

NEW DURHAM ZONING BOARD of ADJUSTMENT AGENDA

June 11, 2019

New Durham Town Hall – 7:00 PM

1. Call to Order
2. Introduction of Board Members
3. Review and Approval of Minutes: ZBA Meeting of May 14, 2019
4. Continued Review and Acceptance of Case # 2019-002. Thomas Varney, Varney Engineering LLC, representing the Paula J. Mason Revocable Trust, Paula J. Mason, Trustees is requesting variances from:
Article V Section D 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 General Requirements

- 3.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.
- 3.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 C Dimensional Requirements

1. Development with Waterfront Access
 - e. 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 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 below; and,
2. Such expansion does not make any existing lot, structure, or use more nonconforming within the terms of this Ordinance.

Article XXI Section G Non-Conforming Setbacks

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

2. Buildings:
 - c. The total square footage of all buildings shall not exceed more than fifteen (15) percent of the area of a lot.
 - d. No more than a total of twenty (20) per cent of the lot area shall be covered by all impervious surfaces.
 - e. No new building shall be less than fifteen (15) feet from the property line of an abutter or less than thirty (30) feet from an abutter's building.

The property is located at Map118 Lot 011 – 354 Merrymeeting Road. If the application is deemed to be complete a Public Hearing may be held.

5. Review and Acceptance of Case # 2019-004. Thomas Varney, Varney Engineering LLC, representing Alan H. Wysocki is requesting variances from:

Article VI Section C.3.a and b. General Requirements.

3. 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.
- 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. 1.b.and c Dimensional Requirements

1. Development with Waterfront Access

- 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.
- c. Leach Field Setback: Any leach field shall be set back a minimum of 125 feet from the normal high water level. The Planning Board may require greater setback where more than one dwelling unit uses common sewage disposal facilities.

Article XXI Section C.1 and 2. C. New Buildings and Structures; Alteration and Expansion of Existing Non-Conforming Uses

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

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

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 in question is located on Pine Point Road, Map 103, Lot 014. If the application is deemed to be complete a Public Hearing may be held.

7. Revised Procedures

8. New Business

9. Next Meeting: July 9, 2019