



TOWN OF DURHAM
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Zoning Administrator
Victoria Parmele,
Minutes Taker

ZONING BOARD OF ADJUSTMENT
Tuesday, September 12, 2017 at 7:00 p.m.
Town Council Chambers, Town Hall
8 Newmarket Road, Durham, NH

AMENDED
Agenda

- I. **Call to Order**
- II. **Roll Call**
- III. **Seating of Alternates**
- IV. **Approval of Agenda**
- V. **Public Hearings**
 - A. **PUBLIC HEARING** on a petition submitted by Jeff & Heather Smith Rev Trust, Durham, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article XIII, Section 175-59(A)(2)(d) of the Durham Zoning Ordinance to construct a garage addition with apartment above within the wetland setback. The property involved is shown on Tax Map 12, Lot 3-5, is located at 195 Piscataqua Road, and is in the Residence C Zoning District.
 - B. **PUBLIC HEARING** on a petition submitted by Susan J. Faretra, Faretra Septic Design, LLC, Nottingham, New Hampshire on behalf of Stephen Reyna, New York, New York, for an **APPLICATION FOR VARIANCE** from Article XII, Section 175-54 of the Durham Zoning Ordinance to construct a replacement leachfield within the side setback of 50 feet. The property involved is shown on Tax Map 12, Lot 15-0, is located at 253 Durham Point Road, and is in the Residence C Zoning District.
 - C. **PUBLIC HEARING** on a petition submitted by Sharon Cuddy Somers, Donahue, Tucker & Ciandella, PLLC, Exeter, New Hampshire, on behalf of Rockingham Properties I, LLC, Belmont, Massachusetts, for an **APPLICATION FOR VARIANCE** from Article XXI, Section 175-111(A & D) of the Durham Zoning Ordinance to allow for a driveway width of 24 feet and to allow for a drive aisle width of 24 feet. The property involved is shown on Tax Map 11, Lot 8-1, is located off of Stone Quarry Drive, and is in the Office and Research/Rte. 108 Zoning District.
- VI. **Other Business:**
 - A. **REQUEST FOR REHEARING** on an August 8, 2017 denial of a petition submitted by Walter Rous, Durham, New Hampshire on behalf of Edward Williams, North Sandwich, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article IX, Section 175-30(D)(3)(d) of the Durham Zoning Ordinance to construct a new single family home which would expand the existing volume by more than 30%. The property involved is shown on Tax Map 12, Lot 1-17, is located at 24 Cedar Point Road, and is in the Residence C Zoning District.

Over

- B. **REQUEST FOR REHEARING** on an August 8, 2017 denial of a petition submitted by Gallagher, Callahan & Gartrell PC, Concord, New Hampshire on behalf of Colonial Durham Associates, New York, for an **APPLICATION FOR VARIANCE** from Article XII, Section 175-53(A)(5) of the Durham Zoning Ordinance to permit the development of a drive-thru facility accessory to a pharmacy. The property involved is shown on Tax Map 5, Lot 1-1, is located at 5 & 7 Mill Road, and is in the Central Business Zoning District.
- C. **REQUEST FOR REHEARING** on an August 8, 2017 denial of a petition submitted by Gallagher, Callahan & Gartrell PC, Concord, New Hampshire on behalf of Colonial Durham Associates, New York, for an **APPLICATION FOR VARIANCE** from Article XII, Section 175-41(F)(7) of the Durham Zoning Ordinance to permit the development of three, 4-floor buildings wherein Buildings B, C & D1 will contain one floor of non-residential space with three upper floors of residential units. The property involved is shown on Tax Map 5, Lot 1-1, is located at 5 & 7 Mill Road, and is in the Central Business Zoning District.

VII. **Approval of Minutes** –June 13, 2017, July 11, 2017, August 8, 2017

VIII. **Adjournment**

Please note:

- 1) Public hearings. The public is invited to attend all meetings of the Zoning Board of Adjustment. *The public is welcome to speak at all public hearings.* For other items the public may speak only at the discretion of the chair/board.
- 2) Other information. Files on the items above are available for review in the Planning Office from 8:00 a.m. to 4:30 p.m., Monday through Friday.
- 3) Contacting us. Contact the Planning and Building Department with questions or comments about the items above or any planning-related matters. Call (603) 868-8064 or email kedwards@ci.durham.nh.us (Karen Edwards, Administrative Assistant) or acline@ci.durham.nh.us (Audrey Cline, CEO/Zoning Administrator).
- 4) Communication aids. Please provide the Town 48-hours notice if special communication aids are needed.
- 5) Meeting dates. Meeting dates are subject to change. Contact the Planning and Zoning office about meetings. The next Zoning Board of Adjustment meeting is **October 10, 2017.**