

**NEW DURHAM ZONING BOARD of ADJUSTMENT**

**MAY 11, 2021**

**New Durham Town Hall – 7:00 PM**

**In accordance with Governor’s Executive Order #12, pursuant to RSA 91-A: 2**

**Attendees log into: Join Zoom Meeting**

**<https://us02web.zoom.us/j/88996906980?pwd=bUJ5RFJkL2VuY0xSUINFUnlYNEt6dz09>**

Meeting ID: 8899 9690 6980 Password: 784832

**Or via telephone number:** 1-646-558-8656; Meeting ID: 889 9690 6980 Password: 784832

Technical difficulties contact Land Use Administrative Assistant Robin McClain at [ndlanduse@newdurhamnh.us](mailto:ndlanduse@newdurhamnh.us) . Assistance with Zoom application please contact Robin McClain at [ndlanduse@newdurhamnh.us](mailto:ndlanduse@newdurhamnh.us) or contact Zoning Board.

**Note: 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.**

**AGENDA**

- 1. Continued Public Hearing of Case #2021-008 an application submitted by Changing Seasons Engineering PLLC, on behalf of Walter and Carol Shanahan.** They 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 Sewage Disposal and Leach field Setbacks a.** 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.1.b: Shorefront Conservation Overlay District.** Dimensional Requirements. Development with Waterfront Access: All development with water frontage or with rights of access to water frontage shall meet the following requirements: 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: 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: 1. They conform to Non-Conforming Setback and height requirements below; and,  
**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 G.1.b: Non-Conforming Buildings, Land or Uses. Non-Conforming Setbacks.** The following setbacks are required for Non-Conforming buildings, land and uses addressed by this Article. 1. Leach fields: Not less than seventy five (75) feet from open surface water or hydric A wetlands or fifty (50) feet from hydric B wetlands.

**Article XXI Section G.2.b: Non-Conforming Buildings, Land or Uses. Non-Conforming Setbacks.** Buildings: 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 108 Lot 027 – Owls Head Point Road. If the application is deemed to be complete a Public Hearing may be held.

**4. Public Hearing of Case #2021-009 an application submitted by Varney Engineering LLC on behalf of Joseph and Donna Reiss.** They are requesting Variances to:

**Article XIV Section C.1.e: Dimensional Requirements.** Development with Waterfront Access: All development with water frontage or with rights of access to water frontage 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.1: 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: 1. They conform to Non-Conforming Setback and height requirements below; and,

**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 XX1 Section G.1.c: Non-Conforming Setbacks.** Buildings: The total square footage of all buildings shall not exceed more than fifteen (15) percent of the area of a lot.

The property is located at Map 105 Lot 005 – 29 Cedergren Road. If the application is deemed to be complete, a Public Hearing may be held.

**5. Public Hearing of Case #2021-010 an application submitted by Varney Engineering on behalf of The Rollins Family Trust, Stephen and Nancy Rollins, representatives.** They are requesting variances to:

**Article XIV Section C.1.e: 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: 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 G.2.d: Non-Conforming Setbacks.** Buildings: No more than a total of twenty (20) per cent of the lot area shall be covered by all impervious surfaces.

The property is located at Map 101 Lot 007- 24 South Shore Road. If the application is deemed to be complete, a Public Hearing may be held.

**6. Review and Approval of the Minutes of:**

- February 9, 2021
- February 18, 2021
- March 3, 2021

- March 11, 2021
- Site Walk March 21, 2021
- April 13, 2021
- Site Walk April 18, 2021
- April 22, 2021
- Site walk April 29, 2021

**7. Next Regular Meeting: June 8, 2021.** All materials due by COB 4/19/21.

**8. Adjournment**