



Application for a Junk Yard Certificate of Approval

This application is made pursuant to New Hampshire RSA 236:111-129

Junk Yard Address _____

Map/Lot _____ Zoning District _____

Property Owner _____

Property Owner Mailing Address _____

Property Owner Phone _____ Property Owner Fax _____

Property Owner Email _____

Junk Yard Operator
(if different than Property Owner) _____

Operators Address _____

Operator Phone _____ Operator Fax _____

Operator Email _____

Applicant (if different than Property Owner & Operator) _____

Applicant Address _____

Applicant Phone _____ Applicant Fax _____

Applicant Email _____

(continued on reverse side)

Staff Use Only

Received by: _____ Date _____

\$100 Application Fee + \$50 Legal Ad + \$10 per abutter Total Cost _____ Check # _____

ZBA Case # _____ Date of ZBA Hearing _____

PLEASE RESPOND TO EACH OF THE FOLLOWING SECTIONS, IF APPLICABLE.

A. CERTIFICATE OF COMPLIANCE

This facility is: an *existing approved* facility with a *new owner*
(complete Statement #1 below and Section B, 708.6.2.1)
 a *proposed* facility or an *expansion* of an existing approved facility
(complete Statement #2 below)

Statement #1: For an EXISTING APPROVED facility with a new owner, complete this statement:

I am familiar with the best management practice (BMPs) established by the Department of Environmental Services (DES) for junk yard usage of a property, as detailed in Motor Vehicle Salvage Yard Environmental Compliance Manual and Self-Audit Checklist, NH DES; and to the best of my knowledge and belief based in part on my own inspection and review of facility operations, I certify hereby that the facility is (check one and sign beneath):

Operated in compliance with the BMPs established by DES
(Submit self-Audit Checklist mentioned above)

or

NOT operated in compliance with the BMPs. (Attach a full description of all aspects of the facility that are non-compliant, and provide a plan and schedule for achieving compliance. Prepare to present this information at the hearing, to be scheduled by town officials pursuant to RSA 236:111-129).

Facility Owner Signature _____ Date _____

Facility Operator Signature (if different than owner) _____ Date _____

Statement #2: For a PROPOSED facility or EXPANSION of an EXISTING APPROVED facility, complete this statement:

I am familiar with the best management practice (BMPs) established by the Department of Environmental Services (DES) for the junk yard usage of a property, as detailed in Motor Vehicle Salvage Yard Environmental Compliance Manual and Self-Audit Checklist, NH DES; and to the best of my knowledge and belief based in part on my personal inspection and review of the plans and specifications for the proposed facility, I certify hereby that the facility is designed and shall be operated in compliance with the BMPs established by DES.

Facility Owner Signature _____ Date _____

Facility Operator Signature (if different than owner) _____ Date _____

B. REQUIRED APPLICATION MATERIALS for a proposed facility or an expansion of an existing approved facility:

Include with this application the following three (3) items:

1. A letter detailing how your junk yard proposal meets the following requirement *of the Junk Yard Ordinance*:

708.4 Location

708.4.1 All junk yards, as defined by Section 708.3 of this ordinance, are permitted in the Limited Industrial District.

708.4.2 A junk yard shall not create a public nuisance or affect the public health by reason of offensive or unhealthy odors or smoke, or by other causes.

708.4.3 A junk yard shall be located at least 660 feet from the right of way lines of Class I, II, III, and III-a state highways and at least 300 feet from the right of way lines of Class IV, V, ad VI municipal highways; and

708.4.4 In no case may a license be granted for a new junk yard located less than 1,000 feet from the right-of-way lines of an interstate highway (*per NH RSA 236:118 II*).

708.4.5 No junk yard may be located within the Wetlands and Watershed Protection District (WWPD) or within 100' of a vernal pool.

708.6.2.1 A Certificate of Approval may not be granted to an applicant who has had any convictions for any type of larceny or for receiving stolen goods. (*State in your letter whether you have or have not had any convictions for any type of larceny or for receiving stolen goods*).

2. A description of the land to be included within the junk yard, by reference to permanent boundary markers. (Section 708.6.3.2 of the Zoning Ordinance)
3. A Site Plan showing the areas of property where items are to be stored and showing location of proposed fencing and fencing specifications. (Section 708.6.3.4 of the Zoning Ordinance)

C. VERIFICATION

By signing, I verify that this information is accurate to the best of my knowledge. I also understand that per Section 708.6.2.2 of the Zoning Ordinance, a Certificate of Approval is personal to the applicant and cannot be assigned or assumed by a different person or entity. If the property or business is transferred to a new person or entity, the new owner/operator must apply for and obtain a new approval, which will be effective only to the next July 1st.

Property Owner Signature _____ Date _____

Junk Yard Operator Signature _____ Date _____
(if different than Property Owner)

Applicant Signature _____ Date _____
(if different than Property Owner & Operator)

Abutter List

INSTRUCTIONS

1. Please print the names and legal mailing addresses of all abutters. Visit the Town Assessor's website at <https://www.windhamnh.gov/162/Assessing> to access GIS to determine which parcels are abutting and for the most up-to-date Ownership Information.
2. An abutter means any person whose property is located in New Hampshire and adjoins, is directly across, or within 50-feet diagonally of the street or stream from the land under consideration. *See RSA 672:3.*
3. Also include the names and legal mailing addresses of the applicant, property owner (if different), and any professionals (engineers, lawyers, etc.) involved with the application.
4. TWO SETS OF MAILING LABELS FOR EACH LISTING MUST ALSO BE SUBMITTED.

Map	Block	Lot	Name	Mailing Address
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
			Do Not Write in Shaded Areas	
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			Do Not Write in Shaded Areas	
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APPLICATION INSTRUCTIONS

1. All supporting materials for the ZBA's consideration should be supplied to the Community Development Department with the submission of this application. Applicants are responsible for providing copies of their application and supporting materials to the Community Development Department in advance of the scheduled hearing. Upon review of the application, Department Staff will contact the applicant with the number of copies that must be supplied and the deadline to submit the copies.
2. The community development department will schedule a public hearing before the Town of Windham Zoning Board of Adjustment ("ZBA") within 30 days of receipt of a completed application. Public notice of the hearing will be posted at the Town Hall and Community Development Department, and printed in a local newspaper. Notices will be mailed to those listed on the abutters list as provided by the applicant, at least 7 days prior to the hearing.
3. Failure to provide any of the information required for the filing of this application shall be cause for the rejection of this application. This application will not be processed unless all required information has been provided.
4. Owner/owners must supply written authorization to allow agents and/or other representatives, to apply and appear on the owner/owners behalf.
5. Acceptance of this application and inclusion of the application on the ZBA's agenda does not infer that all zoning requirements have been satisfied. Neither the review of any plan by officials of the Town of Windham, nor any subsequent inspection of the premises, should be relied upon as an assurance of conformity to legal requirements.
6. Owner/owner's representative is strongly encouraged to attend the scheduled meeting to present the application before the ZBA. Failure to do so may result in the application being denied without prejudice and would require a new application to be filed and new fees paid.
7. Please note that the ZBA may conduct a Site Walk of the property that is the subject of this application when properly posted in accordance with RSA 91-A.
8. Applicants who wish to withdraw their applications or reschedule their hearing for a later meeting shall file a written request with the Community Development Department before the hearing notice for the scheduled hearing is mailed to the abutters, posted in a public place, or appears in a local newspaper. Requests to withdraw or reschedule received by the Department after the hearing notice has been mailed to the abutters, posted in a public place, or appears in a local newspaper, shall be considered by the ZBA at the scheduled hearing.