

*These minutes were approved at the March 12, 2024 meeting.*

**ZONING BOARD OF ADJUSTMENT  
Tuesday, January 9, 2024 at 7:00 p.m.  
Town Council Chambers, Town Hall  
8 Newmarket Road, Durham, NH  
MINUTES**

**MEMBERS PRESENT:** Micah Warnock, Chair  
Neil Niman, Vice Chair  
James Bubar, acting secretary  
Joe Warzin, alternate

**OTHERS PRESENT:** Audrey Cline, Zoning Administrator

**I. Call to Order**

Chair Warnock called the meeting to order at 7:00 pm.

**II. Roll Call**

Chair Warnock introduced all members of the Board in attendance.

**III. Approval of Agenda**

No amendments were requested; agenda moved forward as written.

**IV. Seating of Alternates**

As a few board members were absent, Alternate Joe Warzin was seated.

**V. Public Hearings:**

**A. PUBLIC HEARING** on a petition submitted by Kevin Baum on behalf of MD Shaad Mahmud and Erika Nauman Gaillat, Durham, New Hampshire for an **APPLICATION FOR VARIANCE** from Article XII.1, Section 175-53, Table of Uses, of the Durham Zoning Ordinance to permit multifamily use. The property involved is shown on Tax Map 108, Lot 73-1, is located at Schoolhouse Lane, and is in the Courthouse Zoning District.

**B. PUBLIC HEARING** on a petition submitted by Kevin Baum on behalf of MD Shaad Mahmud and Erika Nauman Gaillat, Durham, New Hampshire for an **APPLICATION FOR VARIANCE** from Article XII.1, Section 175-54, Table of Dimensions, of the Durham Zoning Ordinance to permit 9,463 square feet of lot area per dwelling unit where 20,000 square feet is required. The property involved is shown on Tax Map 108, Lot 73-1, is located in Schoolhouse Lane and is in the Courthouse Zoning District.

Chair Warnock read the procedures for public hearing. He explained to the applicant that the board has a quorum but is absent a few members. He gave the applicant the option to continue the application to a subsequent meeting when more board members are present.

Chair Warnock opened the public hearing. Mr. Baum requested a continuance on the applications. He noted the two petitions were listed separately on the agenda, but it is his intention to address the two petitions at the same time. Chair Warnock explained the board will vote separately on each variance, but they can be presented together. At the request of the applicant, Chair Warnock continued the public hearing for the two petitions in question to Tuesday, February 13, 2024.

**VI. Other Business**

No other business was discussed.

**VII. Approval of Minutes:** December 12, 2023

*Vice Chair Niman MOVED to adopt the minutes of December 12, 2023 as presented, SECONDED by Member Bubar, and PASSED unanimously 4-0-0.*

**VIII. Adjournment**

*Vice Chair Niman MOVED to adjourn the meeting, SECONDED by Member Bubar, and PASSED unanimously 4-0-0.*

Adjournment at 7:06 pm  
Daphne Chevalier, Minutes taker