



TOWN OF LONDONDERRY

ZONING BOARD OF ADJUSTMENT

268B Mammoth Road Londonderry, New Hampshire 03053 • Phone: 432-1100, ext.129

Prior to completing this application, you will need to obtain and provide as part of your application a completed ZONING BOARD OF ADJUSTMENT REASON FOR APPEAL form. This form requires a determination from the Zoning Administrator.

SPECIAL EXCEPTION LZO 5.13

FARM SALE OF CONSUMABLE NON-FARM PRODUCTS

PLEASE READ THE GENERAL AND SPECIAL EXCEPTION GUIDELINES BEFORE COMPLETING APPLICATION

Location of property: Street address _____

Tax map _____ Parcel _____ Zone _____

Owner's name (s) _____ Tel. No. _____

Owner's address _____

Owner's Email address _____

Applicant's name (s) _____ Tel. No. _____

Applicant's address _____

Applicant's Email address _____

Representative's name _____ Tel. No. _____

Representative's address _____

Representative's Email address _____

Previous Zoning Board action on this property: _____

Description of proposed use, showing justification for a Special Exception as specified in the zoning ordinance, Section 5.13 (Please describe what you are applying for and what it entails):

SPECIAL EXCEPTION LZO 5.13

APPLICATION FOR FARM SALE OF CONSUMABLE NON-FARM PRODUCTS

1. Will the use be detrimental to the health or safety of residents? _____
2. Does the use cause or create a nuisance or hazard to adjacent properties? _____
3. Will the use create undue traffic congestion or a traffic safety hazard in the vicinity of the proposed development? _____
4. Will the use be incompatible with the surrounding neighborhood? _____
5. Will the use be a detriment to property values in the vicinity of the proposed development with consideration given to the location or scale of buildings, structures, parking areas, or other access ways? _____
6. Will a nuisance will be created by such use by way of emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or the unsightly outdoor storage of equipment, vehicles, or other materials? _____
7. Will the use create a hazard to the public or adjacent property on account of potential fire, explosion, or release of toxic materials? _____
8. Will the use result in the degradation of existing surface and groundwater quality standards, or will it have adverse effects on the natural functions of wetlands on the site which would result in the loss of significant habitat or flood control protection? _____

***** YOU MUST ANSWER "YES" TO QUESTIONS NOS. 1-8 *****

9. Will adequate and appropriate facilities be provided for the intended use? _____
10. Will all necessary state and federal permits be obtained? _____
11. Is the use specifically authorized by ordinance as a special exception use in the district within which such particular site is located?
12. Are there appropriate provisions for access facilities adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion? ____
13. Are the vehicular entrances and exits be clearly visible from the street? _____
14. Are there are fully adequate parking areas and off-street truck loading spaces in conformity with this ordinance and all other pertinent ordinances, for the anticipated number of occupants, employees and patrons? _____
15. Is the layout of the parking spaces, truck loading berths and interior driveways convenient and conducive to safe operation? _____
16. Are there adequate provisions for the collection and disposal of storm water run-off from the site? _____

***** YOU MUST ANSWER "YES" TO QUESTIONS NOS. 9-16 *****

17. Is protective screening necessary? _____ (If yes, a planting plan specifying type, size and location of existing and proposed plant material shall be required. Existing natural growth may be considered as part of the screen).

18. Is there or will there be the installation of outdoor flood or spot lighting? _____ (If yes, the Board shall determine that such lighting will not shine directly upon an abutting property, nor upon the street. No unshielded lights shall be permitted).

19. Are there wetlands on the property that require input from the Conservation Commission? _____

**** The Board of Adjustment, if it deems the situation necessary, may require input from the Planning Board concerning the location and site layout for a special exception request.

**** The Board of Adjustment may attach such conditions as it deems necessary to the granting of the special exception if the Board determines that such conditions are necessary to maintain the essential character of the neighborhood and/or to protect the health, safety and welfare of the Town and its residents. Such conditions may include but are not limited to the site plan review and approval from the Planning Board which includes review and comment from the Conservation Commission and Heritage Commission.

**** A special exception must be acted upon within two years or such special exception will be deemed to have expired and/or be lost by abandonment.

If any changes are made to the parameters of the special exception as outlined in the presentation, **the applicant must make a new application** and appear again before the Board to request those changes.

I understand that I must appear in person at the public hearing scheduled by the Zoning Board of Adjustment.

If I cannot appear in person, I will designate a representative or agent in writing below to act on my behalf.

Owner's Signature

Owner's printed name

Owner's Signature

Owner's printed name

Date: _____

Total fee due (to be calculated by the Planning & Economic Development Department): \$ _____

LIST OF ABUTTERS

The following is a list of all abutting property owners concerned in this appeal. The Planning Department can assist you in determining your abutters, but **YOU ARE RESPONSIBLE FOR OBTAINING THE CORRECT LIST OF ABUTTERS. YOU ARE ALSO RESPONSIBLE FOR VERIFYING THE OWNERS' NAMES AND MAILING ADDRESSES FOR THIS LIST WITH THE ASSESSOR'S OFFICE.** This information is necessary to properly notify all interested parties with certified notices. Failure to provide complete and accurate information on abutters will result in the application being returned and may delay the scheduling of your hearing or result in a rehearing.

[illegible]

PREPARING YOUR ABUTTER'S LIST



1. Go to: <https://londonderrynh.mapgeo.io/datasets/properties?abuttersDistance=300> and click the "Search" box. Enter the property address in the address box and press enter. The parcel information should then appear as results. Click on the parcel information. Once the parcel is highlighted, click on the abutter box on the top right of the screen. A distance box containing the number 300 will appear and right below that box is a blue "Find" box. Click on the blue "Find" box.
2. A white box will appear asking "Clear search results?" Click on the "No" box.
3. A new screen will appear with the subject property outlined in blue and all other properties within 300 feet in red.
4. At this point, you will make the determination of who are the abutters.
5. Per NHRSA **672:3 Abutter**. – "Abutter" means 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.

** If an abutting property is 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.

** If an abutting property is 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 (i.e. mobile home park) and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the subject parcel.***

6. By clicking on the subject property, you are able to zoom in to assist in determining the abutter list. If there are properties outlined in red that do not meet the statutory definition of an abutter, you should click on the parcel and that parcel will then be removed from the list. Once you are satisfied with the list, click downloaded results. A white "Download Abutters" box will appear. Click on the "Abutters Report" box for the creation of the report. This report is your abutter's list.

**** Please note the additional notification requirements, if an abutting parcel is under a condominium or other collective form of ownership or a manufactured housing park form of ownership.**

7. You will need to have the accuracy of the owners' names and addresses verified by the Assessing Department. You can either print out the list and bring it in to the Assessing Department or e-mail the list to Adumont@londonderrynh.org.
8. Please attach the updated and verified list to your application or transfer the information to the "List of Abutters" page in the application.
9. If you have any questions about creating the list, please see the Planning Department. If you have any questions about verifying the owners' names and addresses, please see the Assessing Department.