

**TOWN OF BOW
PLANNING BOARD**

CONDITIONAL USE PERMIT APPLICATION

To the Applicant:

This completed application (including all plan application contents noted below) must be filed with the Planning Board's Agent no later than 3:00 PM on the fourth Thursday prior to the Planning Board's next regularly scheduled meeting to be included on their next agenda.

Attention should be given to the items below when completing the application package.

- X All appropriate fees must be paid in advance;
- X The application must be made in the name of the owner of record at the time of application, as filed at the Merrimack County Registry of Deeds. The application form must be signed by both the property owner(s) and the applicant;
- X It is the responsibility of the applicant to provide a complete and accurate list of all abutters.

CONTENTS - COMPLETE PRELIMINARY APPLICATION PACKAGE

1. _____ One (1) copy of the completed application form (including checklist)
2. _____ One (1) paper copy of the preliminary plan(s) (22"x34")
3. _____ One (1) copy of any construction plans
4. _____ One PDF file of the plan set (via e-mail)
5. _____ A narrative which addresses the criteria of Article 12.05 and applicable section of the Zoning Ordinance (attached)
6. _____ Complete and accurate abutters list (including any PE/LLS/CSS/CWS whose seal appears on the plan)
7. _____ The appropriate filing fee (Additional fees may apply if submitted with Site Plan Review or Subdivision application)
\$ _____ Application Fee (\$400)
\$ _____ Plus per Abutter (\$20)
\$ _____ Total (Not including any other applications)

Note: If any of the above items are missing or incomplete as of the filing deadline, the application will not be placed on the agenda for the next Planning Board meeting.

**TOWN OF BOW PLANNING BOARD
CONDITIONAL USE PERMIT APPLICATION**

10 Grandview Road
Bow, NH 03304
kmakinen@bownh.gov

(603) 223-3970
fax (603) 225-2982

Owner(s): _____

FOR OFFICE USE ONLY

Address: _____

Application

Date Received: _____ / _____ / _____

Check # _____

Received By: _____

Daytime Telephone # (____) ____-____

Applicant: _____

Address: _____

E-mail address for contact person:

Daytime Telephone # (____) ____-____

1. Block # ____ Lot(s) _____

2. Street Address for parcel: _____

3. Property located in the _____ zone.

4. Land is in open space (current use): YES; NO

5. Purpose for which the Conditional Use Permit is sought:

The applicant agrees that he/she is familiar with the current Zoning Ordinance of the Town of Bow and in making this application, has complied with the same.

Applicant's Signature

Date

I (we) the undersigned hereby grant the above-signed Applicant authority to act as my (our) agent for this Application and approval process.

Property Owner(s)'s Signature(s)

Date

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Indicate the purpose for this application: In the spaces provided, indicate "N/A" for items not applicable, "X" for items where condition is met, and "W" for items where a waiver is requested.

— **Alternatives for Pasture or Enclosures and Waivers of Shelter for Grazing, Care, Raising, or Keeping of Livestock as a Principal or Temporary Use (7.18)**

OR

— **Stables and Equestrian Facilities in the Rural (RU) District (7.18)**

- Minimum lot size: two acres
- Minimum pasture and enclosure areas shall not include any areas within 20 feet of a dwelling unit.
- Minimum pasture, enclosure, and shelter requirements are met.
- Livestock shall be kept such that no nuisance results.
- Animal waste shall not be stored within 100' of any lot line.
- Livestock must be kept within a secure enclosure.
- Livestock must have available shelter.
- No shelter, enclosure, other than a pasture, shall be located within 100' of the street or abutter's property line.
- Pastures must be suitable for grazing livestock or meet the setback requirements for a livestock enclosure.
- Livestock may be kept without pasture areas, with suitable enclosure and sufficient feed.

— **Open Space Residential Development - Modifications to the Required Buffer Zone (7.02D5)**

- Existing condition of the buffer prior to disturbance.
- Character and use of neighboring properties abutting the area of the buffer zone proposed for disturbance.
- Impact of the proposed disturbance including any benefits or detriments to properties abutting the affected buffer including lots in the Open Space Residential Development.
- Whether the proposed plan enhances the function of the buffer zone.
- Buffer zone may not be disturbed for the placement of buildings.

— **Reasonable Exception for multi-family structures containing more than five (5) units (7.05B2)**

- Reasonable Exception must demonstrate that the structures proposed [with more than five (5) units] have advantages over structures with fewer units in terms of impacts to natural resources, public safety, and / or municipal finances, and that the larger units are appropriately screened from abutting parcels and public streets.

— **Reasonable Exception for Signs in Non-Residential Districts** (8.08)

- Reasonable Exceptions and Waivers for signs in the Civic CV), Commercial (C), Institutional (IN), Limited Industrial (I-1), General Industrial (I-2), and Business Development (BD) Districts

— **Other Signs in Non-Residential Districts** (8.10)

- General business area signs designed to direct travelers to business development areas in Town. May contain incidental advertising for individual businesses. (8.10A)
 - or
- Purpose is to contribute to the general welfare of the community and contain only incidental advertising. (8.10B)

— **Manufactured housing Park** (7.03)

- Minimum tract size: 5 acres (7.03A)
- Minimum gross area per unit: 3/4 acre (7.03B)
- Minimum tract frontage: 300' (7.03C)
- Minimum space between units: 50' (7.03D)
- Minimum distance of nearest unit to side and rear lot lines: 50' (7.03E)
- Minimum distance of nearest unit to right-of-way of any public street: 150' (7.03F)
- Internal roadways: drained, graveled, hard surfaced or paved, maintained, and illuminated 7.03G)
- Maintenance of all common areas, water and sewer utilities, lighting, roadways, drainage, recreation and common areas and facilities (7.03H)
- Where required, appropriate screening at least 5' high(7.03I)
- Adherence to applicable sanitary regulations (7.03J)
- Connection to a municipally owned and operated sewer system or private system approved by the New Hampshire Water Supply and Pollution Control Commission shall be required (7.03K)

— **Sexually Oriented Business** (7.11)

- Permitted only in the General Industrial I-2 District, not within 1000' of another existing or applied for sexually oriented business (7.11B1)
- Not permitted within 1000' of any residence, apartment or manufactured housing (7.11B2)
- Not permitted within 1000' of any church, place of worship, parish house, convent, public, parochial, or private school, kindergarten, State approved day care center or public sports/recreation parks; and not permitted within 1000' of the Town boundaries (7.11B3)
- Not permitted within a building, premise, structure or other facility that contains a sexually oriented business (7.11B4)
- Buffering, lighting, parking, ingress and egress, pedestrian movement, landscaping and building aesthetics, and environmental impacts (7.11D)

— **Minor / Predevelopment Excavation (7.14)**

- Operational Standards (7.14A1)
- Reclamation Standards (7.14A2)
- Prohibited Excavations (7.14B)
- Content of Application for Excavation Permit (7.14C)

— **Indoor Commercial Recreational Facility in the Civic (CV) District (5.11C3)**

— **Waivers to the Performance Standards within the Business Development District (15.17)**

- Will not be detrimental to the public safety, health, or welfare or cause injury or damage to other property, or fail to promote public interest (15.17B1)
- Will not, in any manner, vary the provisions of the Town of Bow Master Plan (15.17B2)
- Will substantially ensure that the goals, objectives, standards, and requirements of this ordinance are not compromised (15.17B3)
- The requirement is not appropriate or reasonable due to the size and scale of the proposed project; and/or particular natural features which may impact feasibility or cause excessive cost, as determined by the Board, including: Topography, Existing site features, Geographic location of the property, Size and/or magnitude of the project being evaluated (15.17B4&5)

— **Detached Accessory Dwelling Unit (7.04)**

Article 12.05 of the Zoning Ordinance of the Town of Bow

12.05 Hearing and Decision

Following a public hearing on the proposed use, the Planning Board shall issue a conditional use permit, if it finds, based on the information and testimony submitted with respect to the application, that:

- A. The use is specifically authorized by Article 5, Section 5.11 Table of Use Regulations as a conditional use;
- B. If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and with the specific conditions or standards established in this ordinance for the particular use;
- C. The use will not materially endanger the public health or safety;
- D. The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;
- E. The use will not have a substantial adverse impact on highway or pedestrian safety;
- F. The use will not have a substantial adverse impact on the natural resources of the town; and
- G. The use will be adequately serviced by necessary public utilities and community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide sufficient additional capacity or services.