



TOWN OF DURHAM
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ZONING BOARD OF ADJUSTMENT

Tuesday, July 14, 2026, at 7:00 p.m.
Town Council Chambers, Town Hall
8 Newmarket Road, Durham, NH

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Seating of Alternates**
- V. Public Hearings:**
 - A. PUBLIC HEARING** on a petition submitted by BCM Environmental & Land Law, PLLC on behalf of James and Carla McKiernan, 2 Riverview Court, Durham, New Hampshire, for an **ADMINISTRATIVE APPEAL** from decision made by Michael Behrendt, Town Planner in an email to Gretchen Meisner interpreting the Zoning Ordinance that it is not applicable to 1 Riverview Court as the lot is vested pursuant to state statute and therefore only a building permit is needed for the development. The property is shown on Tax Map 214 Lot 13, located at 1 Riverview Court and is in the Residence C (RC) zoning district.
 - B. PUBLIC HEARING** on a petition submitted by Kevin Baum, Esquire, Portsmouth, New Hampshire, on behalf of David and Karen Della Penta, Sarasota, Florida, for an **APPLICATION FOR VARIANCE** from Article XIII, Section 175-60(B)(11) and Section 175-65(A) to permit grading within the 100' wetland buffer beyond that necessary to support a structure outside of the WCOD; and to permit soil disturbance within 50' of the wetland buffer reference line. The property is shown on Tax Map 239, Lot 9, located at 561 Bay Road and is in Residence C (RC) district. ***Continued from June 9, 2026.***
 - C. PUBLIC HEARING** on a petition submitted by Kevin Baum, Esquire, Portsmouth, New Hampshire, on behalf of Benjamin Segil, Durham, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article XII.1, Section 175-54. Table of Dimensions, Article XIV, Section 175-74(A)(1) and Article IX, Section 175-30(3)(c&d) to remove the existing structure and construct a new 2 ½ story single family home. The property is shown on Tax Map 217, Lot 11, located at 26 Colony Cove Road and is in the Residence C (RC) district. ***Continued from June 9, 2026.***
 - D. PUBLIC HEARING** on a petition submitted by Timothy Collins, Quincy, Massachusetts on behalf of Al Graziano, Durham, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article XXI Section 175-111(C)(2)(a&b) and Section 175-112 to allow the size of a 24'-wide driveway. The property involved is shown on Tax Map 230, Lot 7-1, located at 361 Durham Point Road and is in Residence C (RC) Zoning District. ***Continued from June 9, 2026.***

- E. **PUBLIC HEARING** on a petition submitted by Jeffrey and Christine Sohl, 6 Stevens Way, Durham, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article XII.1, Section 175-54. Table of Dimensions; RB Zone minimum 20 feet side setback. The property is shown on Tax Map 220 Lot 7, located at 6 Stevens Way and is in Residence B (RB) zoning district.
- F. **PUBLIC HEARING** on a petition submitted by Robert Kendall, 5 Fox Hill Road, Durham, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article XX Standards for Specific Uses, Section B. Accessory Buildings for Single-Family Use, 6. The building shall not be located forward of the front façade of the house. The property is shown on Tax Map 215 Lot 36, located at 5 Fox Hill Road, Durham and is in Residence B (RB) zoning district.
- G. **PUBLIC HEARING** on a petition submitted by Amit Joglekar, 56 Ross Road, Durham, New Hampshire, for an **APPLICATION FOR SPECIAL EXCEPTION** from Article XX Standards for Specific Uses, Section 175-109 B. Accessory buildings for single-family use. 4. The building shall not be supplied with water, sewerage, or heat unless approved by special exception. The property is shown on Tax Map 232 Lot 30 and is in the Rural (R) zoning district.

VI. Other Business

VII. Approval of Minutes: May 12, 2026 & June 9, 2026.

VIII. Adjournment

Contact us. Contact the Planning, Zoning and Building Department with questions or comments about the items above or any zoning-related matters. Call (603) 868-8064 or email: tcutler@ci.durham.nh.us (Tracey Cutler, Administrative Assistant) or acline@ci.durham.nh.us (Audrey Cline, CEO/Zoning Administrator).

Meeting dates. Meeting dates are subject to change. Contact the Planning and Zoning office about meetings.

There will be a quorum of Board members in person in the Council Chambers. The Town will continue to offer, when available, a Zoom video chat program to participate in the meeting. While we endeavor to offer these technologies as a convenience, we cannot guarantee they will be available for a given meeting. As such, residents who want to ensure they will be able to provide feedback during public hearings or at public meetings should plan to attend said meetings in-person.

ZOOM REGISTRATION

Project applicants can participate via Zoom but are encouraged to present in person.

To access any LIVE Zoom Public Meeting, you must be **Registered**. This link will take you to the registration page for all public meetings: https://www.ci.durham.nh.us/boc_dcatgovernance/zoom-video-meeting-schedule

If you have difficulty logging in, contact DCAT: **603-590-1383**.

These are LIVE Public meetings, and your audio and video should be muted when you enter the room (if not, the host will mute them for you). You will not be able to communicate directly with anyone in the Zoom meeting at this time. Participants will have the opportunity to comment during Public Comments, or when a Public Hearing is opened. We ask that you mute your audio and video after you've commented (if not, the host will mute them for you). If you wish to submit comments for public input, please submit them via email to tcutler@ci.durham.nh.us by 5:00 PM on the day of the meeting.