New Durham - 16.55ac - Route 11
Vermont, 16.55 AC +/-

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QUITCLAIM DEED

WILLIAM L. HARVEY (a/k/a William Harvey and William Leland Harvey, Sr.) of Aiken, Aiken County, South Carolina, hereby releases to ROBERT J. FORREST, in his capacity as trustee of the WILLIAM LELAND HARVEY, SR. REVOCABLE TRUST AGREEMENT DATED APRIL 14, 2015, with a mailing address of P O Box 68, Monetta, South Carolina 29105, for consideration of which is hereby acknowledged, grants the following:

A certain tract of land situate in New Durham, Strafford County, New Hampshire, lying Westerly of the sideline of the Henry Wilson Highway, and adjacent to the town line between the Towns of New Durham and Farmington, and bounded as follows:

Beginning on the Westerly side line of said Henry Wilson Highway at a point on the town line aforesaid; thence running Westerly by the Northerly side or boundary of said town line a distance of about two hundred and fifty (250) feet, more or less, to land of the Boston and Maine Railroad; thence Northerly and Easterly by the line of said Railroad land to the Westerly side line of said Henry Wilson Highway; thence Southerly by the Westerly side line of said highway to said New Durham and Farmington town line to the point of beginning.

Excepting from this conveyance all land heretofore conveyed out of the above described premises, including three acres, more or less, deeded to the State of New Hampshire by two separate deeds, and also a small tract of land about one half an acre, more or less, conveyed to Ruth Lauridsen in December of 1969.

Being the same premises described in the deed of Emmanuel Krasner, Esquire, et al. to William Harvey dated October 12, 2001 and recorded in the Strafford County Registry of Deeds in Book 2392, Page 632.

This transfer is exempt from transfer tax pursuant to R.S.A. 78-B:2(IX).

IN WITNESS whereof, the said William L. Harvey has signed and sealed this instrument this ___day of May, 2015.
STATE OF SOUTH CAROLINA
COUNTY OF AIKEN, SS.

Personally appeared before me this 26th day of May, 2015, the above-named Robert J. Forrest, in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

[Signature]
Notary Public
Christine L. Lewis
Type or Print Name
My commission expires: 01/14/2017

William L. Harvey (a/k/a William Leland Harvey, Sr.) by his attorney-in fact, Robert J. Forrest pursuant to the General Durable Power of Attorney dated September 21, 2011, and recorded in the Strafford County Registry of Deeds on February 26, 2013, Book 4101, Page 0952.
VIII. Residential-Recreational-Agricultural District.

A. District Boundaries/Applicability.
   The Residential/Recreational/Agricultural District includes all land within the Town of New Durham not included in the Town Center Mixed Use District.

B. Permitted Uses - Residential/Recreational/Agricultural District.
   A building may be erected, altered, or used, and a lot may be used or occupied only for the following purposes and in accordance with the following provisions:
   1. **Single Family Dwelling Unit**: Single family dwellings with garages and accessory structures.
   2. **Accessory Dwelling Unit**: An accessory dwelling unit shall:
      a. Be contiguous to a structure such as a primary dwelling, garage, or barn;
      b. Have a shared common wall, floor, or ceiling with the existing structure;
      c. Consist of not more than seven hundred fifty (750) square feet of living area and total area not to exceed eight hundred fifty (850) square feet;
      d. The area of the accessory dwelling unit may not exceed the area of the structure to which it is attached;
      e. Only one accessory dwelling unit shall be permitted per lot;
      f. No additional driveway shall be permitted for an accessory dwelling unit;
      g. Accessory dwelling units are limited to one (1) bedroom, except that 2 bedrooms may be allowed by Special Exception;
      h. Accessory dwelling units may not be built in conjunction with a two family or multifamily dwelling, and
      i. Accessory dwelling units shall be designed to complement the style of the parent structure.
   3. **Two Family Dwellings**: Two family dwellings, unless prohibited by an overlying district(s) are permitted throughout the District. The Code Enforcement Officer has the authority to restrict or deny such development whenever road access, distance from fire station, terrain and other environmental factors may be detrimental to public health and safety.
   4. **Home Produce and Products**: Home Produce and Products may be exposed for sale in this district.
   5. **Farm and Garden Activities**: Farm and garden activities are permitted, except that no person or persons shall be allowed to raise or propagate pigs within two hundred fifty (250) feet of another residence without the written approval of the owner of that residence.
6. **Other Uses:** The provisions of this Article shall apply to the use or occupation of any lot or site for any purpose not expressly covered in other Articles of this Ordinance, whether or not the user or occupier has exclusive right to use the lot or site, and/or owns an undivided interest in a larger tract of which the site is a part.

**C. Use Regulations: Residential/Recreational/Agricultural District.**

1. **Mobile Homes:** Unless restricted by an Overlay district, a singly sited mobile home may be located within the District covered by this Article, provided that the owner or occupant complies with requirements contained herein pertaining to permanent dwellings.

2. **Home Occupations:** Home Occupations are permitted following the approval of a Home Occupation Application submitted to the Planning Board or its Designee. See the New Durham Home Occupation Ordinance for a list of the standards required for this use.

3. **Multi-family developments:** Multi-family developments are allowed in this district by Special Exception, as described in Article VII.A.4.
VII. Special Exceptions.

A. Uses Permitted by Special Exception.

The following uses may be allowed by Special Exception through the Zoning Board of Adjustment which requires an application and a public hearing to be held in accordance with RSA 676:7. The conditions and requirements of the Special Exception contained in this Article are in addition to other applicable provisions of this Zoning and Land Use Ordinance.

See Table 4 for a summary of uses and conditions which require a Special Exception. Refer to Article XII: Aquifer Protection Overlay District and the Article XIII: Wetland Conservation Overlay District for special exceptions required in those areas.

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<th>Use</th>
<th>Area of Town</th>
<th>Article Reference</th>
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<td>Industrial Use</td>
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1. Commercial Use  
   a. Commercial uses of land in the Town of New Durham may be permitted as a Special Exception in the areas designated "Most Suitable or Moderately Suitable for Urban Growth" as shown on the Land Use Suitability Map.  
      1. Where land so designated lies in a groundwater favorability area as shown on the Ground Water Favorability Map, or in an aquifer immediate to the vicinity of such an area, an impact assessment will be required in the Site Plan Review and in a Special Exception hearing by the ZBA. The assessment shall prove that the impact of the proposal will be that of a Minor Commercial Use.  
   b. Commercial use may also be permitted in areas of "Slight Suitability for Urban Growth."  
      1. In land so designated, an impact assessment shall be required in addition to Site Plan Review. The assessment shall prove to the ZBA that the impact of the proposal will be that of a Minor Commercial Use.  

C. Commercial Use of land in the Town of New Durham will not be allowed in Flood Plain areas, where such commercial use would make large tracts (more than two (2) acres per twenty (20) acres of surrounding farmland) of Prime and/or Unique Farmland unfit for subsequent agricultural use.  

d. Minor Commercial Use may also be permitted as a Special Exception in all areas of the Town of New Durham where single-family dwellings or duplexes are permitted provided an impact assessment proves to the ZBA the commercial use would have an impact equal to or less than a single-family dwelling.

2. Industrial Use  
   a. Industrial use of land in the Town of New Durham is permitted only as a Special Exception in areas "Most Suitable for Urban Growth" as shown on the Land Use Suitability Map,  
      1. Where land so designated lies in a groundwater favorability area, as identified on the Ground Water Favorability Map, or in an aquifer or in the immediate vicinity of such an area, an impact assessment will be required for proposed industrial use of the land. The assessment will be in sufficient depth so that the ZBA can decide whether the development of the land for industrial will or will not have a detrimental effect on neighboring properties.  
   b. Industrial use of land in the Town of New Durham will not be allowed:  
      1. in Flood Plain areas,  
      2. in areas of existing major residential/recreational use and,
3. where such industrial use would make large tracts (more than two (2) acres per twenty (20) acres of surrounding farmland) of Prime and/or Unique Farmland unfit for subsequent agricultural use.

C. Acreage required will be determined by: type of industry, size of industrial complex, parking space required, sewage requirements, soil types of land, setbacks required, and any other requirements, soil types of land, setbacks required, and any other requirements or regulations as contained in this ordinance, in the New Durham Site Plan Review Regulations, in the New Durham Subdivision Regulations, or specified by the Zoning Board of Adjustment.

3. Multi-family developments
   a. Purpose: As an alternative to single and two-family dwellings, providing for multi-family uses following strict adherence to basic provisions of this ordinance. The purpose for making such a development possible is to provide affordable housing for the Town of New Durham.
   b. Objectives: It is the objective of this ordinance to:
      1. Provide affordable housing that is consistent with the characteristics of the Town of New Durham.
      2. Promote the preservation of wetlands and steep slopes for the benefit of the community at large.
      3. Provide a wider range of housing options.

C. General Requirements:
   1. A multi-family development as defined in this Ordinance shall be allowed by Special Exception by the ZBA except in the Town Center where a Conditional Use Permit is required. In making its determination, the Zoning Board of Appeals has the authority to restrict or deny such development whenever road access, distance from the fire station, terrain, and other factors may cause such development to be contrary to public welfare and safety.
   2. Lot Size: The lot size for a multi-family development is determined by using the current required lot size for residential development and increasing the lot size by 50%.
   3. Density Control: The maximum number of dwelling units per multi-family development is six (6); the maximum number of bedrooms per development is twelve (12). The Planning Board, or the ZBA when granting a Special Exception, shall limit the number of multifamily dwellings in near proximity to each other when necessary to maintain the rural and small town character of New Durham.
   4. Setbacks: All multi-family development for three dwelling units shall have a minimum of a 30-foot setback from any structure to any public
right-of-way or property line. All multi-family development for four or more dwelling units shall have a minimum of a 40-foot setback from any structure to any public right-of-way or property line. This area shall be properly landscaped.

5. Location: Unless prohibited by an overlay District, multi-family development may be located anywhere residential development is allowed.

6. Parking: Off street parking areas are required. Vehicle parking spaces shall be provided in sufficient numbers to meet the needs of the occupants and their guests without interference with the normal traffic movement nor access by emergency vehicles. Such facility shall be provided at a rate of at least two (2) vehicle spaces per dwelling unit. Parking areas will be located on the side of the building away from the road frontage if at all possible.

7. Septic and Water: All units must have septic systems delineated on the final plat showing percolation rates meeting state and local standards. The location of water sources must also be shown on the final plat.

4. Mobile Home Parks
   a. Mobile Home Parks may be established by Special Exception in areas designated "Moderately Suitable for Urban Growth" as identified on the Land Use Suitability Map. Mobile Home Parks shall not be established in any other areas of New Durham.
   b. Proposed and operating home parks shall abide by the New Durham Mobile Home Ordinance, as well as all other applicable Town or State Regulations.

5. Camping Areas and Campgrounds
   a. Use of land as a camping area or campground (including youth camps) may be allowed as a Special Exception in areas designated "Slightly Suitable for Urban Growth" and in areas designated "Slightly Suitable for Resource Protection" on the Land Use Suitability Map.
   b. Camping areas and campgrounds (including youth camps) are not allowed:
      1. in areas where adequate fire protection cannot be provided in the form of fire trails and in the form of vehicles equipped to carry fire-fighting equipment and personnel to all camping sites. Said fire trails or the access paths within the camping area shall not disturb the natural terrain of the land in the form of filling or grading;
      2. in areas where two thirds (2/3) of the abutting land owners object;
      3. in areas of major residential use;
      4. in prime wetland areas; or,
      5. in such areas where such use would make more than five (5) acres of Prime and /or Unique Farmland unfit for subsequent agricultural use.
c. The minimum size of a campsite will be two thousand five hundred (2,500) square feet. The density of use will not exceed ten (10) campsites within each acre of land plotted with equal width and depth in the camping area. Each campsite will have a buffer zone of ten (10) feet between itself and the adjoining campsites.

d. Camping areas and campgrounds will comply with all local and State sanitation laws.

e. Campsites may be used only as recreational camping sites and may not be the site for any year round living. No tent, camper, or trailer may remain in the camping area for more than six (6) months in any one year.

f. Dwellings and Other Structures:
   1. One permanent dwelling will be allowed for the use of the owner and/or his employees provided that frontage, access, and sewage requirements are complied with as in Article VI.
   2. In addition, one structure with kitchen facilities, bath facilities, toilet facilities and a large recreational/dining hall for campers and sleeping quarters for seasonal help will be allowed as long as there are adequate provisions for sewage.

g. Permanent buildings to be used as sleeping quarters only (and not as dwellings) may be constructed within the following guidelines:
   1. Buildings must be separated by at least fifty (50) feet.
   2. Buildings must be no larger than one story with five hundred (500) square feet of floor space.
   3. No plumbing or kitchen facilities are allowed in the building.
   4. No more than three (3) buildings within each acre of land measured with equal depth and width will be allowed.

h. A separate building for an infirmary will be allowed.

6. Utilities
   a. Public utilities such as high-tension lines, transmission lines, substations, radio or T. V. transmission facilities, and the like, may be permitted by Special Exception in all areas of the Town of New Durham, except shorefront land suitable for residential use.

B. General Requirements for Commercial or Industrial Uses Permitted by Special Exception.
   1. A special exception shall be permitted only as expressly authorized by this Ordinance.
   2. Prohibitions: No Business, Commercial, Industrial or other use shall be permitted which could cause any undue hazard to health, safety or diminish the property value of other land owners, or which is offensive to the public because of noise,
vibration, excessive traffic, unsanitary condition, noxious odor, smoke or other similar reason.

3. Sufficient acreage shall be included to allow the following setbacks:
   a. No new building shall be less than twenty (20) feet from the road frontage property line of any road. No parking lot shall be less than fifty (50) feet from the road frontage property line of any road.
   b. Side and rear setbacks shall be not less than fifty (50) feet from a building or parking lot to the lot line.
   C. Minor Commercial Uses shall be subject to the same setbacks as single-family homes.

4. Sufficient off street parking to allow three hundred (300) square feet for each three (3) anticipated patrons or employees on the premises at the same time. In the case of service establishments, one car shall be deemed to contain four (4) patrons.