

CHECKLIST FOR ZBA APPLICANTS

Applications to the ZBA must be received **24** days prior to a ZBA meeting, the second Thursday of each month. Check for your deadline with Town Hall, 603-284-7701

Complete the following for your application:

- Application Cover Page and Signature Page
- Signed Disclaimer Form
- Abutters' List. The names and addresses should be those of the current owners as published in the Town of Sandwich tax records. Find these on the Town website in the Avitar records. Make sure you give the mailing address, not the physical address of the abutter. Include all properties that abut your property. The accuracy of the list is your responsibility. Under the Law all abutters must be notified of the hearing on your Appeal. Failure to include any abutter might invalidate the proceedings. Your list of abutters should include yourself, your agent if you have one, and any licensed professional whose stamp is on the plan. Include the owners of any conservation easements.
- Fees. See Fee Schedule, calculate fees due and check that you included yourself and your agent!

Relevant Case-Specific Form:

- Application for Variance
- Application for Special Exception
- Application for Appeal of Administration Decision
- Application for Equitable Waiver
- Letter requesting Motion for Rehearing (no application page for this)

Submit Relevant Additional Documents

- Denial of Building Permit by Town Compliance Officer
- Denial or inspection reports by any other Town or State agency
- Applicant's summary of request. Use formal letter format, addressed to Zoning Board of Adjustment
- Property tax card from property file
- Pertinent past decisions by Town boards
- Letters of support from abutters, if any
- Surveyed Plat by licensed surveyor showing all relevant details as prescribed in the Sandwich Site Plan Review Regulations.
- Waivers. Your surveyor or attorney will help you decide if you need any Town rule or ordinance waived. Perhaps your particular case does not require that the plat show steep slopes or wetlands, for example.
- Agent page. If you are not the owner of the property, the owner must sign this to authorize you to serve as his or her agent. If your attorney or surveyor will speak for you or assist you at the hearing, you must authorize him or her.

Mail or deliver **Eleven (11)** sets of completed Application forms and all attachments with the appropriate Fee to:

**Town of Sandwich
Zoning Board of Adjustment
PO Box 194
Center Sandwich, NH 03227-0194**

The Town office is open Monday-Thursday, 7:30 a.m. to 5:30 p.m.

Make checks payable to the Town of Sandwich.

When your application is received, the Land Use Secretary will schedule a public hearing. Public Notice will be mailed, via verified mail, to you and to all Abutters, and if any, Agents, Licensed Professionals whose stamp is on the submitted plan, and easement holders.

Notice of the meeting will be posted at the Town Hall and two Post Offices and on the Town website www.sandwichnh.org at least **10** days prior to the Hearing.

**Zoning Board of Adjustment
P.O. Box 194
Center Sandwich, NH 03227**

Application for Special Exception

Applicant: _____

Mailing Address: _____

Owner: _____

Mailing Address: _____

Telephone: _____

Email: _____

If Applicant is the same as Owner write SAME, above. If not, you must complete an Agent Form, and include a statement of your vested interest.

Physical Address of Property:

Zoning District _____ Tax Map _____ Lot # _____ Lot Size _____

Shore Frontage _____ Road Frontage _____

The property is used for year-round residential use _____ seasonal residential use _____, other (please specify) _____.

Have any previous appeals/decisions or permits (State and or Town) been made in regard to this property? _____ (If yes, attach copies)

Provide a brief description of the proposed use or structure that requires a Special Exception.

This short statement will be used in public notices of your case.

Administrative use only: CASE # Date Filed _____ Rec. by _____ Hearing Date _____ Decision _____ Decision Date: _____

Describe the proposed use showing justification for a Special Exception as specified in the Sandwich Zoning Ordinance [Section 150-105](#) and all other conditions enumerated in the Ordinance:

Section: _____ Article: _____

GENERAL CRITERIA:

1. The proposed use shall not cause any hazard to health, property or property values through fire, traffic, unsanitary conditions or through excessive noise, vibration, odor, glare, or other nuisances because:

2. The specific site is an appropriate location for the use or structure because:

3. The use will be compatible with neighboring land uses because:

4. There will not be any nuisance or serious hazard to vehicles or pedestrians because:

5. The proposed use complies with the minimum land space requirements set forth in the General and Special Exception provisions of the Ordinance because:

SPECIFIC CRITERIA (Applicants to fill in as appropriate to their filing):

1. (If required) The structure that is the subject of this special exception is nonconforming because:

2. If the proposed addition or expansion will not comply with current setback requirements, it meets the dimensional, setback and septic requirements in the Special Exception section of the Ordinance because:

3. The proposed use meets all other criteria for a Special Exception specified in the Zoning Ordinance but not already addressed in this application because:

ATTACHMENTS:

1. Plans showing location of all buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, lighting and other pertinent information to support the proposed use meets the requirements, spirit and intent of the Zoning Ordinance.
2. Document (if required) that the structure is nonconforming.
3. Document that adequate and appropriate facilities and utilities will be provided to ensure proper operation of the proposed use or structure.
4. Specify the Zone and what requirements are met; if all are not met, a Variance is required instead.

The undersigned applicant hereby applies for the granting of said Special Exception from under penalties of perjury; I/we represent that to the best of my/our knowledge, the data and information submitted as part of this Application is true and correct.

The undersigned applicant hereby authorizes the Zoning Board of Adjustment Members and/or Town Staff to inspect the subject property for the purpose of evaluating this Application.

Signature of Applicant _____ Date _____

Signature of Owner(s) _____ Date _____

Signature of Owner(s) _____ Date _____

ABUTTERS LIST

Name of Applicant: _____

Address: _____

(Location of property)

Tax Map # _____ Lot # _____ Zoning District _____

Address: _____

(Mailing)

ABUTTER means any person whose property adjoins or is directly across the street or stream from the land under consideration by the Zoning Board of Adjustment. For noticing purposes, it also includes the owner, applicant, any agent representing you, easement holders and any professional whose license stamp is on the plan. (RSA 672:3)

1. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

2. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

3. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

4. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

5. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

6. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

7. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

8. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

9. Name: _____ Tax Map No. _____ Lot No. _____

Address: _____

This Board is not responsible for the information supplied above. The most current property information is available at the County Registry's office, and at www.sandwichnh.org under the Avitar Assessors tab. Use a separate page as necessary to list all abutters.

FEE SCHEDULE

<u>Appeal</u>	<u>Fee</u>	<u>Amount Submitted</u>
Special Exception	\$50.00	\$ _____
<u>Associated Fees</u>		
Letters to Abutters via Certified Mail	# of letters _____ x \$10.00	\$ _____
Public Hearing Newspaper Notice	<u>\$60.00</u>	\$ _____
	Total Due	\$ _____

Please note: Fees are set by the Board of Selectmen and may not be waived by the Zoning Board of Adjustment. Fees were last amended, 4/11/22

DISCLAIMER

Name of Applicant/Agent: _____

Physical Address _____

Mailing Address: _____

Tax Map # _____ Lot # _____ Zoning District _____

Signature of Applicant/Agent: _____

The Town of Sandwich, its employees, the Planning Board and the Zoning Board of Adjustment are here to help an applicant through the process of applying for either a Site Plan Review, Boundary Line Adjustment, Subdivision of Property, Excavation Permit, Preliminary Consultation, Design Review, Scenic Road Tree Cut, Variance, Special Exception, or Appeal of an Administrative Decision, Equitable Waiver or Motion for Rehearing.

Town employees are not trained or licensed to give legal advice or to provide answers to any substantive questions (those requiring interpretation of the Town's Zoning Ordinance and/or Regulations).

There is no promise or guarantee for the outcome of an application, case or review. Land Use boards, the Planning Board and Zoning Board of Adjustment, meet in public and only make decisions at those public meetings.

The Town staff and the Land Use Secretary will gladly help with questions within these constraints. If you find that you need additional help to successfully complete the application process, please seek advice from a lawyer or surveyor.

Thank you for your understanding. We look forward to working with you.

AGENT FORM

Complete this form if Applicant is other than the Owner of the property

Agent's Name _____ Phone _____

Mailing Address _____

Give a statement of your vested interest: (You may supply this statement on a separate sheet if additional space is necessary.)

Signature of Agent _____ Date _____

The undersigned Owner hereby authorizes the above-named agent to present this Appeal and furnish all required information and for Sandwich Zoning Board of Adjustment members and/or town staff to inspect the subject property for the purpose of evaluating this Appeal.

Signature of Owner _____ Date _____

WAIVERS:

I (we) am (are) requesting a waiver* of the following:

- Section _____ of the Sandwich Zoning Ordinance
- Section _____ of the Zoning Board of Adjustment Rules of Procedure;
- The requirement _____ of the Zoning Board of Adjustment Application

For the following reasons: (please use a separate page as appropriate)

I (we) understand that a denial of the waiver request may result in the application being continued until all required documents are provided.

Applicant(s) or Agent

* A waiver may be granted if the Board finds, by majority vote, that strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the Board’s Regulations or that specific circumstances relative to the appeal indicate that the waiver will properly carry out the spirit and intent of the Board’s Regulations. The basis for any waiver granted by the Board shall be recorded in the minutes of the Board.

This application does not require any waivers.

Signature