



City of Concord
37 Green St
Concord, NH 03301
www.concordnh.gov

Permit

Permit NO. **SP-0022-2023**
Permit Type: **PLNG - Sign Or Awning**
Work Classification: **Sign**
Permit Status: **Expired**

Issue Date: **01/23/2024**

Expiration: **07/23/2024**

Location Address

N State St, Concord, NH

Parcel Number

4412

Contacts

Stephen Duprey
30 North Davis RD

Sign Owner

Victoria Poland
81 N Main St, Concord, NH 03301
(401)207-8486

Applicant

vrp1014@usnh.edu

Description: Seeking a sign permit to place a freestanding sign at this location.

Valuation: **\$0.00**

Total Sq Feet: **0.00**

Inspection Requests:

603-225-8580

Fees	Amount
CD - Application for Sign	\$30.00
CD - Sign application PB review	\$30.00
CD - Sign fee for over / within ROW	\$18.00
CD - Sign Permit Fee SF Cost	\$202.50
Total:	\$280.50

Payments	Amt Paid
Total Fees	\$280.50
Credit Card	\$280.50
Amount Due:	\$0.00

Applicant certifies that all the information given is correct and true and that all work performed will comply with applicable City of Concord and State of New Hampshire, Building and Fire Codes, Ordinances, Laws and Regulations.

Additional Information

Sign Dimensions: 6'x15'

Total Square Feet: 90

Is this Sign: Replacement

Is this sign illuminated?: No

If Yes, pick one: N/A

Sign Projects over Public Right-of-Way: Yes

Conditions of ADR Approval (if applicable): The Planning Board voted to approve this application as submitted with the condition that the sign is compliant with MUTCD standards. Specifically, the minimum mounting height and lateral offset from curb to the edges of the sign. The actual sign edge (Not The Post) must be at a minimum of two feet away from curb and height of sign at the lowest point must be a minimum of 7 feet from grade.

SignPermitAddtlInfo: CONDITIONS OF PERMIT • If a sign projects over a sidewalk or public way, it is mandatory for the owner to furnish a Certificate of Insurance in an amount not less than \$1,000,000, indemnifying the City of Concord against any form of liability. The policy shall provide for advance notification to the Code Administrator in the event of cancellation. If the policy should lapse or be canceled, the owner shall remove the sign immediately. • The Code Administrator or his authorized agent may revoke this permit at any time. • All signs shall conform to all requirements of the Zoning Ordinance for the district in which it is located. • All signs must be constructed of materials and methods conforming to the minimum standards of the City of Concord Building Code. • All signs which are illuminated or supplied with electric power must be UL listed and installed in accordance with the City of Concord Electrical Code and shall require separate electrical permits.

Zoning District: IS

January 23, 2024

Issued By: Brian Tremblay

Date

Return to
City of Concord
Legal Dept
41 Green St
Concord NH 03301

LICENSE AGREEMENT

I. PARTIES

- a. The City of Concord, New Hampshire, a municipal corporation, with a principal place of business at 41 Green Street, Concord, New Hampshire (the "City" or "Licensor").
- b. Pierce Brigade, a domestic nonprofit corporation, with a principal place of business at 14 Horseshoe Pond, Concord, New Hampshire ("Licensee").

II. PURPOSE

The purpose of this License is to permit the Licensee to install off-site directional signage at the City's property known as Bradley Park located at the intersection of Horseshoe Pond Lane and North State Street, or highway rights-of-way adjacent thereto, to guide visitors to President Pierce's residence, known as "the Manse," as well as advertise hours of operation (the "Sign"). This license is required due to the sign being located either at Bradley Park, which is owned by Licensor in fee, or within the public highway right-of-way adjacent to the Park (either of which shall be referred to herein as "the City Property"). The design and information on the Sign shall be consistent with the proposed sign as shown as Exhibit A. This License Agreement was authorized by Resolution #9570 approved by the Concord City Council on August 14, 2023, as attached to this License as Exhibit B.

III. TERMS AND CONDITIONS

- a. In accordance with applicable local ordinances; and state and federal laws, rules, and regulations; the City hereby grants to Licensee a License to install a Sign located on the City Property.
- b. The Licensee shall be responsible for the design, permitting, installation, ownership, operation and maintenance of the Sign.
- c. Licensee shall receive final approval from the City's Deputy City Manager - Community Development relative to the location at which the sign shall be installed.

d. It is agreed that during the term of this License, Licensee, at its sole cost and expense and for the mutual benefit of the Licensee and the City, shall furnish the City a Certificate of Insurance confirming that Licensee has in force general liability insurance, naming the City as an additional insured, in an amount not less than \$1,000,000 per incident or occurrence and an aggregate of \$2,000,000. The evidence of insurance shall be filed with the City prior to the installation of the Sign and shall be renewed annually and include a statement by the carrier that thirty (30) days notice will be given to the City before cancellation of coverage. The insurance shall remain in place until the termination of the License.

e. Licensee agrees to hold harmless and indemnify the City, its officers, employees and agents against any and all loss, damage, liability, expense, suits, demands and claims, including, but not limited to, cases of injury to third parties or their property, resulting from and arising out of: (1) Any act, failure to act, or negligence of the Licensee, its servants, agents or invitees occurring on the City Property in conjunction with Licensee's Sign; (2) Anything owned or controlled by the Licensee, its servants, agents, or invitees and used on the City Property in connection with Licensee's activities under this Agreement; or (3) Any nuisance made by the Licensee, its servants, agents, or invitees on the City Property in connection with Licensee's activities under this License.

f. As set forth below, the City may terminate this License verbally or in writing to Licensee or its agent(s) at any time and for any reason. Upon notice of termination, the Licensee shall within three (3) calendar days remove the Sign from the City Property. The Licensee shall carry and maintain the insurance described in paragraph (d) until the City determines that the Sign is removed from the City Property. Also, the Licensee shall agree to hold harmless and indemnify the City as described in paragraph (e) until the City determines that the Sign is removed from the City Property. If the Sign is not removed within three (3) calendar days of the termination notice, the City may remove the Sign and dispose of it in any way it deems appropriate. The City may charge Licensee the actual costs it incurs for removing the Sign from the City Property not removed within three (3) calendar days of the City's termination notice.

IV. DURATION

a. The City may terminate this License verbally or in writing to Licensee or its agent(s) at any time and for any reason.

b. This License shall remain in effect until terminated by either party.

V. NO ASSIGNMENT OR TRANSFER

- a. This License is granted to the Licensee, exclusively.
- b. This License shall not be assigned or otherwise transferred to any other party.

VI. APPLICABLE LAWS

- a. Licensee shall comply with all local, state, and federal laws, rules, regulations, and ordinances in conjunction with its use of the City Property.
- b. This License shall be enforceable in the Courts of Merrimack County, New Hampshire, to which both parties submit for jurisdiction.

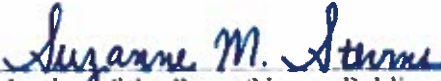
VII. EXECUTION OF AGREEMENT

City of Concord


By: 
Thomas J. Aspell, Jr., City Manager
Duly Authorized

Date: 4-30-2024

Sworn to and affirmed at Concord, New Hampshire on 4-30-2024.

before 
~~Justice of the Peace~~ Notary Public
Commission expires:

Pierce Brigade

By: 
Joan Woodhead, President
Duly Authorized

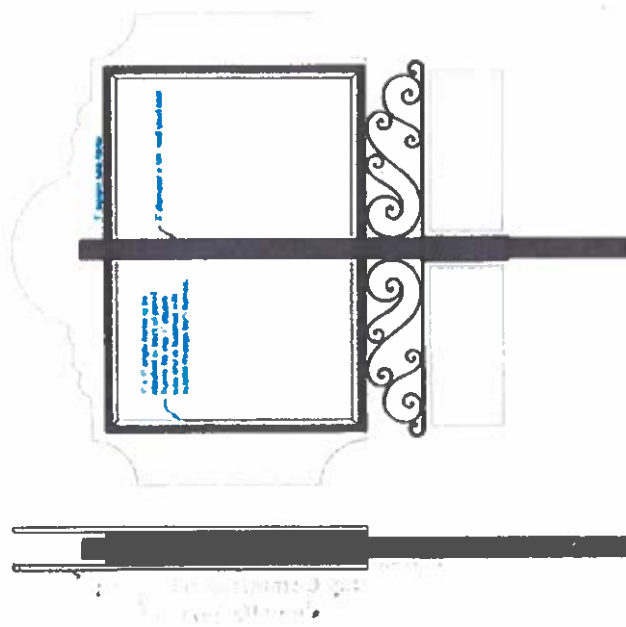
Date: 4/30/2024

Sworn to and affirmed at Concord, New Hampshire on April 30, 2024.

before 
~~Justice of the Peace~~ Notary Public
Commission expires:

SUZANNE M. STEVENS
Notary Public - State of New Hampshire
My Commission Expires
January 12, 2027

Proposed Sign



<p>ADVANTAGE Signs 10001 W. 1st Avenue, Suite 100 Denver, CO 80202 603-224-7446 www.advantagesigns.net</p>		<p>Job Name: PIERCE MANSE</p>		<p>Sales Rep: Josh Messenger Drawn By: RA Date: 01/05/23 Revision #: 3-010523a</p>		<p>Sign Type:</p>	
<p>Design © Advantage Signs Inc. 2022</p>							

53.24'

72.00'

OPEN

CLOSED

HOURS
THURS - FRI 9AM
10AM - 5PM

PIERCE MANSE
PRESIDENT FRANKLIN PIERCE
1804-1869
14TH PRESIDENT OF THE UNITED STATES

OFFICE OF THE PRESIDENT OF THE UNITED STATES

Please note: this is a proposed sign. All dimensions are approximate. A final drawing will be provided once all details are confirmed. If you are unsure of any dimensions, please email us prior to approving the design.

EXHIBIT B

Resolution No. 9570

CITY OF CONCORD

In the year of our Lord two thousand and twenty-three

RESOLUTION

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH THE PIERCE BRIGADE FOR INSTALLATION OF OFF-SITE SIGNAGE ON CITY OWNED PROPERTY KNOWN AS BRADLEY PARK, OR WITHIN PUBLIC HIGHWAY RIGHTS-OF-WAY ADJACENT THERETO, FOR THE PIERCE MANSE LOCATED AT 14 HORSESHOE POND LANE

The City of Concord resolves as follows:

WHEREAS, Franklin Pierce was the 14 President of the United States; and,

WHEREAS, President Pierce's residence – known as "the Manse" – in which he resided in from 1842 to 1848 was relocated to 14 Horseshoe Pond Lane in 1971 and is owned / managed by the Pierce Brigade; and,

WHEREAS, the Pierce Brigade desires to install new off-site signage at the City's property known as Bradley Park located at the intersection of Horseshoe Pond Lane and North State Street, or highway rights-of-way adjacent thereto, to guide visitors to the Manse, as well as advertise hours of operation; and,

WHEREAS, No licenses or other agreements exist for current signage at said location; and,

WHEREAS, the Pierce Brigade will be solely responsible for the design, permitting, installation, ownership, operation and maintenance of said improvements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord:

- 1) The City Manager is authorized to enter into a License Agreement concerning the design, permitting, installation, ownership, operation and maintenance of said sign.
- 2) The License Agreement shall contain the City's normal and customary terms and conditions, as well as require the Licensee to secure all normal and customary permits and approvals required for said improvements.
- 3) The License Agreement shall be acceptable to the City Manager and City Solicitor in their sole discretion.
- 4) This resolution shall take effect upon passage.

*In City Council
August 14, 2023
Passed*


City Clerk



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/24/24

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Blossom Insurance Agency Inc PO Box 3000 Concord, NH 03302	CONTACT NAME: PHONE (A/C, No, Ext): 603-224-3000 E-MAIL ADDRESS: FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: Liberty Mutual Ins Co INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Pierce Brigade Inc PO Box 425 Concord, NH 03302	NAIC #

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY					
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					
			BKS57785757	05/27/2023	05/27/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Each occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP OR AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER POLICY PROJECT LOC OTHER					
	AUTOMOBILE LIABILITY					
	ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Each accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below.	Y/N <input type="checkbox"/> N/A				PER STATUTE OTHER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101 Additional Remarks Schedule may be attached if more space is required)

Business sign at North State Street, Concord, NH

CERTIFICATE HOLDER City of Concord 41 Green St Concord, NH 03301	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Randy J. [Signature]</i>
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CITY OF CONCORD

New Hampshire's Main Street™

Memorandum

TO: Zoning Board of Adjustment
FROM: Tracey Hutton, Zoning Administrator
REGARDING: ZBA - 0093-2023
DATE: September 20, 2023

0093-2023 N State Street (PID 4412); *IS - Institutional District; City of Concord, Owner:*

The applicant wishes to install an off-premise sign on property owned by the City.
The applicant seeks a variance to Article 28-6-7, *Signs Prohibited Under This Ordinance*.



The City Council is working on an agreement to enter into with the applicant if the Board approves the variance. Since this is a City park the sign requires both ZBA and City Council approval. The sign is informational about a facility that is off-site.



NARRATIVE IN SUPPORT OF VARIANCE APPLICATION OF NORTH MAIN STREET - Map 583/Z/8

Pierce Brigade, (the “Petitioner”) is a nonprofit corporation with an address of 14 Horseshoe Pond Lane, Concord, NH 03301. The Property seeking a variance is located on North Main Street (Map 583/Z 8//) (the “Property”). The owners of the Property are the City of Concord with an address of 41 Green Street, Concord, NH, and Bradley Park with an address of 41 Green Street, Concord, NH. This Property is zoned Institutional (IS) and contains approximately 0.5 acres.

The location of the Property is unique because it is owned by the City of Concord and acts as a medium as well as a park. The Property is the home of a Franklin Pierce Marker located at 43° 13.007' N, 71° 32.695' W. The Marker is on North State Street (U.S. 3), on the right when traveling north, and is just south of Horseshoe Pond Lane, which leads to the Pierce Manse. The Marker is in the Bradley Park.

The Petitioner is seeking to place a sign on the Property owned by the City of Concord, which we are currently in the process of receiving permission from the City pending the approval of this variance. The proposed sign is meant to replace an existing sign to make the message more visible to passersby. No changes will be made to the Property aside from the replacement of the proposed sign.

The proposed replacement sign will be 15 feet from the grade and 6 feet wide, this can be seen in the Plan attached (“the Plan”). This sign will also be off-site at North Main Street land (Map 583/Z 8//). Accordingly, the Petitioner requests a variance from Article 28-6-7, where it does not expressly permit off-site signs. Also, the Petitioner requests a variance from Article 28-6-9(a) because the proposed sign is larger than the Article permits.

DISCUSSION

1. The variance will not be contrary to the public interest.

A variance is contrary to the public interest if “it unduly and in marked degree conflicts with an ordinance such that it violates the ordinance’s basic zoning objectives.” Farrar v. City of Keene, 158 N.H. 684, 691 (2009) (internal quotations omitted). In determining whether a variance would violate basic zoning objectives, the board should examine whether the variance would alter the essential character of the locality, or whether the granting of the variance would threaten public health, safety, or welfare. Id.

The Pierce Brigade owns and operates a museum called the Pierce Manse Museum dedicated to the 14th United States President, Franklin Pierce. This museum is a landmark in the City of Concord and acts as an attraction for tourists. This sign would allow more individuals to be attracted to the museum to learn about President Franklin Pierce and enhance the history of

Concord. Preserving history is a prominent goal in Concord's Master Plan and this sign will help preserve the Pierce Manse Museum, thus preserving the public interest and the history of Concord.

2. The spirit of the ordinance is observed.

The New Hampshire Supreme Court has determined that this criterion overlaps with the public interest requirement. See Chester Rod & Gun Club v. Town of Chester, 152 N.H. 577, 580 (2005). The spirit of these ordinances is to ensure that signs are not too large and to prevent businesses and individuals from placing signs off of their property. Furthermore, the spirit of these ordinances is to maintain the aesthetics of the City of Concord. This sign will be visually appealing in an uncrowded space and is dedicated to the enhancement of the City of Concord. Granting the variance and allowing the sign to be offsite and larger will give the Pierce Manse Museum more visibility and increase the historical impact it has on the City of Concord.

3. Substantial justice is done.

Substantial justice is done where (a) granting a variance will not cause harm to the general public that outweighs the benefit to the applicant and (b) the proposed development is consistent with the area's present use. See Malachy Glen Associates v. Town of Chichester, 155 N.H. 102, 109 (2007). That is the case here. Allowing this sign will not harm the public in any way. It will enhance the historical atmosphere within the City of Concord which is consistent with the development in the area and the Master Plan of Concord. The variance provides a significant benefit to the Petitioner because it will encourage visitors to the museum.

4. The value of surrounding properties is not diminished.

Surrounding property values will not be diminished by granting this variance, as there will be minimal changes to the Property and the proposed sign will be aesthetically pleasing. Furthermore, the Property will not be changed operationally. The Petitioner's plans with the sign will enhance the area by replacing an older less appealing sign and bring more history to the City.

5. Literal enforcement of the provisions of the ordinance would result in unnecessary hardship because, owing to special conditions of the property that distinguishes it from other properties in the area.

- a. *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.*

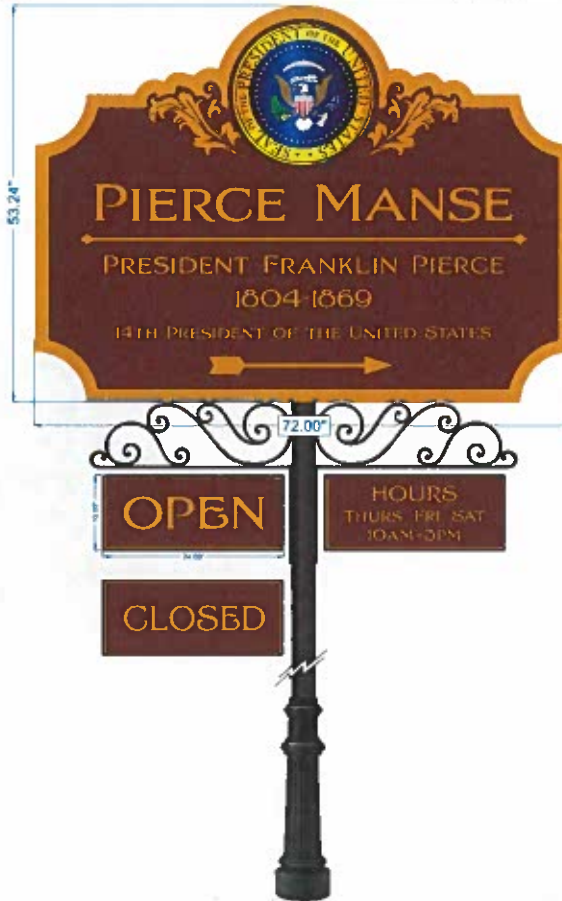
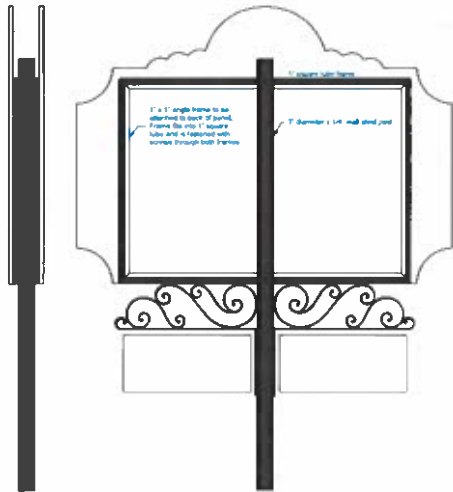
The Property where the sign will be placed is owned by the City and is not cluttered with other signs or buildings. Since the Property is the home of a Franklin Pierce Marker this new sign would be another way for the public to identify the park and the museum.

The general public's purpose of these variances is to maintain an aesthetically pleasing City while restricting where businesses and individuals can place signs. As noted above, this sign would enhance the history within the City of Concord and greatly benefit the Petitioner by bringing in more customers to the museum.

b. *The proposed use is reasonable.*

The proposed use will not change as part of this request. It will merely allow the Petitioner to bring more visibility to their museum, enrich the memory of President Franklin Pierce, and increase the history within the City of Concord all of which is a goal of the Concord Master Plan.

Proposed Sign



Please check this proof carefully! Spelling and phone numbers are your responsibility.
(Colors represented in this proof may vary from final product).
If color accuracy is important, please notify us prior to approving the design.

ADVANTAGE Signs
128 H. 21st St. Ste. C, Kansas City, MO 64101
www.advantagesigns.net
603-224-7446

Job Name:

PIERCE MANSE

Sales Rep:

Josh Messenger

Drawn By:

RA

Date:

01/05/23

Revision #:

3-010523ra

Design © Advantage Signs, Inc. 2023

PRODUCTION: ALL RIGHTS RESERVED. NO REPRODUCTION WITHOUT WRITTEN PERMISSION.

Sign Types:

Specific Location





CITY OF CONCORD

New Hampshire's Main Street™

Zoning Board of Adjustment

Order Granting a Variance

Application # 0093-2023

The Zoning Board of Adjustment for the City of Concord, New Hampshire, having held a public hearing on October 4, 2023, to consider an application for a Variance to permit on off-premise sign on City property. This application was submitted by Stephen Duprey for the property located on N State Street (PID 4412). Having heard all the arguments presented at the hearing, makes the following **FINDINGS OF FACT**, and draws the following **CONCLUSIONS** to each of the required criteria:

1. Did the Applicant provide proof that demonstrates the variance will not be contrary to the public interest? Yes X No

This **CONCLUSION** is based on the following **FINDINGS OF FACT**:

It is very difficult to find the historic Pierce Manse; this sign will assist with traffic safety.

2. Did the Applicant provide proof that demonstrates how a variance observes the spirit of the ordinance? Yes X No

The **CONCLUSION** is based on the following **FINDINGS OF FACT**:

The spirit of the ordinance is to permit signs to aid in navigation, which this sign will do.

iii. Did the Applicant demonstrate that the proposed use is a reasonable one?

Yes X No

This **CONCLUSION** is based on the following **FINDINGS OF FACT**:

OR

5B. Did the Applicant demonstrate that, if the criteria in subparagraph 5A above are not established, an unnecessary hardship exists 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. Yes No

This **CONCLUSION** is based on the following **FINDINGS OF FACT**:

This historic site is extremely difficult to navigate to given its location and adjacent one-way streets. Other properties in the area are much more visible from the roads they front on.

THEREFORE, based upon the foregoing, and all of the evidence in the record, **IT IS ORDERED** that the application for a variance be **GRANTED** by a vote of 5-0.

Ordered this 4th day of October, 2023



Zoning Board of Adjustment

NARRATIVE IN SUPPORT OF VARIANCE APPLICATION OF NORTH MAIN STREET - Map 583/Z/8

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Current Sign





CITY OF CONCORD
New Hampshire's Main Street™
Zoning Board of Adjustment

Tracey E. Hutton
Zoning Administrator

October 6, 2023

FoxFireNH
Attn: Victoria Poland
81 N Main Street
Concord, NH 03301

RE: Case #0093-2023

Dear Ms. Poland:

At a meeting of the Zoning Board of Adjustment of the City of Concord, held on October 4, 2023, the Board, by a 5-0 vote, granted your request to install an off-premise sign for the Pierce Mans on property owned by the City.

This request is for property located at N State Street and is situated in an IS - Institutional District.

Written finding of fact and minutes shall be available for public inspection at the Code Administration Office within five business days of the vote. If you have any questions, please contact the Zoning Administrator, Dr. Tracey E. Hutton.

Zoning Board of Adjustment

/th



City of Concord

37 Green St

Concord, NH 03301

www.concordnh.gov

ZBA - VARIANCE PERMIT

Permit Number: **ZBA-0093-2023**

Job Address: **N State St, Concord, NH**

Parcel: **4412**

Owner: **Stephen Duprey**

Additional Information: **Zoning District: IS**
ORDINANCE ARTICLE: 28
ORDINANCE SECTION: 28-6-7 and 28-6-9(a).
To Permit the Following:: To allow a sign to be off-site and over 40 square feet and 12 feet high.

The applicant bears the burden of proof on applications before the ZBA. A concurring vote of three (3) members of the ZBA is required for a decision on all applications in front of the ZBA. If an application is approved, please be sure to check with the Code Administration Department to determine if additional actions or permits are required before you proceed with your project.

Anyone with standing aggrieved by a decision of the ZBA may request a rehearing, in accordance with RSA §677:2, any such request must be submitted in writing to the Zoning Board of Adjustment within thirty (30) days of the Board's decision, and must state all grounds justifying a rehearing. If application for a rehearing is denied, any further appeal must be made to the Superior Court within thirty (30) days thereafter (RSA §677:4). You must request a rehearing before the Zoning Board of Adjustment if you wish to preserve your right to appeal to Superior Court.