

NEW DURHAM ZONING BOARD of ADJUSTMENT

NOVEMBER 21, 2022

New Durham Community Room & ZOOM – 10:00 AM AGENDA

<https://us02web.zoom.us/j/83237717973?pwd=RnFvSzg4RTRwWGwrMmpZcmVaSUdHdz09>

Meeting ID: 832 3771 7973 Password: 617828

Or via telephone number: 1-646-558-8656; Meeting ID: 832 3771 7973 Password: 617828

Technical difficulties contact Land Use Administrative Assistant, Robin McClain at ndlanduse@newdurhamnh.us or contact Zoning Board.

Disclaimer: If technology fails, the meeting physically occurring will continue at the location above. Town of New Durham offers no security assurances to those connecting via PC to a third-party software and hardware not configured or controlled by our IT Service provider.

1. Call to Order
2. **Public Hearing of Case #2022-011 an application submitted by Varney Engineering LLC, on behalf of the Paula J. Mason Revocable Trust, Paula J. Mason – Trustee, for property located at 354 Merrymeeting Road, Map 118 Lot 11. The applicant is requesting Variances to:**
 - Article V Section D:** Dimensional Requirements for Town of New Durham: Setbacks. No new building shall be less than twenty (20) feet from the road frontage property line of any road or fifteen (15) feet from the property line of an abutter.
 - Article VI Section C.3.a:** General requirements: Sewage Disposal and Leach field Setbacks
 - a. No privy, cesspool, septic tank, or sewage disposal area shall be constructed or reconstructed:
 - i. less than one hundred twenty-five (125) feet from the edge of a public water body; or,
 - ii. less than seventy-five (75) feet from any well, or from a dwelling other than to which it is appurtenant.
 - Article VI Section C.3.b:** General requirements: Sewage Disposal and Leach field Setbacks
 - b. No part of a leach field shall be located less than:
 - i. twenty (20) feet from a property line on a lot less than 80,000 square feet;
 - ii. less than thirty (30) feet from a property line on an eighty thousand (80,000) square feet to one hundred fifty thousand (150,000) square feet lot; or,
 - iii. less than forty (40) feet from a property line on a one hundred fifty thousand (150,000) square feet lot
 - Article XIV Section C.5:** Dimensional Requirements
All development within the Shorefront Conservation Overlay District, whether on conforming or non-conforming lots, shall meet the following requirements: Lot Coverage: Buildings shall not cover more than 15% of the area of a lot. No more

than a total of 20% of the lot area, including buildings, shall be covered by impervious surfaces.

Article XIV Section C.8: Dimensional Requirements All development within the Shorefront Conservation Overlay District, whether on conforming or non-conforming lots, shall meet the following requirements. All New Development, as defined in Article III, within this Overlay District, must provide parking for a minimum of four vehicles with dimensions of 9 ft wide by 21 ft long. Parking may be provided on the same lot, or on lots abutting the waterfront property over which the waterfront property owner has an easement

Article XXI Section C.2: Non-Conforming Buildings, Land or Uses. New Buildings and Structures; Alteration and Expansion of Existing Non-Conforming Uses All non-conforming property may be used for new construction of buildings and/or structures (including septic and leach fields) and any non-conforming building may be altered and expanded provided: Such expansion does not make any existing lot, structure, or use more non-conforming within the terms of this Ordinance

3. Public Hearing of Case #2022-012 an application submitted by Varney Engineering LLC, on behalf of the Thomas and Heather Minkler for property located at 89 North Shore Road, Map 108 Lot 74. The applicants are requesting Variances to:

Article V Section E: Dimensional Requirements for Town of New Durham. E. Flood Hazard Area and Water Body Setbacks. No new buildings, except for water-related structures, shall be located in a flood hazard area, or less than seventy-five (75) feet from any water body or river.

Article VI Section C.3(a)(i): General Provisions/Use Regulations for Town of New Durham. General Requirements. No privy, cesspool, septic tank, or sewage disposal area shall be constructed or reconstructed: Less than one hundred twenty-five (125) feet from the edge of a public water body.

Article VI Section C.3.(a)(ii): General Provisions/Use Regulations for Town of New Durham. General Requirements. No privy, cesspool, septic tank, or sewage disposal area shall be constructed or reconstructed. less than seventy-five (75) feet from any well, or from a dwelling other than to which it is appurtenant.

Article XIV Section C.2: Dimensional Requirements All development within the Shorefront Conservation Overlay District, whether on conforming or non-conforming lots, shall meet the following requirements: Building Setback: Except for water related structures, all buildings shall be set back a minimum of seventy-five feet from the reference line

Article XIV Section C.5: Dimensional Requirements. All development within the Shorefront Conservation Overlay District, whether on conforming or non-conforming lots, shall meet the following requirements: Lot Coverage: Buildings shall not cover more than 15% of the area of a lot. No more than a total of 20% of the lot area, including buildings, shall be covered by impervious surfaces.

Article XXI Section C.2: Non-Conforming Buildings, Land or Uses. New Buildings and Structures; Alteration and Expansion of Existing Non-Conforming Uses All non-conforming property may be used for new construction of buildings and/or structures (including septic and leach fields) and any non-conforming building may be altered and expanded provided: Such expansion does not make any existing lot, structure, or use more non-conforming within the terms of this Ordinance

Article XXI Section F: Non-Conforming Buildings, Land or Uses. Decks, Stairs, and Walkways. For any building less than seventy-five (75) feet from the reference line, no alteration, addition, or new building shall extend the structure closer to the reference line. All stairs and walkways within seventy-five (75) feet of the reference line shall not exceed four (4) feet in width

4. 12:30 PM Review and Approval of the Minutes of:

- July 14, 2022
- October 10, 2022
- October 18, 2022
- November 10, 2022

5. Next Meeting: December 13, 2022

6. Adjournment