



# TOWN OF STRATHAM

10 Bunker Hill Avenue, Stratham NH 03885

Planning Department (603) 772-7391

www.strathamnh.gov

## CONDITIONAL USE PERMIT APPLICATION

### 1. APPLICANT & PROPERTY OWNER INFORMATION:

APPLICANT NAME:

Phone #:

Email Address:

Mailing Address:

PROPERTY OWNER NAME (If different from Applicant):

Phone #:

Email Address:

Mailing Address:

### 3. PROPERTY/PROJECT INFORMATION:

Street Address:

Tax Map:

Lot(s):

Zoning District(s):

Overlay(s):

Existing Use of Property:

### 2. PROFESSIONAL SUPPORT: (Include additional sheets if necessary.)

COMPANY NAME:

Contact:

Phone #:

Email Address:

Mailing Address:

COMPANY NAME:

Contact:

Phone #:

Email Address:

Mailing Address:

### 4. CONDITIONAL USE PERMIT INFORMATION: (CHECK ALL THAT APPLY)

For the following projects, complete Section 5.A. of this application:

- ☐ Uses Permitted By Conditional Use Permit – refer to Zoning Ordinance Section 3.6 for details
- ☐ Flexible/Mixed Use Development District – refer to Zoning Ordinance Section 3.7.3 for details
- ☐ Affordable Senior Housing – refer to Zoning Ordinance Section 5.7.2 for details.
- ☐ Multi-Family, Workforce, and Elderly Affordable Housing – refer to Zoning Ordinance Section 5.8 for details.
- ☐ Residential Open Space Cluster Development – refer to Zoning Ordinance, Section 8 for details.
- ☐ Sewage Sludge and Residential Septage Application – refer to Zoning Ordinance Section 14.3.4 for details,
- ☐ Telecommunication Facilities – refer to Zoning Ordinance Section 19.7 for details.

For the following projects, complete Section 5.B. of this application:

- ☐ Wetlands Conservation District – refer to Zoning Ordinance Section 11.4 for details
- ☐ Shoreland Protection District – refer to Zoning Ordinance Section 12.7 for details

For the following projects, complete Section 5.C. of this application:

- ☐ Sanitary Protection & Septic Ordinance – refer to Zoning Ordinance Section 20.3 for details

For the following projects, complete Section 5.B. and 5.D of this application

- ☐ Solar Energy Systems – refer to Zoning Ordinance Section 5.14 for details

For the following projects, complete Section 5.B. and 5.E. of this application

- ☐ Gateway Commercial Business District – refer to Zoning Ordinance Section 3.8 for details.

**5. DESCRIPTION OF PROJECT: (Attach a separate sheet if necessary.)**

Describe the proposed use or activity that requires a Conditional Use Permit:

**5A.** Before the Planning Board considers the approval of an application for a Conditional Use Permit, the Applicant shall prove to the satisfaction of the Planning Board that all the following conditions have been met:

1. Describe how the proposed development will be constructed in a manner compatible with the spirit and intent of the Stratham Master Plan and Zoning Ordinance.

2. Describe any existing violations of the Stratham Zoning Ordinance on the subject property.

3. Describe how the site is suitable for the proposed use. In your response, please address the following:
  - a. Adequate vehicular and pedestrian access for the intended use.
  - b. The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, schools, and other municipal services.
  - c. The absence of environmental constraints (floodplain, steep slope, etc.)
  - d. The availability of appropriate utilities to serve the intended use including water, sewage disposal, stormwater disposal, electricity, and similar utilities.

4. Describe how the external impacts of the proposed use, including those related to building height and scale, site design, traffic, noise, odors, lighting, and other features will be no greater than impacts of adjacent uses or other uses permitted in the District.

5. Describe if the proposed layout and design of the site will be incompatible with the established character of the neighborhood and how the Applicant will mitigate any external impacts of the use on the neighborhood.

<p>6. Describe if the design of any new buildings or structures or the modification of existing buildings or structures on the site will be incompatible with the established character of the neighborhood. Design includes scale, height, massing of buildings/structures, roof line, materials, colors, etc.</p>
<p>7. Describe if the proposed use of the site, including all related development activities, will preserve the identified natural, cultural, historic, and scenic resources on the site and if the use will degrade such identified resources on abutting properties.</p>
<p>8. Describe if the project will result in a greater diminution of neighboring property values than would be created under any other use or development permitted in the underlying zone.</p>
<p>9. Describe how the project provides adequate and lawful facilities or arrangements for sewage disposal, solid waste disposal, water supply, utilities, drainage, and if other necessary public or private services, are approved or assured, to the end that the use will be capable of proper operation.</p>
<p>10. Describe if the proposed use will have a fiscal impact on the Town. In your response please detail any demand on municipal and school related services and resources.</p>
<p>11. Describe how the permit is in compliance with the ordinance and in the public interest.</p>
<p><b>5B.</b> A Conditional Use Permit may be granted by the Planning Board (RSA 674:21 II) for the construction of roads and other access ways, and for pipelines, powerlines, and other transmission lines provided that all of the following conditions are found to exist:</p> <p>1. Explain how the proposed construction is essential to the productive use of land not within the wetlands conservation district.</p>

2. Detail how the design and construction methods will minimize detrimental impact to the wetland.
3. Explain how the proposed construction design of powerlines, pipelines, or other transmission lines includes provisions for restoration of the site as nearly as possible to its original grade and condition.
4. Detail what alternatives were considered.
5. Explain the economic advantage for the proposed construction. However, please note that economic advantage alone is not reason for proposed construction.
<p><b>5C.</b> Upon application to the code enforcement officer, where a design fails to meet the requirements of section 20, the Planning Board has the authority to waive the general requirements of this section and may grant a special permit to construct a sewage disposal system provided the following provisions are met:</p> <p>1. Explain how the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which complies more fully with this section of the ordinance.</p>
2. Explain how the design and construction of the proposed use will, to the extent practicable, be consistent with the purpose and intent of this section.
3. Detail how the Applicant has exceeded other applicable minimum design requirements in an effort to mitigate impacts resulting from the limitations of the site.
<p><b>5D.</b> For Solar Energy System projects complete the following:</p> <p>1. Will utility connections associated with the solar energy system be placed underground? <input type="checkbox"/> YES <input type="checkbox"/> NO If any connections will not be provided underground, describe why this accommodation is necessary.</p>

<p>2. Will the solar energy system be placed in the rear or side yard of the property?    <input type="checkbox"/> YES    <input type="checkbox"/> NO          If the system is not proposed for the rear or side yard, include a description on a separate sheet detailing why placement of the system in the rear or side yard is not feasible.</p>
<p>3. Include a separate sheet describing how the application meets the requirements of the Solar Energy Systems Ordinance (Section 5.13 of the Zoning Ordinance), including:</p> <ul style="list-style-type: none"> <li>a.) Describe what efforts to minimize visual impacts associated with the solar energy system, have been incorporated into the plan and application.</li> <li>b.) Describe the complete extent of any clearing of natural vegetation, including land excavation, associated with the installation of the solar energy system.</li> <li>c.) For medium- and large-scale systems, include a plan in the application detailing how the site will be returned to its pre-development state in the event the system is abandoned.</li> </ul>
<p><b>5E.</b> For projects in the Gateway Commercial Business District complete the following:</p> <ul style="list-style-type: none"> <li>1. Describe how the request is consistent with the Gateway Commercial Business District Master Plan including the following elements: a.) Contributes to the physical definition of streetscapes and public spaces; b) Includes adequate accommodations for pedestrians and vehicles; c.) Street and building design; d.) Architecture and landscape design; e.) Open space and public gathering places; f.) Consistency with the intent and purpose of the Gateway Business District Ordinance (Section 3.8 of the Zoning Ordinance); and g.) Does not unduly impact adjacent properties and uses in the District.</li> </ul>
<p>2. Describe how the application accomplishes at least one of the following objectives:</p> <ul style="list-style-type: none"> <li>a.) Improves public safety within the community;</li> <li>b.) Provides environmental or natural resource benefit or protection;</li> <li>c.) Provides a measurable public benefit.</li> </ul>

**7. APPLICANT'S CERTIFICATION:**

I declare under penalty of perjury that all of the submitted information is true and correct to the best of my knowledge and belief. 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 Property Owner*

\_\_\_\_\_  
*Print Property Owner's Name*

\_\_\_\_\_  
*Date*

**8. AUTHORIZATION TO ENTER THE SUBJECT PROPERTY:**

I hereby authorize members of the Stratham Planning Board, Planning Department, Conservation Commission and other pertinent Town Departments and Boards 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 Property Owner*

\_\_\_\_\_  
*Print Property Owner's Name*

\_\_\_\_\_  
*Date*

**INSTRUCTIONS FOR SUBMITTING A COMPLETE APPLICATION (Please read carefully)**

For an application to be scheduled on the next available Planning Board agenda, the following items **MUST** be submitted to the Planning Department by close of business on the officially posted submittal date:

- ☐ **Completed and signed CONDITIONAL USE PERMIT APPLICATION FORM and ABUTTERS LIST.**  
The application will not be placed on the Planning Board agenda unless all required signatures are on the application. The property owner **MUST** sign the application form.
- ☐ **One (1) full size and eight (8) 11" x 17" prints of the site plan or site plan set.** Owner's signature must be on at least one (1) plan, indicating his/her knowledge of the plan and application.
- ☐ **Application fee and Abutter Mailing Fees.** All checks are to be made payable to the **Town of Stratham**.
  - 1. Preliminary Consultation - \$75.00.
  - 2. Filing fee - \$100.00.
  - 3. Notice Costs - \$150.00, plus \$10.00 per abutter for the costs of all notice requirements including the cost of postage for certified mail, regular mail, reproduction costs, and any publication and/or posting costs.
- ☐ **Three (3) sets of Abutter mailing labels.**

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PLEASE DO NOT WRITE BELOW THIS LINE – FOR PLANNING DEPARTMENT USE ONLY

Application Received Date: \_\_\_\_\_

Date of Public Hearing Notice: \_\_\_\_\_

Application Fee: \_\_\_\_\_

Check Number: \_\_\_\_\_

Public Notice Fee: \_\_\_\_\_

Check Amount: \_\_\_\_\_

Abutter Notice Fee: \_\_\_\_\_

Check Payor: \_\_\_\_\_

## 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 conditional use 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 planning board. For a condominium or other collective form of ownership, abutter means the officers of the collective or association.

Owner:

Tax Map	Lot	Owner Name	Street Address	City/Town	State	Zip Code

Applicant (if different from owner):

Company Name	Contact Name	Street Address	City/Town	State	Zip Code

Professional(s) who worked on the plan (surveyor, engineer, wetland scientist, consultant, etc.):

Company Name	Contact Name	Street Address	City/Town	State	Zip Code

Conservation Easement Holder:

Tax Map	Lot	Owner Name	Street Address	City/Town	State	Zip Code

Abutters: (Type or print below or attach list from Stratham GIS online.)

[illegible]