

ARTICLE 20

CONDITIONAL USE PERMITS

20.1 PURPOSE

The purpose of a conditional use permit shall be to ensure that any such use shall be reasonably compatible with the uses permitted in surrounding areas, and additionally for the purpose of stipulating such conditions as may be reasonable to protect the health, safety, and general welfare of residents of the Town of Canterbury.

20.2 AUTHORITY

When a conditional use is allowed under this chapter, the authority to administer or grant conditional use permits shall be vested with the Planning Board pursuant to RSA 674:21, Innovative Land Use Controls.

20.3 PROCEDURE

Applications for conditional use permits shall be made in accordance with the procedures set forth in the Site Plan Review Regulations of the Town of Canterbury. Applications shall comply with all requirements of the Site Plan Review Regulations and Subdivision Regulations, as applicable, and may be reviewed concurrently by the Planning Board with any related site plan or subdivision.

20.4 STANDARDS FOR REVIEW

In reviewing an application for a conditional use permit, the Planning Board shall consider the following information in its deliberations, as applicable:

- A. The specific authorization for the conditional use found within Section 5.3 (C) of the Canterbury Zoning Ordinance, Table of Principal Uses.
- B. Compliance with the standards for such use that are contained in this chapter.
- C. The results of any special investigative or scientific studies prepared in association with the proposed development.
- D. The findings, goals, and objectives of the Canterbury Master Plan.
- E. Testimony and evidence introduced at the public hearing on the application.

20.4 ADDITIONAL CONDITIONS

When granting a conditional use permit, the Planning Board may attach reasonable conditions to its approval if such conditions are necessary to further the objectives of this chapter or the Master Plan.

20.5 CRITERIA FOR APPROVAL

Following a public hearing on the proposed use, the Planning Board may issue a conditional use permit if it finds, based on the information and testimony submitted, that:

- A. The use is specifically authorized as a conditional use within Section 5.3(C) of the Zoning Ordinance, Table of Principal Uses.
- B. The proposed use complies with all local, State, and federal regulations.
- C. The use will not materially endanger the public health or safety.
- D. The use will not substantially injure the value of adjoining or abutting property.
- E. The use will be compatible with the neighborhood and with adjoining or abutting uses.
- F. The use will not have a substantial adverse impact on highway or pedestrian safety.
- G. The use will not have a substantial adverse impact on the natural resources of the Town.
- H. The use will have adequate public services and will not require excessive public expenditures for additional capacity or services.

20.6 APPEALS

Any persons aggrieved by a Planning Board decision on a conditional use permit may appeal that decision to the superior under RSA 677:15. A decision on a conditional use permit may not be appealed to the Zoning Board of Adjustment.