



TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824
(603) 868-8064
www.ci.durham.nh.us

*Property Referenced:
Tax Map 214, Lot 28*

ZONING BOARD OF ADJUSTMENT

RE: **PUBLIC HEARING on a petition** submitted by Scott Boudreau, LLS 961, Boudreau Land Surveying on behalf of property owners Felix and Susan Devito, for an **APPLICATION FOR SPECIAL EXCEPTION** in accordance with Section 175-56 G. Septic Systems. Septic systems, including leach fields, may be placed closer to property lines than otherwise permitted under this chapter by special exception, but may not be placed closer to property lines than permitted by New Hampshire Department of Environmental Services. The property involved is shown on Tax Map 214, Lot 28, located at 88 Durham Point Road and is in Residence C (RC) Zoning District.

DECISION OF THE BOARD

After reviewing the pertinent sections of the Zoning Ordinance of the Town of Durham, and after full consideration of the evidence submitted by Scott Boudreau and testimony given at a Public Hearing on December 9, 2025, a motion was made and seconded:

that the Zoning Board of Adjustment **APPROVE** said petition submitted by Scott Boudreau on behalf of property owners Felix and Susan Devito, Durham, New Hampshire, for an **APPLICATION FOR SPECIAL EXCEPTION** in accordance with Section 175-56 G. Septic Systems of the Durham Zoning Ordinance to permit a septic system, including leach field, to be placed closer to property lines than otherwise permitted by New Hampshire Department of Environmental Services.

The motion **PASSED** on a vote of 5-0-0 and the application for special exception was approved.

12/12/2025

Date

Neil Niman, Chair

Durham Zoning Board of Adjustment

NOTE: Any person affected by this decision has the right to appeal against this decision. If you wish to appeal, you must act within thirty (30) calendar days from the date of the hearing. The necessary first step before any appeal may be taken to the courts is to apply to the Zoning Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds upon which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677, for details.

As per RSA 674:33 Variances and Special Exceptions shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance. Any questions should be directed to Audrey Cline, Zoning Administrator/Code Enforcement Office