



**TOWN OF STRATHAM
BOARD OF ADJUSTMENT
SPECIAL EXCEPTION APPLICATION**

CASE # _____

OWNER & APPLICANT INFORMATION:

APPLICANT: _____	PHONE NUMBER: _____
	EMAIL ADDRESS: _____
MAILING ADDRESS: _____	
STREET ADDRESS	TOWN/CITY STATE ZIP
PROPERTY OWNER: _____	PHONE NUMBER: _____
(IF SAME AS APPLICANT, WRITE "SAME")	EMAIL ADDRESS: _____
MAILING ADDRESS: _____	
STREET ADDRESS	TOWN/CITY STATE ZIP

CONSULTANTS/PROFESSIONAL SUPPORT:

NAME: _____	PHONE NUMBER: _____
	EMAIL ADDRESS: _____
BUSINESS MAILING ADDRESS: _____	
STREET NUMBER	TOWN/CITY STATE ZIP
NAME: _____	PHONE NUMBER: _____
	EMAIL ADDRESS: _____
BUSINESS MAILING ADDRESS: _____	
STREET NUMBER	TOWN/CITY STATE ZIP

SECTION I. PROPERTY LOCATION/DESCRIPTION:

LOCATION: _____

STREET NUMBER TOWN/CITY STATE ZIP

TAX MAP: _____ LOT(s): _____ Zoning District(s): _____ Overlay District(s): _____

SPECIAL CONDITIONS OF THE PROPERTY: _____

SECTION II. APPLICATION FOR SPECIAL EXCEPTION:

A SPECIAL EXCEPTION, AS SPECIFIED IN SECTION _____, ARTICLE _____ OF THE ZONING ORDINANCE IS REQUESTED TO PERMIT: (DESCRIBE THE PROPOSED USE OR ACTIVITY THAT REQUIRES SPECIAL EXCEPTION PERMIT)

SECTION II. APPLICATION FOR SPECIAL EXCEPTION: (CONTINUED)

PLEASE EXPLAIN HOW THE PROPOSAL MEETS THE SPECIAL EXCEPTION CRITERIA AS SPECIFIED IN ARTICLE XVII, SECTION 17.8.2 OF THE ZONING ORDINANCE:

- I. THE PROPOSED USE MEETS THE STANDARDS PROVIDED BY THIS ORDINANCE FOR THE PARTICULAR USE PERMITTED BY SPECIAL EXCEPTION BECAUSE:

- II. NO HAZARD TO THE PUBLIC OR ADJACENT PROPERTY ON ACCOUNT OF POTENTIAL FIRE, EXPLOSION, OR RELEASE OF TOXIC MATERIALS WILL RESULT BECAUSE:

- III. NO DETRIMENT TO PROPERTY VALUES IN THE VICINITY OR CHANGE IN THE ESSENTIAL CHARACTERISTICS OF A RESIDENTIAL NEIGHBORHOOD ON ACCOUNT OF THE LOCATION OR SCALE OF BUILDINGS AND OTHER STRUCTURES, PARKING AREA, ACCESS WAYS, ODOR, SMOKE, GAS, DUST, OR OTHER POLLUTANT, NOISE, GLARE, HEAT, VIBRATION, OR UNSIGHTLY OUTDOOR STORAGE OF EQUIPMENT, VEHICLES OR OTHER MATERIALS WILL OCCUR BECAUSE:

- IV. NO CREATION OF A TRAFFIC SAFETY HAZARD OR A SUBSTANTIAL INCREASE IN THE LEVEL OF TRAFFIC CONGESTION IN THE VICINITY AS A RESULT OF THE PROPOSAL BECAUSE:

- V. THE USE WILL NOT RESULT IN THE EXCESSIVE DEMAND ON MUNICIPAL SERVICES, INCLUDING, BUT NOT LIMITED TO, WATER, SEWER, WASTE DISPOSAL, POLICE AND FIRE PROTECTION, AND SCHOOLS BECAUSE:

- VI. THERE WILL BE NO SIGNIFICANT INCREASE OF STORM WATER RUNOFF ONTO ADJACENT PROPERTY OR STREETS AS A RESULT OF THE PROPOSED USE BECAUSE:

SECTION II. APPLICATION FOR SPECIAL EXCEPTION: (CONTINUED)

Special Exception Approvals: may be subject to appropriate conditions including the following:

- i. Front, side, or rear yards in excess of the minimum requirements of this Ordinance;
- ii. Screening of the premises from the street or adjacent property by walls, fences, or other devices;
- iii. Modification of the exterior features or buildings or other structures;
- iv. Reasonable limitations on the number of occupants and methods and times of operation;
- v. Grading of the premises for proper drainage;
- vi. Regulation of design of access drives, sidewalks, and other traffic features;
- vii. Regulation of the number, size, and lighting of signs more stringent than the requirements of this Ordinance.

SECTION II. APPLICATION FOR SPECIAL EXCEPTION: (CONTINUED)**SPECIAL EXCEPTION – ADDITIONAL CRITERION**

SEVERAL TYPES OF SPECIAL EXCEPTIONS HAVE SPECIFIC CRITERION THAT MUST BE MET IN ADDITION TO SECTION 17.8.2 OF THE ZONING ORDINANCE. IF YOUR PROJECT IS COVERED BY ONE(OR MORE) OF THE BELOW SITUATIONS, INCLUDE YOUR ANSWERS TO THE REQUIRED CRITERIA AS SPECIFIED IN THE REFERENCED SECTION OF THE STRATHAM ZONING ORDINANCE AS AN ATTACHMENT UNDER SECTION II. TO THIS APPLICATION.

1. SECTION 3.6, FOOTNOTES, 4. ADULT USES.
2. SECTION 3.6, FOOTNOTES, 2. RETAIL SALES IN AN INDUSTRIAL ZONING DISTRICT.
3. SECTION 5.1.3 EXPANSION OF NON-CONFORMING STRUCTURES.
4. SECTION 5.4. ACCESSORY APARTMENTS.
5. SECTION 5.11. DAY- CARE FACILITIES.
6. SECTION 5.13. HOME OCCUPATIONS.
7. SECTION 7.9.A.IX. SERVICE/CIVIC ASSOCIATION SIGNS: INSTALLATION OF SIGNS.
8. SECTION 12.6.4 SHORELAND PROTECTION DISTRICT - SPECIAL EXCEPTION FOR LOTS OF RECORD: TO PERMIT THE ERECTION OF A STRUCTURE WITHIN THE SHORELAND PROTECTION DISTRICT.
9. SECTION 13.4.H. AQUIFER PROTECTION DISTRICT - SPECIAL EXCEPTION FOR LOTS OF RECORD: TO PERMIT THE ERECTION OF A STRUCTURE WITHIN THE AQUIFER PROTECTION DISTRICT ON A NON-CONFORMING LOT.
10. SECTION 19.4.2. TELECOMMUNICATION FACILITIES - USE DISTRICTS: CONSTRUCTION OF NEW TELECOMMUNICATIONS TOWER IN RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS.
11. SECTION 20.1.5.F. SANITARY PROTECTION AND SEPTIC ORDINANCE: TO CONSTRUCT A SEPTIC DESIGN AND DISPOSAL AREA THAT FAILS TO MEET THE REQUIREMENTS OF SECTION 20.
12. SECTION 20.4.1. SANITARY PROTECTION AND SEPTIC ORDINANCE – VACANT LOTS OF RECORD: A SEPTIC DESIGN AND DISPOSAL AREA THAT FAILS TO MEET THE REQUIREMENTS OF SECTION 20.

SECTION III. APPLICANT CERTIFICATION:

I DECLARE UNDER PENALTY OF PERJURY THAT ALL OF THE SUBMITTED INFORMATION IS TRUE AND VALID TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THERE IS NO VIOLATION OF THE APPROVED ORDINANCES, CODES, AND/OR REGULATIONS OF THE TOWN OF STRATHAM. I HAVE READ AND AGREE TO ABIDE BY THE REGULATIONS AND CONDITIONS OF APPROVAL LISTED ON THIS APPLICATION. I UNDERSTAND THAT MY MISREPRESENTATIONS OF SUBMITTED DATA MAY INVALIDATE ANY APPROVAL OF THIS APPLICATION.

Signature of Applicant

Print Applicant's Name

Date

Signature of Owner

Print Owner's Name

Date

NOTES:

1. APPLICATION MUST BE SIGN SIGNED BY THE OWNER OF THE PROPERTY OR OTHER PERSON HAVING THE LEGAL RIGHT TO APPLY AS AN AGENT OF THE OWNER. IF SIGNED BY A PERSON OTHER THAN THE OWNER OF THE PROPERTY DOCUMENTATION OF THE LEGAL RIGHT TO APPLY AS AN AGENT OF THE OWNER MUST BE SUPPLIED AT THE TIME THE APPLICATION SUBMITTAL.
2. IF APPLICANT IS RENTING/LEASING SUBJECT PROPERTY/STRUCTURES, SAID APPLICANT MUST HAVE A SIGNED LETTER FROM THE OWNER STATING THEIR PERMISSION TO CONDUCT PROPOSE BUSINESS PROJECT ON THEIR PROPERTY. THIS LETTER MUST INCLUDE THE PROPERTY OWNER'S NAME, CURRENT ADDRESS, AND TELEPHONE NUMBER.

SECTION IV. AUTHORIZATION TO ENTER THE SUBJECT PROPERTY:

I HEREBY AUTHORIZE MEMBERS OF THE STRATHAM ZONING BOARD OF ADJUSTMENT, CODE ENFORCEMENT, PLANNING DEPARTMENT, AND OTHER PERTINENT TOWN DEPARTMENTS AND BOARDS/COMMISSIONS TO ENTER MY PROPERTY FOR THE PURPOSE OF EVALUATING THIS APPLICATION, INCLUDING PERFORMING INSPECTIONS DURING THE APPLICATION PHASE, POST-APPROVAL PHASE, CONSTRUCTION PHASE AND OCCUPANCY PHASE. IT IS UNDERSTOOD THAT THESE INDIVIDUALS MUST USE ALL REASONABLE CARE, COURTESY, AND DILIGENCE WHEN ON THE PROPERTY.

Signature of Owner

Print Owner's Name

Date

SECTION V. LIST OF ABUTTERS:

PURSUANT TO RSA 676:4, THE STATE LAW OF NEW HAMPSHIRE, THE TOWN OF STRATHAM IS REQUIRED TO NOTIFY THE APPLICANT, ABUTTERS (INCLUDING HOLDERS OF CONSERVATION EASEMENTS), AND ANY PROFESSIONAL WHOSE SEAL IS ON THE PLAN, OF THE PUBLIC HEARING BY CERTIFIED MAIL. THE APPLICANT MUST OBTAIN THE ABUTTER INFORMATION FROM THE RECORDS OF THE TAX ASSESSOR'S OFFICE IN ORDER TO PROCESS THE SPECIAL EXCEPTION PERMIT APPLICATION.

ABUTTER IS DEFINED AS THE OWNER OF RECORD OF A PARCEL OF LAND LOCATED IN NEW HAMPSHIRE AND THAT ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE ZONING BOARD OF ADJUSTMENT. THE TERM ABUTTER SHALL ALSO INCLUDE THE OWNER AND APPLICANT. FOR A CONDOMINIUM OR OTHER COLLECTIVE FORM OF OWNERSHIP, ABUTTER MEANS THE OFFICERS OF THE COLLECTIVE OR ASSOCIATION.

OWNER:

MAP	LOT	PROPERTY OWNER	STREET ADDRESS	TOWN	STATE	ZIP

APPLICANT (IF DIFFERENT FROM OWNER):

MAP	LOT	APPLICANT	STREET ADDRESS	TOWN	STATE	ZIP

SURVEYOR AND/OR ENGINEER:

MAP	LOT	NAME OF COMPANY	STREET ADDRESS	TOWN	STATE	ZIP

CONSERVATION EASEMENT HOLDER:

MAP	LOT	PROPERTY OWNER	STREET ADDRESS	TOWN	STATE	ZIP

[illegible]

_____ <i>SIGNATURE OF APPLICANT</i>	_____ <i>MAP AND LOT</i>	_____ <i>DATE</i>
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FOR OFFICE USE ONLY		
Date Received:		Fee(s) Paid: \$
Date of Notice:		Cash/Check: #
Date of Public Hearing:		Code Enforcement Officer:

INSTRUCTIONS FOR SPECIAL EXCEPTION PERMIT

1. The Zoning Board of Adjustment strongly recommends that, before making any application, you become familiar with the Stratham Zoning Ordinance and with New Hampshire TITLE LXIV, Revised Statutes Annotated, RSAs, Chapters 672-677, covering planning and zoning.
2. Application forms are available at the Office of the Code Enforcement Officer and on the Town website <https://www.strathamnh.gov/board-adjustment/pages/zoning-forms-information>. The most current form provided must be used.
3. Clarification of the Zoning Ordinance and assistance in completing the application can be obtained from the Code Enforcement Officer, Town Planner, or Land Use Assistant. Legal assistance should be obtained from the applicant's legal counsel.
4. Correctness of information submitted is the responsibility of the applicant.
5. Applications must be complete and legible, either typed or printed in ink. Incomplete or illegal applications will be returned and must be resubmitted.
6. Zoning district information may be obtained from the Planning Office or Code Enforcement Officer.
7. For an application to be scheduled on the next available Zoning Board of Adjustment agenda, the following items **must** be submitted to office of the Code Enforcement Officer or Planning Department by 12:00 pm (noon) on the officially posted submittal date:
 - a. Completed and signed Special Exception Application Form and Abutter List.

The application will not be placed on the Zoning board of Adjustment agenda unless all required signatures are on the application. The application must be signed by the property owner. Signature by anyone else or other representation at the meeting must be approved in writing by the property owner.
 - b. Plans and site/project information:
 - I. Three (3) full size and seven (7) 11"x17", if applicable, copies of the survey, plot plan, site plan and/or subdivision plan set showing the location and dimensions of all structures, properties lines, septic design, or other pertinent information/data.
 - II. Nine (9) copies of any additional documents/information that you wish the board to consider at the public hearing (e.g. letters, deeds, etc.)
 - c. Application fee and Abutter Mailing Fees (All checks are to be made payable to the Town of Stratham).
 - I. Filing Fee - \$100.00.
 - II. Notice Costs - \$150.00, plus \$5.00 per abutter for the costs of all notice requirements including the cost of postage for certified mail, reproduction costs, and any publication and/or posting costs.
 - c. Abutter Mailing Labels – Three (3) complete Sets of Labels, No Envelopes;

**** Town of Stratham and all individuals requiring notification (property owner, legal counsel, engineering firms, etc.) must be included on the abutter list.**
8. The completed application along with all other necessary paperwork and fees must be submitted to the Stratham Zoning Board of Adjustment at least 20 days prior to the date of the meeting you wish to attend. A date, time, and place will be set for the public hearing and notice will be sent to the applicant and all other necessary individuals.
9. The Town will publish notice of the meeting in a newspaper of general circulation and mail certified letters to abutters.
10. In signing the application form, the applicant authorizes members of the Board and/or staff to enter into and view the premises for the purposes of understanding the request being made. Board members and/or staff may or may not choose to view the site.