

NEW DURHAM ZONING BOARD of ADJUSTMENT AGENDA

July 9, 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 June 11, 2019 and June XX, 2019.
4. Continued Review and Acceptance of Case # 2019-001. Jones And Beach Engineering Inc., representing David and Julie Grandin, who 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 VI Section C.3.a.i: 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

Article XIV Section C.1.b. 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.

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.

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

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.

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

Article V Section C Road Frontage.

The minimum road frontage on a road built to Town Standards and approved by the Planning Board shall be based on lot size and specified in Table 2.

Lot Size	Road Frontage
80,000 sq. ft. or less	150 feet

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;

Article XIV Section C. 1.b. 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.

Article XIV Section C.1.c C. Dimensional Requirements

1. Development with Waterfront Access:

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.

6. Review and Acceptance of Case # 2019-005 Thomas Varney, Varney Engineering LLC, representing 125 South Shore Realty Trust, Michael and Robin Narkis Trustees who are requesting variances from:

Article VI Section 3. (b) General Requirements.

3. 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;

Article XXI Section C(1) and C(2) 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(1)(b) . Non-Conforming Setbacks

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

1. Leach fields:

b. Not less than seventy five (75) feet from open surface water or hydric A wetlands or fifty (50) feet from hydric B wetlands, and

The property in question is located at 125 South Shore Road Map 122 Lot 35

6. New Business

7. Next Meeting: August 13, 2019

8. Adjournment