

Francestown NH, Conditional Use Regulations

SECTION I. – PURPOSE.

The purpose and intent of a Conditional Use permit is to allow certain uses that are not normally permitted under conventional zoning provisions. Specifically authorized conditional uses appear in the Zoning Ordinance - Table of Land Uses. A Conditional Use shall be approved if the application is found to be in compliance with the approval criteria in Article III and Article III-B of the Francestown Zoning Ordinance.

Further Conditions may be placed on the Conditional Use Permit by the Planning Board to ensure that the Conditional Use will have a positive economic, fiscal, public safety, environmental, aesthetic, and social impact on the town. The Planning Board shall make findings of fact, based on the evidence presented by the applicant, and the public, respecting whether the Conditional Use is or is not in compliance with the approval criteria of Articles and III and III-B

SECTION II. – AUTHORITY.

Pursuant to the authority vested in the Francestown Planning Board by the voters of the Town of Francestown on March 12, 2022 and in accordance with the provisions of RSA 674:21, NH Revised Statutes Annotated, and as amended, the Francestown Planning Board adopts the following regulations governing Conditional Use Permits

SECTION III. - APPLICATION PROCEDURES.

The Planning Board shall utilize its procedures for the review of site plans as authorized by RSA 674:43 and 674:44 in considering and granting Conditional Use Permits. The Application Form, Checklist, Filing Fee(s), and all costs of notices for a Conditional Use Permit as established by the Planning Board can be obtained from the Town of Francestown. In granting a Conditional Use Permit, the Planning Board may attach reasonable conditions to its approval where such conditions are shown to be necessary by this ordinance or to further the objectives of this ordinance. All conditions of approval shall be stated in writing in this issuance of a permit. The Planning Board may require that such conditions be annotated on a site plan or subdivision plat, or otherwise recorded at the Hillsborough County Registry of Deeds.

SECTION IV. - PROCEDURES *The Planning Board must find that the following conditions are met before it may grant a Conditional Use Permit:*

- a) Adequate parking is provided on premise.*
- b) Water and sewage disposal systems are adequate to accommodate the use.*
- c) The property complies with the NFPA Life Safety Code and shall be approved by the Francestown fire chief or Selectmen as enforcing agent.*
- d) The use will not adversely affect the quiet enjoyment of adjacent properties.*
- e) The use will not adversely affect the value of adjacent properties.*
- f) The site is an appropriate location for the use. Among the factors the Board will consider are site characteristics: road access and location of driveways, condition of existing structures and other relevant characteristics; site location: whether the proposed use is compatible with surrounding land use.*

SECTION V. - FEES:

Application fee: \$75.00

Public Notice Fees: To be determined (Public notice fees include the cost of mailing/postage)

- a. Cost of certified mail - rate on day of mailing - per notice (to be determined by the Board)
- b. Notice fee: Applicant may supply 3 sets of typed, addressed, self-adhesive mailing labels, suitable for a standard 3¼" x 9½" business envelope **OR** pay \$5.00 per required notice

Required Notice:

List of abutters pursuant to RSA676:4, the state law of New Hampshire, the town of Frankestown is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail. The applicant must obtain the abutter information from the records of the tax assessor's office in order to process the conditional use permit application. Abutter is defined as the owner of record of a parcel of land located in New Hampshire and that adjoins or is directly across the street or stream from the land under consideration by the planning board. For a condominium or other collective form of ownership, abutter means the officers of the collective or association.