



TOWN OF LYNDEBOROUGH
Zoning Board of Adjustment
9 Citizens Hall Road, P.O. Box 6 • Lyndeborough, NH 03082
Phone (603)654-5955 • Fax (603)654-5777

Instructions for Filing a Zoning Board of Adjustment Appeal Application

The following process should be followed to submit an Application for Appeal to the Zoning Board of Adjustment:

Complete the Application:

1. Obtain and complete an application including the abutters list.
 - a. If the applicant is not the owner, please include a signed statement from the owner that you have permission to act on their behalf.
 - b. Select and complete the appropriate worksheet to accompany the application.
 - i. Please provide complete and thorough information on the worksheet.
This is your vehicle for explaining your case to the ZBA.
2. If seeking a variance to commence a construction project, supply a completed plan showing the existing and proposed additions and/or changes. The plan should include lot area, frontage, all lot lines, natural features, existing and proposed structures, alteration to the lot, and distances to lot lines or wetlands.
3. Provide a copy of the Denial from the building inspector, the planning board or a copy of the administrative decision you wish to appeal..

Note: If you have any questions, or are unsure of the application procedure, please contact the ZBA Chairman or Vice-Chairman for clarification or assistance. Ultimately, it is the responsibility of the applicant to insure all information is accurate and correct. Omissions or errors can cause the process to be delayed.

Submit the Application to the Town Administrators Office:

1. Bring the completed application (Items 1 through 3 above) to the Town Offices. One original and six copies of the above documents must be submitted. Keep a copy of all documents for your reference at the meeting.
2. Verify the list of abutters with town officials.
3. Pay the required fee to cover the costs of preparing and mailing the legally required notices.

Note: The application is considered complete when all 3 items above are complete and accepted by the town administrators office and the fee has been paid

The Zoning Board will schedule a public hearing within 30 days after receipt of a completed application package outlined above. Public notice of the hearing will be posted and printed in a newspaper, and a notice will be mailed to you, all abutters, and other parties whom the Board may deem have an interest.

After the public hearing, the Board will reach a decision. You will be sent a Notice of Decision.

If you believe that the Board's decision is wrong, you have the right to appeal. Any party affected also has the right to appeal the decision. To appeal, you must first ask for a

rehearing. This motion for a rehearing will be in the form of a letter to the Board, and must be submitted within thirty (30) days of the Board's decision. This letter must set forth the grounds on which it is claimed the decision is unlawful or unreasonable. The Board may grant a rehearing if, in its opinion, good reason is stated in the motion. The Board will not reopen a case based upon the same set of facts unless it is convinced that an injustice would be created by doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to Superior Court. When a rehearing is granted, the same procedure is followed as for the first hearing, including public notice and notice to abutters. See NH RSA 677 for more detail on rehearing and appeal procedures.

<http://gencourt.state.nh.us/rsa/html/indexes/677.html>