



CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department
Planning Division

Waiver Request Form – Site Plan Regulations

Instructions:

1. List the section for which the waiver is being requested, along with a brief explanation of the request.
2. Explain how the waiver request complies with each criterion.

Section 36.08 Waivers: Where the Planning Board finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such waiver shall not have the effect of nullifying the intent and purpose of these regulations...

Waiver from Section _____

and further provided the Planning Board shall not approve waivers unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;* _____

(2) *The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;* _____

(3) *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular and unnecessary hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;* _____

(4) *Specific circumstances relative to the subdivision or conditions of the land in such subdivision indicate that the waiver will properly carry out, or not be contrary to, the spirit and intent of the regulations; and* _____

(5) *The waiver will not in any manner vary the provisions of the Zoning Ordinance, Master Plan Reports, or Official Map.* _____

Finally, note if the waiver complies with RSA 674:44(III)(e)(1) or (2) below and explain how.

(1) Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations _____

OR

(2) Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations _____



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