

**NEW DURHAM ZONING BOARD of ADJUSTMENT**

**JUNE 17, 2021**

**New Durham Town Hall – 7:00 PM**

**AGENDA**

1. **Call to Order**
2. **Continued Public Hearing of Case # 2021-011 an application submitted by Varney Engineering LLC, on behalf of The Fillion Revocable Family Trust, Michael and Tracey Fillion, representatives.** They are requesting variances to the following:  
**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 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.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 122 Lot 019 – 128 South Shore Road.
3. **Public Hearing of Case # 2021-012 an application submitted by Changing Seasons Engineering PLLC, on behalf of Marjack Oasis LLC, Thomas O’Neil, representative.** They are requesting variances to the following:  
**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 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.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 111 Lot 027 – 43 Meaders Point Road.

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

- Site Walk March 21, 2021
- April 13, 2021
- Site Walk April 18, 2021
- April 22, 2021
- Site walk April 29, 2021
- May 11, 2021
- June 8, 2021

**5. Next Meeting: July 13, 2021**

**6. Adjournment**