

**TOWN OF WALPOLE NEW HAMPSHIRE
ZONING BOARD OF ADJUSTMENT**

APPEAL FOR SPECIAL EXCEPTION

INSTRUCTIONS

PLEASE READ CAREFULLY BEFORE FILLING OUT THE ATTACHED APPLICATION
APPLICATION FEE: \$150.00 PLUS \$10.00 FOR EACH ABUTTER

If you have questions or difficulties in filling out the application please contact Ernie Vose at ernie@vose.org or 603-756-3589.

The Board strongly recommends that, before making any appeal, you become familiar with the Walpole Zoning Ordinance and also the New Hampshire Revised Statutes, Chapter 674:33. You can find the Walpole Zoning Ordinance online on the town website:

https://www.walpolenh.us/uploads/1/0/6/8/106872773/2022-zoning_ordinance_2022-05-20.pdf

and the New Hampshire Revised Statutes online:

<http://www.gencourt.state.nh.us/rsa/html/lxiv/674/674-33.htm>

***Definition:** Certain sections of the Zoning Ordinance provide that a particular use of property in a particular zone will be permitted by Special Exception if specified conditions are met. The necessary conditions for each Special Exception are given in the ordinance and vary from zone to zone. Your appeal for a Special Exception will be granted only if you can show that all of the conditions stated in the application section of the ordinance are met.*

The completed application, all required attachments and supporting documentation, and a check payable to Town of Walpole for \$150.00 plus \$10.00 for each abutter and applicant, must be delivered to the Board secretary or to the Selectboard's office for transmission to the Zoning Board of Adjustment. If the application is not properly completed, or is incomplete, it will be returned to you for correction. This will likely delay your hearing.

Public notice of the hearing will be posted at least five days before the date of the hearing in at least two public places, printed in a locally circulated newspaper and will be mailed to you and to all abutters and other parties whom the Board may deem to have an interest.

You must appear in person, or by agent or counsel, at the hearing to present your documentation and to state your reasons why the appeal should be granted.

Be prepared to make a presentation to the Board and to the public.

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APPLICATION

NOTE: This application will not be considered complete, nor be accepted, unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

The undersigned hereby applies to the Zoning Board of Adjustment for an Appeal for Special Exception in accordance with the provisions of the New Hampshire Revised Statutes Annotated 674:33.

Date _____

Name of Applicant _____

Mailing Address _____

Name of Owner _____

Mailing Address _____

Property's Physical Location: E911 Address _____

Map and Lot Number _____

Zoning District _____

Dimensions Front _____ Rear _____ Side _____ Side _____

Width at Building Line _____

Present Use _____

Proposed Use _____

Please attach drawings, plot plans, a rough sketch of the property, photos and other data that will better explain your proposed action. The minimum plot plan size of 22" X 34" will help ensure that the plan can be seen by the Board *and* the public during your presentation.

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Appeal for Special Exception: Rural/Agricultural Zone Article VIII section C

Industrial, manufacturing and commercial operations by Special Exception from the Board of Adjustment when fulfilling the following requirements:

1. Consideration of Planning Board recommendation on the project based on its determination following a public hearing (Date _____) that:
 - a. Property currently zoned for industrial, manufacturing and commercial operations is either unavailable or inadequate for the proposed use, and
 - b. The proposed use is appropriate and consistent with the Town's Master Plan.

2. Each proposed use must show it will not infringe on the primary established use of the district. _____

3. No industrial, manufacturing or commercial venture or use shall be permitted which would cause any undue hazard to health, safety or property values or which could be offensive to the public because of noise, vibration, excessive traffic, unsanitary conditions, noxious odors, smoke or similar reason. _____

4. Each proposed use shall provide adequate off-street parking, including loading facilities for freight and delivery trucks, and parking spaces for employers, employees and customer vehicles. Additional parking may be required based on the size and nature of the business.

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5. Businesses shall be located at least 65' from the center line of any right of way and not less than 20' from each side or boundary. Greater distances for setbacks and boundaries may be required according to the nature of the business. _____

6. All signs shall meet the requirement of Part D of the General Provisions of the Zoning Ordinance.

7. No retail commercial building shall be permitted which exceeds 40,000 square feet in gross floor area.

Affidavit: I certify that I am the owner or the authorized agent of the owner of the property upon which this appeal is sought and that all information I have provided is true, under penalty of law.

(Signature of Owner or Authorized Agent) Date_____

(Signature of Applicant, if different from the Owner) Date_____

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Appeal for Special Exception

LIST OF ABUTTERS AND NOTIFICATION

<u>Name</u>	<u>Mailing Address</u>	<u>Map and Lot Number</u>
1.(Applicant)		
2.		
3.		
4.		
5.		
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16.		
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18.		
19.		
20.		

NAMES AND ADDRESSES OF HOLDERS OF CONSERVATION, PRESERVATION OR
AGRICULTURAL PRESERVATION EASEMENTS, SURVEYOR
