



Application for a Special Exception

Name of Applicant _____

Mailing Address _____

Phone # _____ Fax # _____

Email _____

Name of Property Owner _____

Mailing Address _____

Phone # _____ Fax # _____

Email _____

Property Address _____

Map/LotNumber _____ ZoningDistrict _____

Please respond to each of the following sections. Additional information may be supplied on a separate sheet if the space provided is inadequate.

A. BACKGROUND

Please provide a brief description of your project, including your intended use of the property and/or intended improvements to the property, if applicable: _____

Please note that upon review, Department Staff may request that you submit a plot plan of the property if deemed necessary for the ZBA to properly evaluate your application.

(continued on reverse side)

Staff Use Only

Received by: _____ Date: _____

\$130 Application Fee + \$50 Legal Ad + \$10 per abutter Total Cost _____ Check # _____

ZBA Case # _____ Date of ZBA Hearing _____

B. SPECIAL EXCEPTION REQUESTED

A Special Exception is requested pursuant to (circle one):

- **Section 717.5** of the Zoning Ordinance (Cemetery Setback Requirements)

to permit: _____

C. THE SPECIAL EXCEPTION CRITERIA FOR SECTION 717.5

1. Does the proposed use have approval of both the Board of Selectmen and Cemetery Trustees? _____ Explain. _____

2. Will the proposal impair the integrity of the cemetery walls, facilities, drainage, or other physical attributes? _____ Explain. _____

3. Will the proposed use diminish the general solemnity and solitude of the cemetery setting? _____ Explain. _____

4. Will the proposed use pose a public safety hazard to the cemetery or patrons thereof? _____
Explain. _____

5. Are there any practical alternatives to the proposed use? _____ Explain. _____

I have read this Application and state that the above is correct, and acknowledge that I have read and understand the Application Instructions on Page 5 of this Application form.

Applicant Signature _____ Date _____

Abutter List

INSTRUCTIONS

1. Please print the names and legal mailing addresses of all abutters. Visit the Town Assessor's website at <https://www.windhamnh.gov/162/Assessing> to access GIS to determine which parcels are abutting and for the most up-to-date Ownership Information.
2. An abutter means any person whose property is located in New Hampshire and adjoins, is directly across, or within 50-feet diagonally of the street or stream from the land under consideration. *See RSA 672:3.*
3. Also include the names and legal mailing addresses of the applicant, property owner (if different), and any professionals (engineers, lawyers, etc.) involved with the application.
4. TWO SETS OF MAILING LABELS FOR EACH LISTING MUST ALSO BE SUBMITTED.

Map	Block	Lot	Name	Mailing Address
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	

APPLICATION INSTRUCTIONS

1. All supporting materials for the ZBA's consideration should be supplied to the Community Development Department with the submission of this application. Applicants are responsible for providing copies of their application and supporting materials to the Community Development Department in advance of the scheduled hearing. Upon review of the application, Department Staff will contact the applicant with the number of copies that must be supplied and the deadline to submit the copies.
2. The community development department will schedule a public hearing before the Town of Windham Zoning Board of Adjustment ("ZBA") within 30 days of receipt of a completed application. Public notice of the hearing will be posted at the Town Hall and Community Development Department, and printed in a local newspaper. Notices will be mailed to those listed on the abutters list as provided by the applicant, at least 7 days prior to the hearing.
3. Failure to provide any of the information required for the filing of this application shall be cause for the rejection of this application. This application will not be processed unless all required information has been provided.
4. Owner/owners must supply written authorization to allow agents and/or other representatives, to apply and appear on the owner/owners behalf.
5. Acceptance of this application and inclusion of the application on the ZBA's agenda does not infer that all zoning requirements have been satisfied. Neither the review of any plan by officials of the Town of Windham, nor any subsequent inspection of the premises, should be relied upon as an assurance of conformity to legal requirements.
6. Owner/owner's representative is strongly encouraged to attend the scheduled meeting to present the application before the ZBA. Failure to do so may result in the application being denied without prejudice and would require a new application to be filed and new fees paid.
7. Please note that the ZBA may conduct a Site Walk of the property that is the subject of this application when properly posted in accordance with RSA 91-A.
8. Applicants who wish to withdraw their applications or reschedule their hearing for a later meeting shall file a written request with the Community Development Department before the hearing notice for the scheduled hearing is mailed to the abutters, posted in a public place, or appears in a local newspaper. Requests to withdraw or reschedule received by the Department after the hearing notice has been mailed to the abutters, posted in a public place, or appears in a local newspaper, shall be considered by the ZBA at the scheduled hearing.