



MADBURY PLANNING BOARD

13 Town Hall Road, Madbury NH 03823
Tel: 603 742-5131 • Fax: 603 742-2502

Conditional Use Permit (CUP) Processing Checklist

CUPs may be required for Agritourism, Accessory Apartments, and Home Occupations and in the following overlay districts: Wet Areas Conservation, Aquifer and Wellhead Protection, Shoreland Protection, Telecommunication, and Flood Hazard. Reference appropriate Madbury land use regulations for specifics.

Applicant: _____

Property: _____

Type of CUP: _____

Application dates, fees, public hearing

Preliminary Review (opt):	[]	Application received:	[]
Abutter notices mailed	[]	Public notices posted:	[]
Newspaper notices:	[]	Application reviewed:	[]
Application Fee:	Amount \$ _____	Fee Received:	[]

General Approval Criteria for all CUPs (Reference Zoning Ordinances, Article IV, Section 9)

- 1. Is the site suitable for the proposed use? Considerations include:
 - a. Adequate vehicular and pedestrian access for the intended use.
 - b. Adequate public services to serve the intended use including emergency services, schools, and other municipal services.
 - c. The absence of environmental constraints (e.g., floodplains, steep slopes).
 - d. Appropriate utilities to serve the intended use (e.g., water, sewage disposal, storm water disposal, electricity, utilities).

- 2. External impacts:
 - a. Are impacts on abutting properties and the neighborhood no greater than impacts of adjacent existing uses permitted in the zone? (Include traffic, noise, odors, vibrations, dust, fumes, hours of operation, and external lighting glare.)
 - b. Does the location, design, nature and intensity of the use not have an adverse effect on the surrounding environment?

- 3. Character of the site development:
 - a. Is the proposed layout and design compatible with the established character of the neighborhood?
 - b. Does the proposed layout and design mitigate any external impacts of the use on the neighborhood?

- 4. Does the proposed use, including all related development activities, preserve identified natural, cultural, historic, and scenic resources on the site and not degrade such resources identified on abutting properties?



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Additional CUP Approval Criteria for Specific Uses / Districts: (For uses / districts listed below reference Zoning Ordinances, Article IV, Section 9 and the applicable article(s) listed below).

1. Agritourism (Reference Zoning, Article V, Section 2)

CUP required for all agritourism operations.

2. Accessory Apartments (Reference Zoning, Article V, Section 4)

CUP required for bedrooms beyond one. Only Article IV, Section 9 requirements apply.

3. Home Occupations (Reference Zoning, Article V-B)

CUP required for all Level II home occupations.

4. Wet Areas Conservation Overlay District (Reference Zoning, Article IX, Sections 4 and 8)

CUP required for:

Limited and regulated uses,

Uses otherwise prohibited (e.g., driveway access or wetland crossing),

Any use that involves a change to a wet area that requires a state dredge and fill application in accordance with RSA 483-A.

5. Aquifer and Wellhead Protection Overlay District (Reference Zoning, Article IX-A, Sections 5.C)

CUP required for limited and regulated uses.

6. Shoreland Protection Overlay District (Reference Zoning, Article X, Section 4.C and Section 8)

CUP required for:

Limited and regulated uses,

Uses otherwise prohibited (e.g., driveway access or wetland crossing),

Construction of roads and other access ways, underground pipelines, powerlines, and other transmission.

7. Telecommunication Overlay District (Reference Zoning, Article XI)

CUP required for all Telecommunication Facility applications.

8. Flood Hazard Area Overlay District (Reference Zoning, Article XXI)

CUP required for all proposed development in district.