



**TOWN OF DURHAM**  
8 NEWMARKET RD  
DURHAM, NH 03824-2898

**AUDREY CLINE**  
Zoning Administrator  
Code Enforcement Officer  
Health Officer

TEL: (603) 868-8064  
acline@ci.durham.nh.us

**Decision or Order of the Building Inspector/Code Enforcement Officer**

*175-12. Administrative Appeals.*

*Any person who believes that the Zoning Administrator has made an error in the interpretation or application of the provisions of this Ordinance, may appeal such determination to the Zoning Board of Adjustment as an administrative appeal under the provisions of Section 175-19. If the Board finds that the Zoning Administrator erred in his/her interpretation of the Ordinance, it shall modify or reverse the decision accordingly.*

*175.19. Powers and Duties*

*B. In exercising the above-mentioned powers, the Board may, in conformity with the provisions hereof, reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from and may make such order or decision as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.*

**Applicant:** NACHILLY, JOHN; DEVALK, DIANA, 260 PACKERS FALLS ROAD, DURHAM, NH 03824

**Date of order:** March 24, 2026

**Deadline for application for appeal:** April 25, 2026

**Decision or Order of the Building Inspector/Code Enforcement Officer:**

Building Permit Application number 21-00471, for property located at 260 Packers Falls Road, is **DENIED** as the proposal does not meet the requirements of the Durham Zoning Ordinances below:

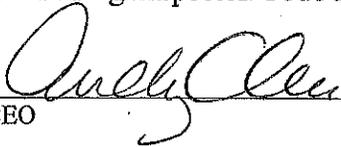
**ARTICLE XX STANDARDS FOR SPECIFIC USES**

**175-109. Compliance Required.**

**B. Accessory Buildings for Single-Family Use.** The following standards apply to buildings that are accessory to single-family use, not including garages and accessory apartments.

4. The building shall not be supplied with water, sewerage, or heat unless approved by special exception.

By Durham's Building Inspector/Code Enforcement Officer:

  
\_\_\_\_\_  
Audrey Cline CEO



**TOWN OF DURHAM**  
**ZONING BOARD OF ADJUSTMENT**  
 8 NEWMARKET RD  
 DURHAM, NH 03824  
 PHONE: 603/868-8064  
 www.ci.durham.nh.us

RECEIVED  
 Town of Durham

MAR 24 2026

Planning, Zoning  
 and Assessing

Fees \$361 paid  
 # 5109

**SPECIAL EXCEPTION**

Name of Applicant CHRISTOPHER LEVESQUE

Address: 6 MILES LANE, MADBURY NH 03823

Phone # 603-759-2359 Email LEVESQUEBUILDERS@MSN.COM

Owner of Property Concerned JOHN NACHILLY  
 (If same as above, write "Same")

Address: 260 PACKERS FALLS ROAD  
 (If same as above, write "Same")

Location of Property: 260 PACKERS FALLS ROAD  
 (Street & Number)

Tax Map & Lot Number 224-47

Description of proposed use showing justification for a Special Exception as specified in the Zoning Ordinance: Article: XX Section: 175-109 B4

PROPOSED BUILDING USE IS WORKSHOP, GAME ROOM AND

STORAGE. WE ARE SEEKING TO ADD HEAT, A TOILET AND  
TWO SINKS

AGENT

Owner's Signature(s):  Date: \_\_\_\_\_

Owner's Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

PRINTED NAME(S): CHRIS LEVESQUE Date: \_\_\_\_\_

PRINTED NAME(S): \_\_\_\_\_ Date: \_\_\_\_\_

## Special Exception Criteria

1. The proposed use will not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation from the kind and nature of other uses in the vicinity or by reason of obvious and adverse violation of the character or appearance of the neighborhood.

The subject structure is a barn. It is tastefully designed and built. It is similar in both theme and scale to other accessory buildings in the vicinity. The addition of heat and plumbing are features that will be all but undetectable from the exterior of the building. Additionally, the subject structure is not directly visible from the road or any direct abutter.

2. The use will not be injurious or noxious and thus detrimental to the neighborhood.

Given the private and secluded nature of the subject structure all typical residential activities have zero to minimal impact on surrounding residents. The proposed special exception for plumbing and heating will not result in the production of any detectable noise or pollution.

3. The use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazard, undue risk to life or property, unsanitary or unhealthful emissions or waste disposal, excessive noise or comparable adverse causes.

Public health and safety are in no way a risk by the granting of this special exception. The proposed heating system is a high-quality high efficiency propane unit and the septic system is an approved solution by NHDES. No activities in the subject structure will have an impact on traffic counts nor will they be of the nature to involve hazardous materials that may pose a threat to general welfare. All activities will be consistent with the typical residential activities taking place around Durham.

# JOHN NACHILLY ~ PROPOSED BARN & SHED

260 PACKERS FALLS ROAD · DURHAM, NH

## SITE PLAN

1" = 100'

REVISED ACCESS EASEMENT FOR LOTS  
 LOTS 12-2 & 12-3 AS SHOWN ON PLAN REF. #2

14-12-1

N/F CHRISTOPHER & STEPHANII  
 MULLIN  
 BOOK 1885, PAGE 366

DRILL HOLE FND

IRON BOLT FND

Rebar set

EXISTING HOUSE

1998

250' SCENIC ROAD BUFFER

$\Delta = 38'25''13''$   
 $R = 50.00'$   
 $T = 17.42'$   
 $L = 33.53'$

DRILL HOLE FND

PROPOSED  
 48' x 32' BARN

PROPOSED  
 24' x 16'  
 GARDEN SHED

ACCESS TO CEMETERY

FAMILY CEMETERY

DRIVEWAY  
 EXTENSION

14-1  
 REVISION  
 620,00  
 14.25  
 OLD /  
 27.00 ±

PACKERS FALLS  
 RD

N16°21'19"W  
 137.78'

N78°52'22"E  
 175.24'

N40°27'08"E  
 348.50'

S78°50'35"W  
 143.15'

S77°55'54"W  
 180.64'

S89°39'05"W  
 87.57'

N71°19'47"W  
 94.90'

N72°11'

BY: DAVID D. DRAVES

GRAPHIC SCALE

Google Maps

SUBJECT STRUCTURE



## Tracey Cutler

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**From:** John Nachilly <nachilly@gmail.com>  
**Sent:** Monday, March 23, 2026 4:42 PM  
**To:** Tracey Cutler  
**Cc:** Audrey Cline; Christopher Levesque  
**Subject:** Re: Special Exception John Nachilly 260 Packers Falls Rd. Permit 221-00475

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tracey,

In my absence I authorize Chris Levesque to act as my agent representing me in submitting this special exemption.

Regards,

John Nachilly

On Mar 23, 2026, at 11:58 AM, Christopher Levesque <levesquebuilders@msn.com> wrote:

Hello Audrey,

Following your last inspection, you instructed us to cease and desist with the project until a special exception was granted for the heating and plumbing. We have done so and per your instruction I will be submitting an application for special exception. It is our intent to have our application considered during the April meeting and will be submitting material immediately. From what I can see, I will be applying for relief from Article XX 175-109 B4. This requires that there be no plumbing or heating in an accessory structure. If this specific citation is incorrect, I trust we can remedy that detail as it will not materially change the contents or the intent of the application. Feel free to reach out with any input.

Regards,  
Chris Levesque

603.759.22359

**260 Packers Falls Road Abutters List**

**UNIVERSITY OF NEW HAMPSHIRE**

OFFICE OF THE PRESIDENT

THOMPSON HALL

DURHAM NH, 03824

**AUGUSTUS LOWELL, LISA TAYLOR**

262 PACKERS FALLS ROAD

DURHAM NH, 03824

**ELLEN AND STEFAN FOORD**

254 PACKERS FAKKS ROAD

DURHAM NH, 03824

**ABLOWICH REV. TRUST**

253 PACKERS FALLS ROAD

DURHAM NH, 03824