Special Exception for the following uses of lands within the Industrial (I-1, I-2) Districts:

TOWN OF MERRIMACK ZONING BOARD OF ADJUSTMENT

Application for a Special Exception (RSA 674:33)

DATE SUBMITTED:_____ Case #:_____

Tax Map_____/Lot_____ Zoning District(s): I-1 / I-2

Address of Subject Property:_____

Name of Applicant:_____ Telephone:_____

Address:_____ e-mail:_____

_____

Is Applicant the property owner? ___ Yes ___ No

If no, identify Owner

Name:_____ Telephone:_____

Address:_____ e-mail:_____

_____

Owner's Signature (or attach Letter of Authorization):_____

****

All Special Exception Requests:

Brief description of proposed use showing justification for a Special Exception as specified in the Zoning Ordinance, Section(s)__2.02.4 (E)__.

_____

_____

_____

_____

Please attach additional sheets, plans, etc. if needed to support request for Special Exception.

I/We do authorize the Town of Merrimack Zoning Board of Adjustment and staff to enter upon the above referenced property for inspection.

_____ _____

Name of Applicant *(Please Print)* Name of Property Owner, if Different from Applicant *(Please Print)*

_____ _____

Signature of Applicant Signature of Property Owner, if Different from Applicant

Special Exception for the following uses of lands within the Industrial (I-1, I-2) Districts:

For requests for a **Special Exception** to allow for Accessory Uses as defined herein. Other industrial uses except waste disposal sites and dumps, upon the approval by the Board of Adjustment, such uses are of the same general character as those permitted and which will not be detrimental to the other uses within the district or to the adjoining land uses, shall be permitted. This may include the conversion of existing residential uses to commercial or industrial uses as are allowed and provided for in paragraph B of this section. On-site care-takers lodges or residences. For the purposes of determining whether an applicant shall be granted a special exception as provided in this section, the Zoning Board of Adjustment shall use the special exception criteria set forth in a-d only, subsection B.1, Special Exceptions, Section 2.02.1 District R, Residential Zone:

1. The applicant shall meet the approval criteria set forth in a-e of Section 2.02.4 (E) (4):

   a) The specific site is an appropriate location for such a use or uses in terms of overall community development because:

   _____
   _____
   _____
   _____
   _____
   _____

   b) The use as developed will not adversely affect the neighborhood and shall produce no diminution of real estate values in the neighboring area because:

   _____
   _____
   _____
   _____
   _____
   _____

   c) There will be no nuisance or serious hazard to vehicles or pedestrians because:

   _____
   _____
   _____
   _____
   _____
   _____

   d) That an adequate parking area is provided for motor vehicles on the premises because:

   _____
   _____
   _____
   _____
   _____
   _____

ABUTTER NOTIFICATION

Please be advised that, per RSA 676:7 (I), the Zoning Board of Adjustment is required to notify the following parties by certified mail - mailed at least five (5) days prior to the date of the meeting at which an item is to be discussed:

1) Applicant;
2) Abutters*;
3) Holders of conservation, preservation, or agricultural preservation restrictions;
4) Every engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan (if applicable).

***Abutters are required to be "as indicated in the town assessing records not more than 5 days before the day of filing", per RSA 676:4 (I)(b)** (Please complete the certification below).

> **Definition of "Abutter"** (RSA 672:3): Any person whose property is located in New Hampshire and **adjoins** or is **directly across the street or stream** from the land under consideration by the local land use board. In the case of an abutting property being under a **condominium** or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. In the case of an abutting property being under a **manufactured housing park** form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

In order for us to properly comply with the statutory requirements for Zoning Board of Adjustment notices, the Applicant needs to provide us with information for all of the above-mentioned parties, and provide payment for us to cover the costs of notice. Failure to do so will constitute sufficient reason for the application to be denied as "Incomplete".

A sample format for compiling/submitting this information is on the reverse.

ABUTTERS TO BE NOTIFIED

Please sign and submit the following certification:

I hereby certify that the attached abutter information is as indicated in the Town of Merrimack Assessor's records as of _____, 20___.
(date)

_____
(Signature)

_____
(Print name)

Please Utilize Below Format for Compiling/Submitting Abutter Information

Abutter 1
Abutter 1 Address
City State Zip

Abutter 2
Abutter 2 Address
City State Zip

Etc.

OTHER PARTIES TO NOTIFY *(include all that apply)*

Applicant
Applicant's Address
City State Zip

Owner (if different from Applicant)
Owner's Address
City State Zip

Engineer
Engineer's Address
City State Zip

Architect
Architect's Address
City State Zip

Land Surveyor
Land Surveyor's Address
City State Zip

Soil Scientist
Soil Scientist's Address
City State Zip

Also list, individually, any holders of any conservation, preservation, or agricultural preservation restrictions that apply to the subject property

IMPORTANT: Attach two (2) sets of mailing labels for all parties identified above.

CHECKLIST REQUIREMENTS

All requests for a Special Exception shall be accompanied by a properly completed, dated and signed Application for a Special Exception, which shall contain the following:

		Applicant (√)	CDD (√)
1.	Tax Map_____/Lot_____	_____	_____
2.	Name and address of applicant.	_____	_____
3.	Name and address of property owner (if different).	_____	_____
4.	For uses other than an ADU, attach additional sheets, maps, plans, etc. as needed to support request for special exception.	_____	_____
5.	For a proposed ADU, per Section 2.02.1(B)(2), a completed building permit application including a scaled floor plan with dimensions of ADU and the level of the home where the apartment is to be located must be submitted with the application. All ingress/egress locations (existing and proposed) must be shown on the plan.	_____	_____
6.	A list, and two (2) sets of address labels, with the names & legal addresses of applicant, property owner, and all property owners abutting the subject parcel, including those directly across the street or stream.	_____	_____
7.	Certification by applicant that the abutters are as indicated in the Town of Merrimack Assessor's records, not more than 5 days prior to day of filing.	_____	_____
8.	Signed authorization for the Zoning Board and staff to enter upon the subject property for inspection.	_____	_____
9.	Application fee(s) and abutter notification fee.	_____	_____

Revised: 2/18/2014