both sides will provide for adequate pedestrian access especially at the low vehicle per day traffic rate and the low speeds.

Check which provision this would comply with (RSA 674:44 III. (e) and 676:36 II.(n)):

(1)  Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations; or

(2)  Specific circumstances relative to the site plan or subdivision, or conditions of the land in such site plan or subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

Name of applicant or agent filling out this form: Michael J. Sievert

Applicant?  Agent?  Today's date 6-08-21

E-mail Address: msievert@horizonsengineering.com Phone # 603-659-4979

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

Waiver approved:  Waiver denied:

Comments: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_