



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

FOR A HOME OCCUPATION FOR A CHILD CARE FACILITY LONDONDERRY ZONING ORDINANCE SECTION 5.12.5

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 5.12.5 (Please describe the business you are applying for and what it entails):

SPECIAL EXCEPTION

APPLICATION FOR HOME OCCUPATION FOR A CHILD CARE FACILITY

- 1) Will the activities associated with the home occupation detract from the rural character of the residential neighborhood, or create traffic, environmental or aesthetic impacts substantially different than the impacts created by other permitted uses in the neighborhood? ____ Y ____ N
- 2) Is the home occupation incidental and secondary to the use of the property as a residential dwelling? ____ Y ____ N
- 3) Is the home occupation being conducted in a single-family or two-family dwelling unit (home occupations are not permitted in multi-family dwelling units)? ____ Y ____ N
- 4) Does the home occupation occupy no more than twenty-five percent (25%) of the existing normal living area of the primary residence or, if the home occupation is conducted in an accessory building, no more than fifty percent (50%) of the existing normal living area of the primary residence. Up to a maximum of one thousand (1,000) square feet may be dedicated to the home occupation? ____ Y ____ N

Total living space: _____ sq. ft. Living space to be used: _____ Percentage: _____

Please attach a property sketch and floor plan showing the driveway and parking areas and demonstrating that the home occupation does not exceed 25% of the normal living area of the home, or if the home occupation is conducted in an accessory building, no more than fifty percent (50%) of the existing normal living area of the primary residence. The property sketch shall also indicate the location of on-site parking, access, accessibility for residents and customers, and dumpster/trash location.

- 5) Are only members of the occupant's immediate family residing on the property employed? ____ Y ____ N
- 6) Are you requesting permission for the employment of one additional employee on the site? ____ Y ____ N
- 7) Are there any exterior renovations or construction being proposed as part of the home occupation? ____ Y ____ N
- 8) Is there any exterior storage of any products, equipment, machinery, or materials associated with the home occupation? ____ Y ____ N
- 9) Does the traffic generated by the home occupation create safety hazards or is it substantially greater in volume than would normally be expected in the neighborhood? ____ Y ____ N
- 10) Is the off-street parking adequate for anticipated customers, although no parking areas in excess of those necessary for normal residential purposes will be allowed? ____ Y ____ N
- 11) Will the child care facility adversely affect the subject property and neighboring properties by reason of any unusual sight, light, noise, smell, and/or traffic? ____ Y ____ N
- 12) Is there adequate parking for drop-off and pick-up of children? ____ Y ____ N

- 13) Is the home occupation being conducted in accordance with all Town regulations, state laws and licensing requirements (the State may have separate requirements for licensing of your business. Such requirements would be independent of this Special Exception and it is the applicant's responsibility to ensure that any and all State requirements are fulfilled). ____Y
____N

Please indicate if there are any state licenses and/or specific state requirements involved with your specific application:

A child care facility shall comply with all applicable licensing requirements of the State of New Hampshire and the Department of Health and Human Services Child Care Licensing Unit, the NH Child Care Program Licensing Rules, and the requirements of New Hampshire RSA 170.

- 14) In cases of child care, a fenced in play area may be required prior to opening of the business. Do you have a fenced in area? ____Y ____N Dimensions: _____

- 15) Are you requesting a sign? ____Y ____N

Please indicate whether the requested sign is a free standing sign or a wall sign)

Only one non-illuminated sign not to exceed three square feet per side displayed is permitted.

- 16) Hours of operation: _____

- 17) The Zoning Board of Adjustment may impose additional conditions and restrictions it deems desirable or necessary to protect the residential character of the neighborhood.

- 18) For every year that the home occupation remains in effect, a copy of the annual license issued by the State of New Hampshire for the child care facility shall be provided to Town.

- 19) If any changes are made to the parameters of the home occupation 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/agent 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



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SPECIAL EXCEPTION GUIDELINES

The following documents shall be submitted for a Special Exception for a Home Occupation:

1. Completed application signed by the owner;
2. Property sketch and floor plan showing the driveway and parking areas and demonstrating that the home occupation does not exceed 25% of the normal living area of the home, or if the home occupation is conducted in an accessory building, no more than fifty percent (50%) of the existing normal living area of the primary residence. The property sketch shall also indicate the location of on-site parking, access, fences, accessibility for residents and customers, and dumpster/trash location;
3. Description of the nature of the home occupation including, but not limited to, the anticipated number of customers/clients per day, hours of operation, deliveries and traffic generation;
4. If there are any specific state requirements or licenses involved with your occupation, please provide that information as well;
5. Abutter list (names and addresses confirmed with the Assessing department) and three sets of 1" x 2 ⁵/₈" mailing labels for each abutter; and
6. Application fee (to be determined by Planning & Economic Development department).

The following uses shall not be considered home occupations:

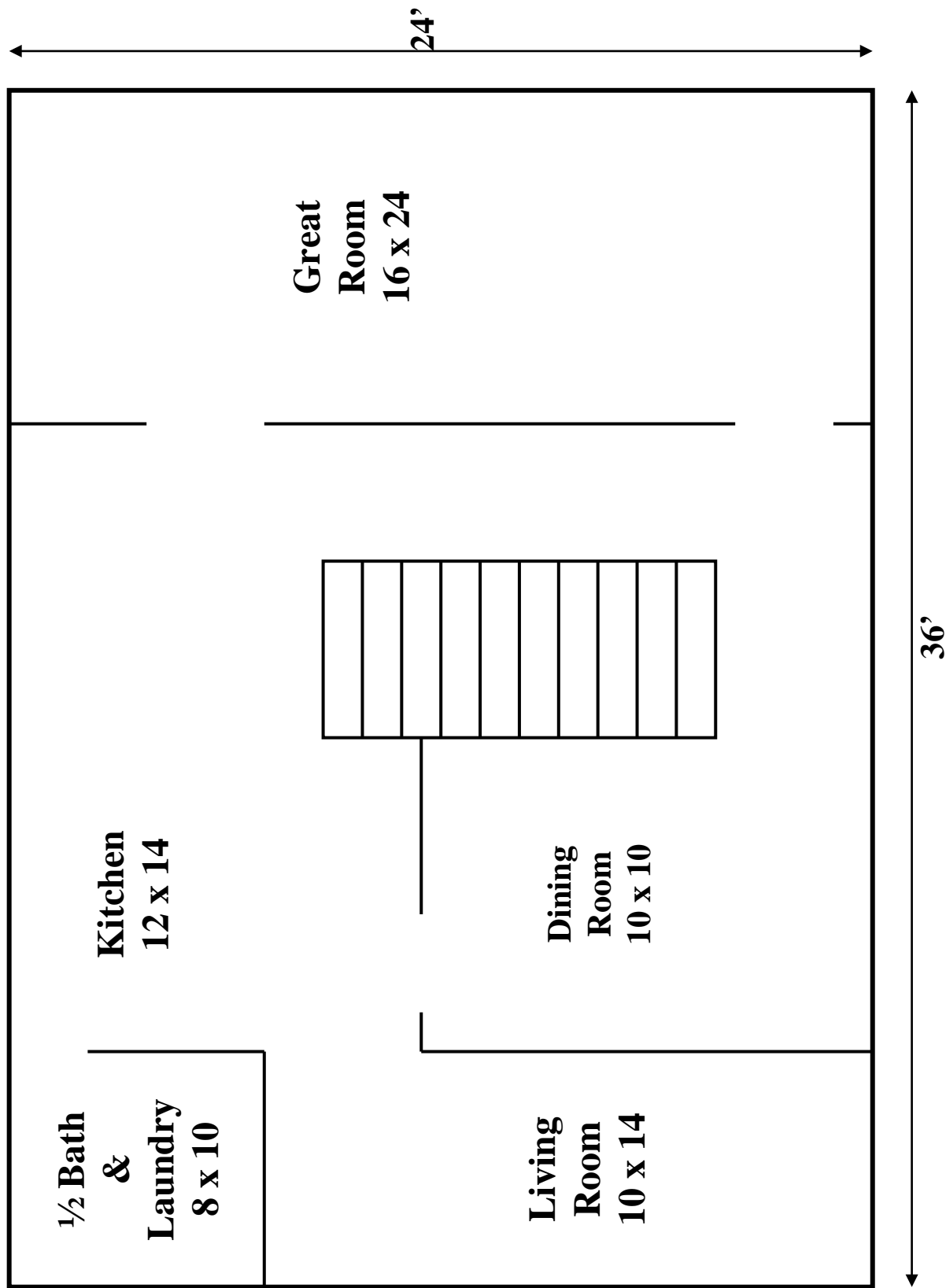
1. Any use that generates, stores or uses regulated hazardous substances, receives or ships hazardous materials regulated under Chapter 40-Code of Federal Regulations, or that generates or disposes of hazardous waste as regulated under Chapter 40 – Code of Federal Regulations;
2. Motor vehicle and machinery service, maintenance, repair and painting;
3. Motor vehicle and machinery sales;
4. Medical, dental or veterinary practices;
5. Kennels; and
6. Landscaping businesses.

Child Care Home Occupations must abide by LZO 5.12.5 Child Care Facilities as Home Occupations.

The Board also strongly recommends that you become familiar with the Zoning Ordinance, along with the NH Statutes TITLE LXIV, RSA Chapters 672-677 that cover planning and zoning.

EXAMPLE

First Floor

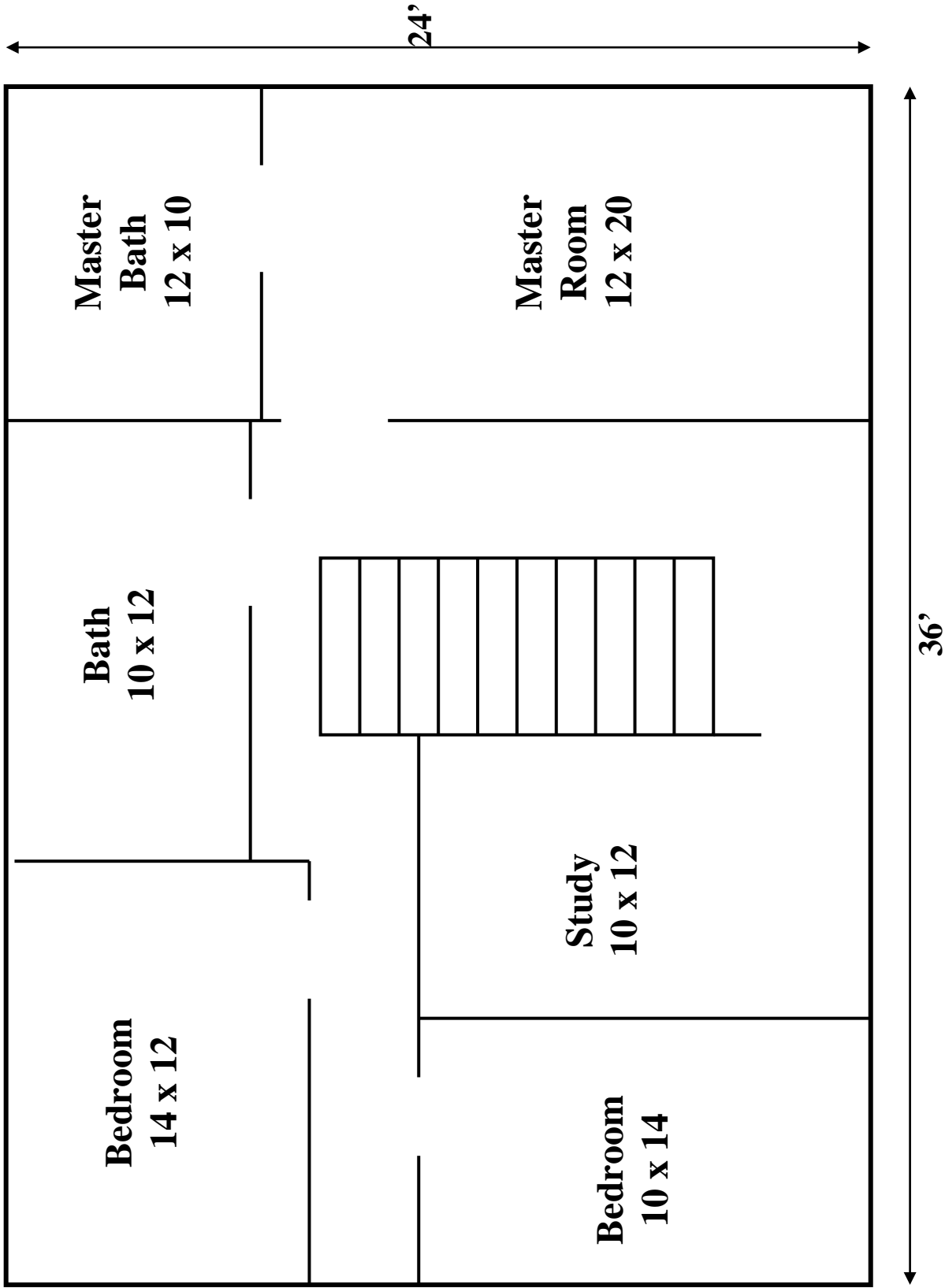


EXAMPLE

**Total Area = 1,728 Sq. Ft.
Using 10 x 12 Study and 10 x 14
Bedroom = 240 Sq. Ft. = 15%**

EXAMPLE

Second Floor



EXAMPLE

EXAMPLE

