

# NEW DURHAM ZONING BOARD of ADJUSTMENT AGENDA

April 9, 2019

New Durham Town Hall – 7:00 PM

1. Call to Order
2. Introduction of Board Members
3. Review and Approval of Minutes:
  - Meeting of February 14, 2019
  - ZBA Meeting of March 14, 2019

4. Continued Review and Acceptance of Application ZBA Case # 2018-004. The applicants, Jay MacNamee and Susan Ferber, are requesting variances from:

**Article V Section 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 XIV Section C.1.b. C. Dimensional Requirements**

1. Development with Waterfront Access: All development with water frontage or with rights of access to water frontage shall meet the following requirements:
  - b. Building Setback: Except for water related structures (see below), all buildings shall be set back a minimum of seventy-five (75) feet from the normal high water level.

The property is located at 324 Kings Highway - Map 209 Lot 036-001. If the application is found to be complete a Public Hearing may be held.

5. Motion for Rehearing ZBA Case # 2018-010. Attorney Boldt is requesting a rehearing concerning the Variance Application submitted for property owned by Arthur and Challis Krulewitz. The property is located at Map112 Lot 001 - 228 South Shore Road.

6. Review and Acceptance of Case # 2019-001. Jones And Beach Engineering Inc, representing David and Julie Grandin, are requesting variances from:

**Article V Section 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 XIV Section C.1.(b) Building Setback:** Except for water related structures , all buildings shall be set back a minimum of seventy five (75) feet from the normal high water mark.

**Article XXI Sections C.(1) and C. (2): 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:

1. They conform to Non-conforming setback and height requirements
2. Such expansion does not make any existing lot, structure, or use more nonconforming within the terms of this Ordinance.

**Article XXI Section G.2.(b) : Non-Conforming Setbacks**

The following setbacks are required for Non-Conforming buildings, land and uses addressed by this Article

2. Buildings:
  - b. No new building, except for water related structures, shall be located in a flood hazard area, or less than seventy feet (75) feet from any water body or river course.

The property is located at Map 110 Lot 022 – 383 Merrymeeting Road. If the application is found to be complete, a public hearing may be held.

7. Review of Decision of Administrative Appeal
8. Election of Officers
9. OSI Planning and Zoning Conference
10. Revised Procedures
11. New Business
12. Next Meeting: May 14, 2019