



37 Lemieux, and **PASSED unanimously 3-0-0**. The public hearing closed at 7:03pm.

38 B. **PUBLIC HEARING** on a petition submitted by Kevin Baum, Esquire, Portsmouth, New  
39 Hampshire, on behalf of Benjamin Segil, Durham, New Hampshire, for an  
40 **APPLICATION FOR VARIANCE** from Article XII.1, Section 175-54. Table of  
41 Dimensions, Article XIV, Section 175-74(A)(1) and Article IX, Section 175-  
42 30(3)(c&amp;d) to remove the existing structure and construct a new 2 ½ story single  
43 family home. The property is shown on Tax Map 217, Lot 11, located at 26 Colony Cove  
44 Road and is in the Residence C (RC) district.

45 Chair Niman read the above public hearing petition for variance into the record.

46 Chair Niman **MOVED** to **OPEN** the public hearing. **SECONDED** by Member Bubar,  
47 and **PASSED unanimously 3-0-0**. The public hearing opened at 7:04pm.

48 Chair Niman **MOVED** to **CONTINUE** the public hearing until 7pm, July 14, 2026 at the  
49 Town Hall. **SECONDED** by Member Lemieux, and **PASSED unanimously 3-0-0**.

50 Chair Niman **MOVED** to **CLOSE** the public hearing. **SECONDED** by Member Bubar,  
51 and **PASSED unanimously 3-0-0**. The public hearing closed at 7:04pm.

52 C. **PUBLIC HEARING** on a petition submitted by Timothy Collins, Quincy, Massachusetts  
53 on behalf of Al Graziano, Durham, New Hampshire, for an **APPLICATION FOR**  
54 **VARIANCE** from Article XXI Section 175-111(C)(2)(a&amp;b) and Section 175-112 to  
55 allow the size of a 24'-wide driveway. The property involved is shown on Tax Map 230,  
56 Lot 7-1, located at 361 Durham Point Road and is in Residence C (RC) Zoning District.

57 Chair Niman read the above public hearing petition for variance into the record.

58 Chair Niman **MOVED** to **OPEN** the public hearing. **SECONDED** by Member Lemieux,  
59 and **PASSED unanimously 3-0-0**. The public hearing opened at 7:05pm.

60 Chair Niman **MOVED** to **CONTINUE** the public hearing until 7pm, July 14, 2026 at the  
61 Town Hall. **SECONDED** by Member Bubar, and **PASSED unanimously 3-0-0**.

62 Chair Niman **MOVED** to **CLOSE** the public hearing. **SECONDED** by Member  
63 Lemieux, and **PASSED unanimously 3-0-0**. The public hearing closed at 7:05pm.

64 D. **PUBLIC HEARING** on a petition submitted by Emily Braile on behalf of Robert and  
65 Dale Braile, Durham, New Hampshire, for an **APPLICATION FOR VARIANCE** from  
66 Article XX.1, Section 175-54 Table of Dimensions to build an addition within the side  
67 setback of 50'. The property is shown on Tax Map 233 Lot 26, located at 6 Falls Way and  
68 is in the Rural (R) zoning district.

69 Chair Niman read the above public hearing petition for variance into the record at  
70 7:06pm.

71 Ms. Braile explained the project is a 2-car garage with a small, in-law suite above the  
72 garage. They are in need of a garage because her parents are getting older, and it is  
73 getting more difficult to shovel out the cars in the winter. The idea for an in-law suite is  
74 so she can be at home with her parents as they are age.

75 Ms. Braile confirmed the garage will go 20' into the setback. On the other side of the  
76 house, the line is closer and would require a larger encroachment into the setback.  
77 Putting the garage in the back of the property isn't feasible because the land slopes  
78 down, making it more difficult and expensive to build the back of the property up to put  
79 a garage there.

80 Mr. Niman invited members of the public to speak; none spoke to the application.

81 Ms. Braile explained the leach field will be expanded within state requirements.

82 *Vice Chair Bubar **MOVED** to **CLOSE** the public hearing. **SECONDED** by Member*  
83 *Lemieux, and **PASSED unanimously 3-0-0**. The public hearing closed at 7:12pm.*

84 The board evaluated the application against the five criteria. Chair Niman stated the  
85 application is not contrary to the public interest, as many of the neighbors have a garage  
86 and it is a reasonable use of the property. The house is far enough from the neighboring  
87 property that it won't impact the neighbors' enjoyment of the property. He noted the  
88 setbacks were created after this development was created and the applicant's lot is  
89 narrow. The addition of the garage will likely improve the values of the homes in the  
90 neighborhood by increasing the value of the property.

91 *Vice Chair Bubar **MOVED** to **APPROVE** the petition submitted by Emily Braile on*  
92 *behalf of Robert and Dale Braile, Durham, New Hampshire, for an **APPLICATION***  
93 ***FOR VARIANCE** from Article XX.1, Section 175-54 Table of Dimensions to build an*  
94 *addition within the side setback of 50'. The property is shown on Tax Map 233 Lot 26,*  
95 *located at 6 Falls Way and is in the Rural (R) zoning district. The variance applies to the*  
96 *garage plans by Timothy Badwell Scale of 1:20 garage plan that was provided to the*  
97 *Zoning Board of Adjustment. **SECONDED** by Chair Niman, and **PASSED unanimously***  
98 ***3-0-0**.*

99 Chair Niman explained there is a 30-day appeal period.

## 100 VI. Other Business

101 Ms. Cline explained the timeline for packets being put together and stated they should be  
102 mailed by Wednesday. Chair Niman shared that he isn't receiving his packet by mail until  
103 Saturday, which isn't enough time for a thorough review. Ms. Cline offered to hand  
104 deliver the packets to members of the board on Thursday. She will check with Tracy to  
105 see if the packets can be ready to go Thursday morning and will check in with each  
106 member to see what their needs are.

## 107 VII. Approval of Minutes: May 12, 2026

108 Chair Niman explained that Ms. Cline is using AI to help generate findings of fact after the  
109 meetings, which he and Ms. Cline then review to ensure accuracy. He asked if it would be  
110 possible to attach the written findings of fact to the minutes, as they provide greater detail of  
111 the discussion than are included in the minutes. Ms. Cline explained the findings of fact are  
112 in the record and are available online. After further discussion, Chair Niman stated perhaps  
113 the board doesn't need the findings of fact attached to the minutes since they are available

114 online.

115 The board deferred approving the minutes until the July meeting, as only two of the three  
116 present members were at the May meeting,

117 **VIII. Adjournment**

118 *Chair Niman **MOVED** to **ADJOURN** the meeting. **SECONDED** by Member Lemieux, and*  
119 ***PASSED unanimously 3-0-0.***

120 Adjournment at 7:38 pm

121 Respectfully submitted,  
122 Daphne Chevalier, Minutes taker