



**TOWN OF DURHAM**  
8 NEWMARKET RD  
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[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

**NOTICE OF DECISION**

**Project Name:** 12 Oyster River Road – conditional use  
**Action Taken:** APPROVAL  
**Project Description:** Conditional use for deck, patio, steps, retaining wall, and landscaping within the Shoreland Protection Overlay District  
**Property Owner:** Katherine Cook/New Heritage Designs  
**Applicant:** Katherine Cook  
**Contractor:** Ben Groves, Rye Beach Landscaping  
**Map and Lot:** Map 109, Lot 80  
**Zoning:** Residence A District  
**Date of approval:** March 27, 2024

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The application is approved as submitted.

Findings of fact. As part of this review and approval the Durham Planning Board finds the following: **A)** The applicant submitted an application, supporting *documents*, and plans for the project; **B)** The Planning Board held a *public hearing* on the application; **C)** The Planning Board reviewed the application in accordance with the Durham Zoning Ordinance, and found that the application *meets all requirements* (except where waivers or variances may have been granted); **D)** The Planning Board determined that a surveyed plan was not needed given the extent of information provided, the location of the buffer line (through the house), and the site walk which the boards held; **E)** The board held a site walk; **E)** The application was reviewed by the Conservation Commission on March 25, 2024; **G)** the Planning Board found that the eight criteria for *conditional uses* and the four special criteria outlined in the Zoning Ordinance are adequately addressed in the applicant’s application for a conditional use; and **H)** The Planning Board duly *approved the application* as stated herein, including the conditional uses. Substantial records are maintained of the process and documentation submitted in the Planning Department. A record of documentation and a timeline of the project will be prepared as needed.