



TOWN OF DURHAM
8 NEWMARKET RD
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NOTICE OF DECISION

Project Name: 561 Bay Road – Permitted Use B
Action Taken: APPROVAL
Project Description: Permitted Use B for installation of retaining walls, steps, regrading and a well within the Wetland Conservation Overlay District
Property Owner: David T. and Karen S. Della Penta 2013 Trust
Engineer: Ron Beal and Eric Weinrieb, Altus Engineering
Landscape Architect: Robbi Woodburn
Map and Lot: Map 239, Lot 9
Zoning: Residence Coastal
Date of approval: **January 24, 2023**

The application was approved as submitted with the following terms and conditions:

- 1) The applicant shall have a surveyor lay out the location of the sedimentation barrier as shown on the plan within the Wetland Conservation Overlay District.
- 2) Mowing of the wetland on the lot shall be consistent with the mowing of the adjacent conservation land.
- 3) There may be no use of pesticides, herbicides, or fertilizers within the Wetland Conservation Overlay District (as shown on the plans, including the wetland and the 100-foot-wide buffer adjacent to the wetland).

This approval is for a Permitted Use B for the installation of retaining walls, steps, regrading and a well within the Wetland Conservation Overlay District as shown on the plans. The application was submitted as a conditional use, but the Planning Board determined that it should be reviewed as a Permitted Use B application.