



Zoning Board of Adjustment

Town of Allenstown

16 School Street

Allenstown, NH 03275

Tel: (603)-485-9202 x2

planning@allenstownnh.gov

APPLICATION FOR SPECIAL EXCEPTION

The undersigned hereby request a special exception as provided in Article VIII Section 802 of the Zoning Ordinance. The following nine (9) conditions per Article 4 Section 405 of the Zoning Ordinance must be met in the positive to warrant the granting of a special exception:

1. No hazard to the public or adjacent property on account of potential fire, explosion, toxic materials or hazardous activity: NO. We only request to be able

to display & sell 5-7 vehicles. No vehicle will
be worked on mechanically @ this location.

2. No detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood due to the location or scale of buildings and other structures, parking areas, access ways, odor, smoke, gas, dust or other pollutants, noise, glare, heat, vibration or unsightly outdoor storage of equipment, vehicles or other materials: _____

We do not need to change any of the structures
on the property. Furthermore, we intend to only
display affordable, good quality, state inspected vehicles.

3. No creation of a traffic safety hazard or unmitigated substantial increase in the level of traffic congestion in the vicinity: We do not see how this would

have any impact on congestion.

4. No excess demand on municipal services including but not limited to water, sewer, waste disposal, police and fire protection and schools: none. Again, we will

not be making any structural changes.

5. No significant increase of storm water run off on to adjacent properties or public ways: _____

none.

6. In an appropriate location for the proposed use: Yes, Route 3 from Concord to Hooksett have auto dealers. There are 2 businesses in Allenstown already who are selling vehicles.

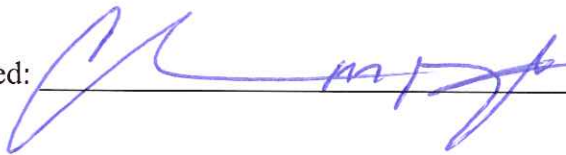
7. No adverse effect on the health and safety of residents and others in the are and the proposed use shall not be detrimental to the use or development of adjacent or neighboring properties: no adverse effects. If anything people coming to see a vehicle may be inclined to use local services from other businesses while in town.

8. In the public interest and in the spirit of the ordinance: we believe we will meet these standards because we are not changing structures or adding new problems. We are staying small and approaching our display with class.

9. Requirements set forth in the ordinance for the particular use permitted by special exception: Please reference Ordinance Article X (Page 43) Section 1001 Item W. "This land is zoned Com/Indus which allows for auto sales.

Please also reference attached NH DMV requirements. RSA 259:29-~~11~~11b. We have met all requirements.

Signed:



Date:

5/22/2019

- xii. The use shall not otherwise adversely affect the environment, public health or safety.

ARTICLE X - COMMERCIAL/LIGHT INDUSTRIAL ZONE

Section 1001 Uses

In a Commercial/Light Industrial Zone, land may be used and buildings erected or used for:

- a. Hospitals
- b. Municipal Uses
- c. Schools
- d. Filling stations and motor vehicle garages
- e. Garden nursery/Commercial Greenhouse
- f. Newspaper or job printing plants
- g. Professional Offices
- h. Banks
- i. Public Recreation (Indoor or Outdoor)
- j. Restaurants
- k. Retail Sales of goods
- l. Lumber Yards/Timber Operations
- m. Retail Landscape Supply
- n. Warehouses/self storage units
- o. Food/Beverage processing
- p. Building/Contractor Yard
- q. Veterinary Office/Hospital
- r. Personal Service of any size
- s. Marine Sales/Service
- t. Adult Daycare
- u. Office Park
- v. Lab/Research and Development/Biotechnology Research
- w. Auto Sales
- x. Car Wash
- y. Outdoor Flea Markets in accordance with Section 1120 of this Ordinance
- z. Large Animal/Equine/Livestock Veterinary Facility
- aa. Consumable Manufacturing
- bb. Accessory Small-Scale Solar

Section 1002 Exceptions

- a. Telecommunications Towers

Section 1003 Uses Not Permitted

In a Commercial/Light Industrial Zone, no land, building, structure, or premises shall be used for a coal yard, or for any other purpose injurious, noxious or offensive to the neighborhood by reason of emission of odor, fumes, dust, smoke, vibration, noise or other cause.

- xii. The use shall not otherwise adversely affect the environment, public health or safety.

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NEW HAMPSHIRE
DEPARTMENT OF SAFETY

DIVISION OF MOTOR VEHICLES

Registration > Motor Vehicle Dealers > **Retail Vehicle Dealer**

A Retail Dealer License is for any person engaged in the motor vehicle business who sells five (5) or more motor vehicles at retail to the general public in a 12 month period, with an established place of business within this state.

Requirements:

1. Retail Vehicle License is \$125 due at the time of Application for Retail Dealer License and Registration (additional fees will be assessed upon approval).
2. Surety Bond of \$25,000 in the business name and business legal address.
3. **Approval from local & state authorities.**
4. Established place of business.
5. Regular business hours 37½ hours per week.
6. Original service agreement with an approved New Hampshire Inspection Station, if you do not have your own.
7. Original Criminal Background check from New Hampshire (out-of-state residents must provide a Criminal background check from their home state, as well as from New Hampshire).

Location Requirements:

1. **Permanent physical structure that has at least 750 square feet or is primarily dedicated to the business of selling (RSA 259:29-a III (b)).**
2. **Signage must be visible from a public way with 10 inch letters.**
3. Single business location - requiring Registration Certificate.
4. Permanent heating system.
5. Only dirt floors are acceptable for heavy equipment and farm equipment.
6. Electrical outlets as stated in state code.

Usage:


1. Plates may be displayed on the rear of a vehicle which is owned by the dealership and for sale or a consignment vehicle as long as there is a notarized consignment agreement on the premises.
2. These vehicles are not exempt from inspection unless they have a certificate of origin.

3. For demonstration – there shall be no obstruction in the windshield due to advertising etc. while the vehicle is being demonstrated.
4. Personal use is permitted by the dealer owner and family domiciled at the owner's home.
5. Full-time employees (employed at 37½ hours a week), at the discretion of the owner, may have personal use of a vehicle with a dealer plate. Employee's family members do not have use of the vehicle. Contract employees are not considered full-time employees. Vehicles must display all legally required stickers.
6. Dealer plates may be used on wreckers, ramp trucks and service trucks if they are clearly marked, in 3 inch letters, **Not For Hire** (parts trucks are not permitted).
7. Only vehicles owned by the dealership and have a valid NH inspection sticker may have the dealer plate attached.
8. Loaning of plates is prohibited.

Upon approval, prior to issuance of plates, dealers must take a dealer/title review class of state laws and rules.

New Hampshire Laws pertaining Retail Dealers:

1. [RSA 259:29-a](#)
2. [RSA 259:60-a](#)
3. [RSA 259:89-a](#)
4. [RSA 261:103-a](#)

 Adobe Acrobat Reader format. You can download a free reader from [Adobe](#).

New Hampshire Division of Motor Vehicles | 23 Hazen Drive | Concord, NH 03305
TDD Access: RELAY NH (7-1-1)