



# TOWN OF STRATHAM

Zoning Board of Adjustment  
 10 Bunker Hill Avenue, Stratham NH 03885  
 Building Department (603) 772-7391  
 www.strathamnh.gov

## SPECIAL EXCEPTION APPLICATION

This completed application and all required application package contents must be filed with the Zoning Board of Adjustment's Agent no later than 12:00 PM on the deadline day published in the ZBA's Schedule of Regular Board Meetings.

<b>1. PROPERTY OWNER AND APPLICANT INFORMATION:</b>					
PROPERTY OWNER NAME:					
Phone #:		Email Address:			
Mailing Address:					
<b>2. PROPERTY/PROJECT INFORMATION:</b>					
Property Address:					
Tax Map:		Property Deed Information:	Book: _____	Page: _____	
Lot(s):		Total parcel area (SF):		Total parcel area (acres):	
Zoning District(s): Check all that apply. <input type="checkbox"/> Commercial/Light Industrial/Office <input type="checkbox"/> Flexible/Mixed Use Development <input type="checkbox"/> Gateway Commercial Business <input type="checkbox"/> Industrial <input type="checkbox"/> Manufactured Housing/Mobile Home <input type="checkbox"/> Professional/Residential			<input type="checkbox"/> Residential/Agricultural <input type="checkbox"/> Retirement Planned Community <input type="checkbox"/> Route 33 Legacy Highway Heritage <input type="checkbox"/> Special Commercial <input type="checkbox"/> Town Center		Overlay District(s): Check all that apply. <input type="checkbox"/> Aquifer Protection <input type="checkbox"/> Floodplain Management <input type="checkbox"/> Shoreland Protection <input type="checkbox"/> Wetlands Conservation
<b>3. PROFESSIONAL SUPPORT (Include additional sheets if necessary):</b>					
COMPANY NAME:				Contact:	
Phone #:		Email Address:			
Mailing Address:					
COMPANY NAME:				Contact:	
Phone #:		Email Address:			
Mailing Address:					
COMPANY NAME:				Contact:	
Phone #:		Email Address:			
Mailing Address:					

**All questions must be answered. A separate sheet may be used and attached to this application.**

**4. SPECIAL EXCEPTION REQUEST**

A Special Exception from Section \_\_\_\_\_ Article \_\_\_\_\_ of the Zoning Ordinance is requested to permit the following. Describe the proposed use or activity that requires a special exception and provide a brief description of the project:

**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:

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

1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance;
2. Screening of the premises from the street or adjacent property by walls, fences, or other devices;
3. Modification of the exterior features or buildings or other structures;
4. Reasonable limitations on the number of occupants and methods and times of operation;
5. Grading of the premises for proper drainage;
6. Regulation of design of access drives, sidewalks, and other traffic features;
7. Regulation of the number, size, and lighting of signs more stringent than the requirements of this Ordinance.

**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, in Section 4 of 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. Daycare 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.

**6. APPLICANT’S CERTIFICATION:**

I/We declare under penalty of perjury that all of the submitted information is true and correct to the best of my knowledge and belief. I/We have read and agree to abide by the regulations of the Town of Stratham. I/We understand that any misrepresentations of submitted data may invalidate any approval of this application. If the use is not operated in compliance with these regulations, the permit may be revoked by the Code Enforcement Officer or the Zoning Board of Adjustment.

By signing this application, you are agreeing to all rules and regulations of the Town of Stratham, and are agreeing to allow agents of the Town of Stratham to conduct inspections, during normal town business hours, or your property, to ensure compliance with all Stratham Zoning, Subdivision and/or Site Plan Review regulations while your application is under consideration. The Town accepts electronic signatures on this application. Electronic signatures carry the same validity, enforceability and admissibility, as handwritten signatures.

I/We, the undersigned, authorize \_\_\_\_\_ to act as the professional and primary contact representing this application before the Stratham Planning Board. Communications related to this application, including those from the Stratham Planning Department, will be directed to this representative.

➔ _____	_____	_____
<i>Signature of Applicant</i>	<b>Print Applicant’s Name</b>	<b>Date</b>
➔ _____	_____	_____
<i>Signature of Property Owner*</i>	<b>Print Property Owner’s Name</b>	<b>Date</b>

\*This application must be 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 included as part of the application submittal.

**PROPERTY OWNER’S INFORMATION IF APPLICANT IS RENTING/LEASING:**

You must submit a signed letter from the property owner stating that you have their permission to conduct the proposed project on their property. This letter must include the property owner’s name, current address, and telephone number.

**APPLICATION CHECKLIST:**

- Nine (9) copies of the completed and signed application and supporting materials, including plats or drawings, which provide information in support of the Special Exception.
- Notification list of abutters (downloadable from <https://next.axisgis.com/StrathamNH/>), consultants, and holders of conservation easements on the subject property, if any.
- Application Fee and Pubic Notice Costs. All checks are to be made payable to the Town of Stratham.  
     Application Fee = \$100.00 plus notice costs.  
     Public Notice Costs = \$150.00 plus \$10.00 per abutter/applicant/consultant for the costs of all notice requirements including newspaper publication and postage for certified mail and regular mail.
- Three (3) sets of abutter/applicant/consultant mailing labels.

PLEASE DO NOT WRITE BELOW THIS LINE – FOR TOWN USE ONLY

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ZBA Case Number: _____	Check Number: _____
Application Fee: _____	Check Amount: _____
Notice and Abutter Fee: _____	Check Payor: _____

## INSTRUCTIONS FOR SPECIAL EXCEPTION APPLICATION

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. Nine (9) copies of 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.) One (1) full size and nine (9) 11" x 17" copies of the survey, plot plan, site plan and/or subdivision plan set, if applicable, 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/owner/consultant for the costs of all notice requirements including the cost of postage for certified mail, reproduction costs, and any publication and/or posting costs.
  - d. Abutter Mailing Labels – Three (3) complete Sets of Labels, No Envelopes;  
Individuals requiring notification include the property owner, abutters, holders of conservation easements on the subject property, legal counsel, engineering firms, surveyors, consultants, etc.
8. The Town will publish notice of the meeting in a newspaper of general circulation and mail certified letters to abutters.
9. 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.