

New Map# \_\_\_\_\_  
Map/Lot # \_\_\_\_\_

Office use only

Application #: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_

**Application For Appeal  
Zoning Board Of Adjustment (ZBA)  
Franklin, New Hampshire**

**AGRICULTURAL WAIVER (per RSA 674:32-c)**

Please complete the entire application. Failure to do so will delay processing it. PRINT legibly and in INK. The application must be signed and dated. The owner must sign the application or a letter of authorization from the owner must be attached.

This application is to be completed by anyone requesting an Agricultural Waiver, as defined in RSA 674:32-c.

1. Location of the property for which the appeal is being applied:

Street Address: \_\_\_\_\_

**Owner**

**Person Completing Application**

2. Name:

Address:

City/State/Zip:

Phone #:

Email:

3. Zoning Classification: \_\_\_\_\_

4. Briefly describe the PROPOSED project, be specific:

\_\_\_\_\_  
\_\_\_\_\_

5. Please attach to the application a plot plan, on an 8 ½ x 11 sheet of paper, or survey plan that shows: the existing property lines; all existing and the proposed structure(s) and their setbacks from the property lines for both; any wetlands, ledge, flood area, septic systems, or other features that limit where the proposed structure(s) can be placed on the property. The Board reserves the right to require a formal survey plan to assist in the consideration of the application request.

6. Site has (Check appropriate response):    ☐ City Water   ☐ City Sewer   ☐ Well   ☐ Septic

7. Was a Variance previously granted for this site:   ☐ Yes   ☐ No

If Yes, when: \_\_\_\_\_

*Please respond to whether the following is a true statement or a false statement and EXPLAIN your answers in DETAIL:*

1. That the literal application of dimensional standards, setbacks, driveway and traffic regulations, parking requirements, noise, odor, or vibration restrictions would effectively prohibit any agricultural use. ☐ True ☐ False

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2. That the granting of the waiver would not diminish the value of other property in the area. ☐ True ☐ False

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3. That the waiver would not adversely affect the public health or safety of adjacent properties. ☐ True ☐ False
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**Your application is incomplete unless the following are submitted:**

- i. Letter of Authorization, if you are not the owner;
- ii. Plot Plan sketch showing all existing and proposed structures on the lot, including the location of the well and septic tank if applicable;
- iii. Abutter's List, blank form attached; and,
- iv. All fees are paid.

**Note:** The Zoning Administrator and/or the Zoning Board may require more information if necessary.

**Note:** The Zoning Board of Adjustment Members may conduct a site visit. At the time of their visit, you **SHALL NOT** make contact with them. A board member is not allowed to have a conversation with any applicant outside of a Meeting atmosphere.

**I understand that per RSA 674:32-c: such a waiver shall continue only as long as utilized for the permitted agricultural use and does not allow for an expansion of the use without permission from the Planning and Zoning Office to do so.**

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Signature of Applicant

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Date

**DO NOT WRITE IN THIS SPACE-**

**OFFICE USE ONLY!!**

1. Date Application Submitted: \_\_\_\_\_
2. Fee Collected ☐ Yes ☐ No Amount: \$ \_\_\_\_\_  
Form of Payment: ☐ Cash ☐ Check # \_\_\_\_\_
3. Date of Public Hearing: \_\_\_\_\_  
Date Notice Sent to Applicant Explaining Board Action: \_\_\_\_\_  
Zoning Board Decision: ☐ Granted ☐ Denied
4. Comments, if any: \_\_\_\_\_  
\_\_\_\_\_

**TITLE LXIV**

**PLANNING AND ZONING**

**CHAPTER 674**

**LOCAL LAND USE PLANNING AND REGULATORY POWERS**

**Agricultural Uses of Land**

**Section 674:32-c**

**674:32-c Other General Provisions. –**

- I. The tilling of soil and the growing and harvesting of crops and horticultural commodities, as a primary or accessory use, shall not be prohibited in any district.
- II. Nothing in this subdivision shall exempt new, re-established, or expanded agricultural operations from generally applicable building and site requirements such as dimensional standards, setbacks, driveway and traffic regulations, parking requirements, noise, odor, or vibration restrictions or sign regulations; provided, however, that in circumstances where their literal application would effectively prohibit an agricultural use allowed by this subdivision, or would otherwise be unreasonable in the context of an agricultural use, the board of adjustment, building code board of appeals, or other applicable local board, after due notice and hearing, shall grant a waiver from such requirement to the extent necessary to reasonably permit the agricultural use, unless such waiver would have a demonstrated adverse effect on public health or safety, or the value of adjacent property. Such waiver shall continue only as long as utilized for the permitted agricultural use.
- III. Nothing in this subdivision shall apply to any aspect of an agricultural operation determined to be injurious to public health or safety under RSA 147. Nothing in this subdivision shall be deemed to modify or limit the duties and authority of the department of environmental services under RSA 485 or RSA 485-A or the commissioner of the department of agriculture, markets, and food under title XL.
- IV. Nothing in this subdivision shall be deemed to affect the regulation of sludge or septage.

**Source.** 2000, 279:3, eff. July 1, 2001.

CITY OF FRANKLIN  
Three River's City

Location of Development: \_\_\_\_\_

Tax Map/Lot #: \_\_\_\_\_ New Map: \_\_\_\_\_ Zone: \_\_\_\_\_

Application #: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Applicant: \_\_\_\_\_

Owner of Record: \_\_\_\_\_

Agent: \_\_\_\_\_

	Abutter's Name	Address (C/S/Z)	Map and Lot #
1	_____	_____	Subject: _____
2	_____	_____	Agent _____
3	_____	_____	- -
4	_____	_____	- -
5	_____	_____	- -
6	_____	_____	- -
7	_____	_____	- -
8	_____	_____	- -
9	_____	_____	- -
10	_____	_____	- -
11	_____	_____	- -
12	_____	_____	- -
13	_____	_____	- -
14	_____	_____	- -
15	_____	_____	- -

Provide Additional Pages if necessary.