



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 AN OFF-PREMISE SIGN**

**\*PLEASE READ GENERAL 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 \_\_\_\_\_ (Please describe the specifics of the off-premise sign):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## APPLICATION FOR AN OFF-PREMISE SIGN

### SECTION 7.6.C.6

OFF-PREMISE SIGNS ARE PROHIBITED IN THE TOWN OF LONDONDERRY  
EXCEPT AS HEREIN PROVIDED:

AN OFF-PREMISE SIGN WHICH IDENTIFIES THE NAME AND LOCATION OF A BUSINESS LOCATED IN THE TOWN OF LONDONDERRY MAY BE ALLOWED BY SPECIAL EXCEPTION FROM THE BOARD OF ADJUSTMENT PROVIDED THE FOLLOWING CONDITIONS ARE MET;

a. No more than one (1) off-premise sign shall exist on an individual parcel \_\_\_\_\_

\_\_\_\_\_

b. No business shall be advertised on more than two (2) off-premise signs except as provided in section 7.6(D)(2)(c)(ii) \_\_\_\_\_

\_\_\_\_\_

c. Off-premise sign located in an Industrial or Commercial district shall have a maximum surface area of twenty five (25) square feet \_\_\_\_\_

d. Off-premise signs located in districts other than Industrial or Commercial shall have a maximum surface area of eight (8) square feet \_\_\_\_\_

e. Directional signs - where a business is located a significant distance from commonly traveled ways and a need is demonstrated, the Board may allow one (1) or more additional directional signs. Such signs shall be limited to the name of the business and specific directions. The maximum size of a directional sign shall be two (2) square feet \_\_\_\_\_

\_\_\_\_\_

f. The sign must otherwise conform to other applicable regulations of the zoning ordinance (Section 7 - SIGNAGE) \_\_\_\_\_

\_\_\_\_\_

g. Other conditions or restrictions as the Board of Adjustment may deem to be in the public interest: \_\_\_\_\_

\_\_\_\_\_

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.

I hereby designate \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

to represent me as a representative/agent in the pursuance of this appeal.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Dated

Total fee due (to be calculated by the Planning & Economic 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.

**PARCEL ID NO.**

**OWNER'S NAME**

MAILING ADDRESS

[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](mailto: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.



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# VARIANCE APPLICATION RULES AND GUIDELINES

## PLEASE READ BEFORE FILLING OUT YOUR APPLICATION

- The **Applicant**, if different from the Owner, must sign the application on the last page.
- The applicant's **mailing address** should be listed underneath the applicant's name(s).
- **All owners must also sign** the application on the last page.
- **"Representative"** need only be filled out if someone else will be making the presentation for the applicant. This information must also be included on the last page of the application.
- Under **"Location of Property,"** you need to fill out the tax map, parcel & zone. This information can be obtained from the Town's website or the Planning & Economic Development Department.
- For **"Previous Zoning Board action on this property,"** see the Planning & Economic Development staff.
- If you are seeking a variance, **you are required to complete the five points of law on your application.** These points begin on page one of the Variance application under "Facts supporting this request," and continue on through the second page.
- You or your representative will also be required to **VERBALLY** present all five points of law when you make your presentation. **All five must be addressed to the satisfaction of the Board. Failure to fill these out completely on the application and present them completely to the Board may result in a delay or a denial.**
- If you are seeking a **Special Exception to operate a Home Occupation**, please note that the State may have separate requirements for business licensing. 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.**
- The Planning & Economic Development department can assist you in determining your abutters, but **YOU ARE RESPONSIBLE FOR OBTAINING AND VERIFYING THE CORRECT LIST OF ABUTTERS INCLUDING THE OWNERS' NAMES AND MAILING ADDRESSES FROM THE ASSESSOR'S OFFICE.**
- Decisions of the Zoning Board can be based only on the testimony presented at the public hearing. **It is the applicant's responsibility to provide the evidence in support of the criteria for the application.**



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- You are also encouraged to provide any additional information that will help explain your position (i.e. drawings, photographs, more detailed explanations or reasoning).
- **All relevant information, plans, drawings, etc., must be submitted with your application** so that they may be on file as public information. **Please make copies for yourself so that you will have the same information the Board has when you present to them.**
- If you bring additional materials to the meeting that were not submitted with your application, please make at least eight copies for Board members to follow along. *Remember, the more prepared you are, the less time you will need to spend before the Board.*
- The application fee is **\$60.00** and there is a **certified mailing charge** for (a) the owner, (b) applicant, (c) any representative, and (d) each abutter to cover the cost of certified mail. If an owner is repeated on your list with the exact same name and mailing address, they will only be counted once. Please provide three sets of 1" x 2 5/8" mailing labels for each abutter. If paying by check, you will only need to submit one check payable to the Town of Londonderry.
- Applications are due **BEFORE 5:00 PM** on the scheduled deadline date to be on the following month's agenda but you are strongly encouraged to apply earlier in case any additional issues need to be addressed. **Only one copy of your application and supporting documentation is required for submittal.**
- ***Applications will not be accepted after 5:00 on the deadline date. The Zoning Board will not accept late or incomplete applications.***
- Agendas for the public hearing with the Board of Adjustment will be posted in at least two public places. Legal notices will be sent via certified mail to the property owner(s), abutters and any other parties the Board may deem to have an interest (including any representative) at least five (5) days before the date of hearing and the legal notice is also printed in a local newspaper.
- Zoning Board meetings take place every third Wednesday of the month at Town Hall, 268B Mammoth Road in the Moose Hill Council Chambers.
- Meetings begin at 7:00 P.M. Your actual hearing time is dependent on the number of cases being heard that night and the other business of the Board.
- The Board reserves the right to continue cases to either the first Thursday or the third Wednesday of the following month should the meeting run to a late hour.





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- Meetings are recorded. Please approach the Board for your presentation and speak clearly into the microphone so that your case maybe recorded accurately.
- Please note that abutters have the right to attend the meeting to speak for or against your case, and ask questions. Abutters do not vote on your case. Only the Board may vote.
- Your case will be decided during deliberations, which typically occurs immediately following your presentation. You will receive notification of the Board's decision from the Planning & Economic Development department.
- Under Section 8.1.5.4 of the Londonderry Zoning Ordinance and New Hampshire Revised Statute Annotated 674:33, I-a (a) variances shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance; and IV (b) special exceptions authorized under this paragraph shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such special exception shall expire within 6 months after the resolution of a planning application filed in reliance upon the special exception.

### **MEETING PROCEDURES**

1. The Clerk reads the case into the record.
2. The applicant makes his/her presentation.
3. The Board addresses the applicant with questions and/or comments.
4. Those in favor of the request are asked to speak at the microphone.
5. Those opposed or having questions regarding the request are asked to speak at the microphone.
6. The applicant may rebut any comments or questions.
7. The opposition may then also rebut.
8. The Board addresses the applicant with any additional comments or questions.
9. The case is taken under advisement immediately and voted on unless the Board chooses to do so at a later time.