



## Town of Newfields Application to the Zoning Board of Adjustment

Applicants must submit the following to the Town Office:

- Completed application, including location and tax map# and lot# of property in appeal.
- List of abutters, applicant, and owner, including current mailing addresses and map and lot numbers of each. An application process is delayed if mailing addresses are inaccurate. *An abutter is defined as landowner (including railroads) to the sides, rear, and front of applicant's property in appeal, even if separated by a road, waterway, or town line. The Town of Newfields and holders of easements do require certified notification.*
- Check or money order for non-refundable application fee of \$150.00 per application, plus \$6.50 per abutter, applicant, and owner, made payable to "Town of Newfields" to cover copies, posted and published notices, and certified mail.
- Plot plan drawn in accordance with a boundary line survey to scale not less than 1" = 40'. Indicate lot dimensions including area in square feet. Indicate size and locations of existing and proposed buildings, including setbacks (7 copies required).
- A copy of written denial from administrative official: Building Inspector, Planning Board or Selectmen.

ZBA Hearings are scheduled for the last Wednesday of each month at 7pm at Town Hall. Filing deadline of completed application is 20 calendar days prior to meeting. Applications received after that date are placed on the agenda for the next scheduled monthly meeting and publicly noticed accordingly.

All parties involved will be notified of impending hearing by certified mail. The written decision of the Board must be made available within 72 hours of the hearing.

### The basis of the Board's deliberations regarding an appeal for a variance are as follows:

1. Would granting of the variance have an adverse effect on value of surrounding properties?
2. Would granting the variance not be contrary to the public interest?
3. Would granting the variance alleviate an unnecessary hardship?
  - a. The zoning restriction as applied to the applicant's property interferes with the applicant's reasonable use of the property, considering the unique setting of the property in its environment.
  - b. No fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restrictions on the property.
  - c. The variance would not injure the public or private rights of others. *Hardship does NOT refer to any financial or personal situation of the applicant regarding the property in appeal.*
4. Would granting the variance do substantial justice?
5. Would the proposed use be contrary to the spirit of the town ordinance?

Applicant(s) should be prepared to address the above considerations at the time of the hearing.

Please call the Town Clerk at (603) 772-5070 during business hours—or the ZBA Chairman if you have any questions about this form. Note that the Chairman and members of the Board cannot offer advice on how to fill out your application, deliberate the specifics of your application, nor decide on your application outside of a public ZBA hearing.

Kent Lawrence, Chairman — (603) 778-8652



**Town of Newfields  
Zoning Board of Adjustment Application**

ZBA to fill in: ZBA Case#: \_\_\_\_\_ Date accurate and complete application received \_\_\_\_\_

**Section 1**

Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Property Owner: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Property Location: \_\_\_\_\_  
Brief Directions: \_\_\_\_\_  
\_\_\_\_\_

Zoning District \_\_\_\_\_ Assessor's Map# \_\_\_\_\_ Lot # \_\_\_\_\_

**Type of Appeal (check ONLY One)**

**Fill in applicable Ordinance (be sure you are referring to the most current copy of the zoning ordinance book):**

- Variance** Article \_\_\_\_\_ Section \_\_\_\_\_
- Special Exception** Article \_\_\_\_\_ Section \_\_\_\_\_
- Administrative Decision** Article \_\_\_\_\_ Section \_\_\_\_\_
- Extension of Variance**

Describe briefly your plans for this property: \_\_\_\_\_  
\_\_\_\_\_

**Section 2**

**Requirements submitted with this application:**

- List of abutters, applicant and owner including current mailing addresses and map and lot numbers of each. An application process is delayed if mailing addresses are inaccurate. *An abutter is defined as landowner (including railroads) to the sides, rear, and front of applicant's property in appeal, even if separated by a road, waterway, or town line. The Town of Newfields and holders of easements do require certified notification.*
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- A copy of written denial from administrative official: Building Inspector, Planning Board or Selectmen.

As applicant of standing in this request, I certify that the information supplied herein is complete and accurate.

Signature of Applicant: \_\_\_\_\_ Signature of Owner: \_\_\_\_\_  
*Both signatures are required*

## APPLICATION FOR A VARIANCE

To: Board of Adjustment,

Town of \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Owner \_\_\_\_\_

(if same as applicant, write "same")

Location of Property \_\_\_\_\_

(street, number, sub-division and lot number)

NOTE: This application is not acceptable unless all required statements have been made.

Additional information may be supplied on a separate pages if the space provided is inadequate.

### APPLICATION FOR A VARIANCE

A variance is requested from article \_\_\_\_\_ section \_\_\_\_\_ of the zoning ordinance to permit \_\_\_\_\_

Facts in support of granting the variance:

1. Granting the variance would not be contrary to the public interest because:

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2. If the variance were granted, the **spirit** of the ordinance would be observed because:

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Do not write in this space.

Case No. \_\_\_\_\_

Date Filed \_\_\_\_\_

(signed - ZBA)

3. Granting the variance would do substantial justice because:

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4. If the variance were granted, the values of the surrounding properties would not be diminished because:

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5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary **hardship** because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

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and:

ii. The proposed use is a reasonable one because:

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B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

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Applicant \_\_\_\_\_

(signature)

\_\_\_\_\_ Date

**List of Abutters**

Applicant's Name: \_\_\_\_\_  
Land Owner's Name: \_\_\_\_\_  
Location of Land: \_\_\_\_\_

Abutter's Name	Map #	Lot #	Current Mailing Address (with PO Box if available)