



# Town of Merrimack, New Hampshire

Community Development Department

603 424-3531

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Town Hall - Lower level - East Wing

[www.merrimacknh.gov](http://www.merrimacknh.gov)

Planning - Zoning - Economic Development - Conservation

## Town of Merrimack Planning Board Level II Home Occupation Application – Conditional Use Permit

### **\*\*NOTE\*\***

- Home Occupations are only permitted in the R (Residential) District.

I. Property Owner Information			
Name:		Phone:	
E-mail:			
Address:			
Address:			
II. Applicant Information (if different)			
Name:		Phone:	
E-mail:			
Address:			
Address:			
III. Site Information			
Property Address:			
Sewer Source:	<input type="checkbox"/> Municipal Sewer   <input type="checkbox"/> Private Septic		
IV. Business Information			
Business Name:			

**V. Describe the nature of the business, and outline how your business complies with the Zoning Ordinance criteria for a Level II Home Occupation (see next page):**

## **VI. Zoning Ordinance Criteria**

1. No more than 500 square feet of the existing gross living area (inhabitable floor area) of the dwelling, including the space used in any accessory building(s), shall be utilized by the Home Occupation;
2. No more than one (1) commercial vehicle used in connection with the Home Occupation shall be stored on the premises;
3. There shall be a maximum of one (1) person not residing within the dwelling containing the Home Occupation employed therein. All other employees shall reside in the dwelling containing the Home Occupation;
4. There shall be a maximum of one (1) sign advertising the Home Occupation on the property. Any such sign shall be no larger than two (2) square feet;
5. There shall be no storage of any items connected to the Home Occupation externally to the dwelling or its accessory buildings;
6. Delivery of goods and materials shall be limited to step-vans and similar vehicles customarily associated with residential deliveries;
7. Sufficient off-street parking shall be provided to allow the residential use of the property to coexist alongside the Home Occupation without adversely affecting or undermining the residential character of the property, as determined by the Planning Board;
8. If the Home Occupation is a day care facility, off-street parking and an appropriate off-street area for drop-off and pick-up of children, as determined by the Planning Board, shall be provided; and
9. For sites serviced by municipal sewer, written verification from the Wastewater Division of Public Works shall be provided to the Community Development Department that the Home Occupation complies with their requirements for wastewater discharge.

## VII. Abutter Notification

Please be advised that, per RSA 676:4 (I)(d), the Planning Board is required to notify the following parties by verified mail - mailed at least ten (10) 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; and
4. Every engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan.

**\*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).**

**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 the Community Development Department to properly comply with the statutory requirements for Planning Board notices, the Applicant shall provide mailing information for all of the above-mentioned parties, and provide payment to cover the costs of notice. Failure to do so will constitute sufficient reason for the application to be denied as "incomplete".

### **Please sign the following certification:**

I hereby certify that the attached abutter information is as indicated in the Town of Merrimack

Assessor's records as of \_\_\_\_\_  
(date)

\_\_\_\_\_  
(Applicant's Signature)

### **VIII. Authorization to Enter Upon Subject Property**

I/we hereby give permission for the members of the Merrimack Planning Board, their agents, employees and assigns, and any employees of the Merrimack Community Development Department to enter upon the property which is the subject of this application at any reasonable time for the purpose of conducting such surveys, tests, studies inspections or examinations as may be appropriate to enable this application to be processed and I/we hereby waive and release any claim or right I/we may now or hereafter possess against the Town, any Planning Board member or their agents, employees or assigns, that arises or may arise as the result of any such surveys, tests, studies, inspections or examinations conducted on my/our property in connection with this application.

**Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### **IX. Authorization for Applicant other than Owner**

I/we, the undersigned owner(s) of the property that is the subject of this application, hereby certify that I/we have read and understand the information contained in the completed application form of which this statement is a part, that information provided herein is true and accurate to the best of my knowledge and belief, and I/we do hereby authorize the petitioner named on this application to apply for all permits, licenses and approvals necessary to process this application.

**Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### **X. Applicant who IS ALSO the Owner**

I/we, the undersigned owner(s) of the property that is the subject of this application, hereby certify that I/we have read and understand the information contained in the completed application form of which this statement is a part, and that the information provided herein is true and accurate to the best of my/our knowledge and belief.

**Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **XI. Submittal Requirements**

The following items must be submitted to the Community Development Department:

1. One (1) list of abutters including the property owner & applicant;
2. Two (2) sets of abutter mailing labels;
3. Photograph(s) of the driveway & parking area;
4. All required fees (make checks payable to Town of Merrimack); and
5. Completed and signed application.

*Please note that additional plans, studies and materials may be required after review of the completed application as determined by Town staff and/or the Planning Board. Additional fees will be required for peer reviews of engineering, legal documents and/or other studies/analyses provided as part of this application, as applicable.*

## XII. Level II Home Occupation Application Fee Computation Sheet

### 1. HOME OCCUPATION BASE FEE:

- \$50.00 application fee

**SUBTOTAL: \$**\_\_\_\_\_

### 2. AUTTER NOTIFICATION FEE:

- \$12.00 per abutter

- # of abutters \_\_\_\_\_

\$\_\_\_\_\_

**SUBTOTAL: \$**\_\_\_\_\_

*Staff Use Only*

- ☐ Cash  
☐ Check

**Total Received: \$**\_\_\_\_\_

**Check #** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Received by:** \_\_\_\_\_

**GRAND TOTAL: \$**\_\_\_\_\_