TOWN OF SANDWICH
Selectmen's Office
8 Maple Street ~ PO Box 194
Sandwich, NH 03227
(603) 284-7701 / adminassist@sandwichnh.org / sandwichnh.org

BUILDING PERMIT PROCEDURES

Adopted March 11, 1981, at Town Meeting, the Building Permit Ordinance states that any property owner intending to alter, construct, erect or reconstruct any structure; change or construct a septic system or well; or make repairs or renovations shall first obtain a permit through the Selectmen's Office.

In 2017, the Zoning Ordinance (ZO) was amended to add a Permit by Notification for any construction or renovation *which does not change the use, existing footprint, bedroom or bathroom count*. Certain minor projects and property maintenance may be exempt from the Permit process as noted in Section 6.

Permits are key to ensuring our assessors have the most up-to-date information to address property changes in a timely and accurate manner. Building Permit Applications and Sandwich Zoning Ordinance are available at http://sandwichnh.org/town_hall/forms_and_documents.php#.

IMPROVEMENTS

1. **ROAD ACCESS:** In accordance with RSA 236:9, a Building Permit is required for a new or modified road access that enters a State or Town road. **If the road is a State road, an application is obtained from and submitted to the State Highway Office in Gilford, NH.**

   An application for Road Access must be accompanied by a site plan/drawing indicating the location of the proposed access. The proposed access must be clearly marked and staked prior to inspection. The Road Agent will provide a letter of conditions, upon permit approval.

   Fee: None (Inspection required by Road Agent)

2. **DRIVEWAY:** Building Permit required for the construction of a driveway starting from the property line into the property. The permit is applicable for a new or modified driveway off of a town/state/private road or upon conversion of a former logging road. A permit for a driveway will not be issued without a road access approval (applications may be jointly submitted.) (Refer to ZO §150-20.) A Planning Board Steep Slopes Application may be required. (See ZO §150-5 and Article X for definition and regulation.)

   An application for a driveway must be accompanied by a site plan/sketch indicating the location and length of the proposed driveway. Both ends of the proposed driveway must be clearly marked and staked prior to inspection.

   Fee: $50 (Inspection required)

3. **SEPTIC SYSTEM:** Building Permit required. Sandwich requires local approval prior to New Hampshire Department of Environmental Services (NHDES) approval. Application must be accompanied by: 1) Local Approval Form (provided by licensed septic designer); 2) one full-sized septic plan from a licensed septic designer; and 3) a check for the Town fee.

   The location of the leachfield, septic tank, pump chamber (if applicable) and well must be clearly marked and staked on site and comply with ZO §150-13A (§150-130 if in the Village Zoning District). The proposed site will be inspected. If no design discrepancies are found, and the distances conform to Zoning Ordinance requirements, the Compliance Officer/Selectman will approve the septic design, sign/stamp the Local Approval Form and email it to the septic designer. The Building Permit will be issued once the Town receives the "Approval for Construction" from NHDES.

   A. Change in Structure, Use or Size: A septic re-evaluation is required for an increase in load, change to year-round occupancy and for buildings that have burned, been demolished or reconstructed. For systems that do not conform to State requirements, a new or expanded septic system may need to be installed and operational approval received from NHDES.

   B. Grandfathered System: A septic system may be considered 'grandfathered' and not require approval from NHDES if the proposed structure does not increase the septic load, and either the septic received operational approval from NHDES within 20 years **or** the lot is five acres or greater in size (Env-wq. 1004.22).

   C. Replacement-in-Kind: no NHDES approval required to replace:

      - **Leachfield** that is same size and location**;**
      - **Septic tank** that is same size or larger in same location.

   D. Sewer District: If a new or expanded structure is proposed within the Sewer District, a review will be required by the Sewer District Commission. (No NHDES approval required.)

   Fee: $100 (Inspection required). **No additional fee** for Amended Plan for new septic.

4. **WELL:** Building Permit required for new or replacement wells. The well location must be clearly marked and staked prior to inspection. If the well cannot meet the 75' setback requirement (ZO §150-13B) the protective well radii may be reduced to a minimum of 50' with the receipt of a *Setback Reduction Form* (NHDES-W-03-108).

   Fee: $50 (inspection required)

5. **ERECT / EXPAND / RELOCATE / REBUILD STRUCTURE**
Building Permit required when changes to a structure result in any *new footprint*, regardless of size, or any change to the footprint of an existing structure.

Septic/sewer reevaluation required for proposed septic load (refer to #3 above).

In accordance with ZO §150-13, structures are classified as *principle* or *accessory* and setbacks from property lines, water, and roads differ for these two structures. The site plan must show applicable setbacks.

A. Historic District Commission guidelines apply if the property is within the Historic District and the proposed work is exterior and visible to the public.

B. Energy Code Compliance (EC-1) approval is required for dwellings. *EC-1 Approval must be submitted to the Selectmen's Office before the Building Permit will be issued*. http://www.energy.nh.gov/renewable-energy/energy-codes.

C. Building with Modular Units: Certification from the builder is required to ensure compliance with all State regulations regarding the use of modular components. The Selectmen's Office must be notified at least 72 hours before work begins.

D. Application for Building on a Class VI or Private Road: Building on a Class VI or private road requires a waiver form that is signed by all property owners, notarized, and mailed to the Selectmen's Office with a check for the recording fee.

E. Foundation-Only Permit: Upon NHDES approval of a septic design, a Foundation-only Permit may be issued to allow site work to begin prior to EC-1 Approval. No other construction may begin until all applicable permits are obtained.

Fee: $50 plus .05 per square foot of new footprint (inspection required)

6. **ALTER / RENOVATE EXISTING STRUCTURE**
Building Permit required when altering or renovating an existing structure – *no change in footprint* - that results in an increase in living space, bedrooms, bathrooms or a change of use.

No Building Permit is required for replacement-in-kind*, minor projects or property maintenance. *E.g., replacing asphalt shingles with asphalt shingles does not require a permit; replacing asphalt shingles with a metal roof does require a permit.

Septic/sewer reevaluation may be required for proposed septic load (refer to #3 above).

A. Historic District Commission guidelines apply if the property is within the Historic District and the proposed work is exterior and visible to the public.

B. Energy Code Compliance (EC-1) approval is required for renovations to a dwelling including the addition of insulation or windows. *EC-1 Approval must be submitted to the Selectmen's Office before the permit will be issued*.

Fee: $50 (inspection required)

7. **ENERGY SYSTEM: SOLAR, WOOD, WIND, GENERATOR (STANDBY)**
Building Permit required. Site plan/sketch required for all ground-mount components.

   A. Engineer-stamped approval required for rooftop solar installations.

   Fee: $50 (inspection required)

PROCESS

8. **Site Plan:** Applications that include an expansion or change of footprint or change in use must be accompanied by a plan/sketch indicating the proposed structure's footprint* and showing setbacks to: side and back property lines; centerline of road; highwater mark of lakes, ponds, streams and wetlands (including on adjacent lots); and land in Current Use. (An updated Current Use map is required for structures proposed on land in Current Use. A Land Use Change Tax will be assessed for the land removed from Current Use.)

   *Footprint includes all exterior dimensions: balconies, decks (attached or unattached), steps, overhangs, drip edges, chimneys, etc.

9. **Site Inspection:** Upon receipt of a complete Building Permit Application and applicable fee, an inspection and approval/denial or request for additional information will normally take place within two weeks. The Building Permit Decision is mailed/emailed to the property owner/applicant and the contractor (if applicable).

   A. Street number and/or map and lot identification must be posted at the property entrance and be visible from the road.

   B. Site must be clearly marked and staked. Inadequate marking will result in rejection of an application. Stakes must identify footprint of the structure; septic system components; well location; and the highwater mark of lakes, ponds, streams and wetlands (including on adjacent lots). All property boundaries within ten feet of setbacks, must also be clearly marked.

10. **Issuance of Permit:** All applicable permits and approvals must be obtained prior to Town issuance of a Building Permit: EC-1, Private Road/Class VI Road Waiver, NHDES Approval for Construction, NHDES Shoreland/Wetlands, Sewer Commissioners, Historic District Commission, Planning Board, Zoning Board of Adjustment.

    A. Special Flood Hazard Areas: Structures in Special Flood Hazard Areas as designated by FEMA (see ZO Article XII) must go through the Building Permit Application process. The application is then forwarded to the Planning Board for review and decision. State and Federal permits may also be needed. For more information: https://www.nh.gov/osi/planning/programs/fmp/maps-studies.htm.

    B. Building Permits for landlocked lots, created after April 17, 2000, will not be issued until conditions of RSA 674:41 have been met.

11. **Building Permit Expiration:** A Building Permit shall become invalid unless operations have begun within six months of the permit issue date. Only one six-month extension may be granted prior to the expiration of the original permit and may be subject to:

    A. additional fees;

    B. review to determine the project has not been amended; and

    C. review of any changes to State and Town ordinances, laws, and land-use policies.

    *Building Permits expire if work has **not begun** within one (1) year of issue date.*

12. **Permit Issuance During Snow Cover**: Access to the inspection site must be plowed and site must be accessible. If the Selectman/Compliance Officer is unable to conduct the inspection, it will be deferred until ground conditions are suitable. Any construction undertaken pursuant to Building Permit approval is taken at property owner(s) risk. If, upon inspection of the property, the requirements of the Zoning Ordinance have not been met, the structure(s) may have to be removed.

13. **Agent Authorization**: a letter or email from the property owner(s) to the Selectmen's Office granting agent authorization must be received prior to the site inspection.

PENALTIES, APPEAL PROCEDURES

14. **Penalties for Violations:** Violations of the Zoning Ordinance or Building Permit Procedures are punishable by a fine up to $275 per day. (Refer to RSA 676:17 and ZO §150-103.)

15. **Appeals:**

    A. Appeal for Town Permit Violations: Refer to ZO §150-101.
    B. Appeal for Automatic Fire Warning Device Violations: Refer to RSA 153:10-a, RSA 541.
    C. State Driveway Permit Appeal: Refer to RSA 21-L:13-15
    D. Water Supply Pollution Control Division Decision Appeal: Refer to RSA 485-A:40
    E. NH Public Utilities Energy Code Appeal: Refer to NHPUC Rule 1803.04.

Building Permit Procedure Amended: 11/30/98; 04/17/00; 03/18/02; 10/11/05; 9/11/23; 3/5/25.