

Zoning Permit
TOWN OF CONWAY, NH

INSTRUCTIONS

A Zoning Permit intends to review projects which qualify as a Small Undertaking as defined by Site Plan Regulations 110-4; Applicability. This application must include sufficient detail to indicate the full project scope. If a proposal is not addressed within a category below, please contact the Planning Department to discuss the proper application.

The Planning Board may review any application which Town staff determines could increase the intensity of the use on the property or may negatively affect abutting properties. Please complete each section of this application, including any required checklist items and submit all materials to Conway Town Hall.

TYPE OF APPLICATION

- Change of Use Food Truck (checklist attached) Outdoor Dining (Checklist attached)
- Home Occupation Accessory Dwelling Unit (ADU) Other
- Greenspace Reduction of less than or equal to 2,000 Square Feet
- Expansion of Existing Floor Area of less than or equal to 1,000 Square Feet

PROPERTY OWNER

Name: _____
 Mailing Address: _____

 Daytime Phone #: (____) _____
 Email Address: _____

ATHORIZED AGENT *(Complete if applicable)*

Person or Firm's Name: _____
 Mailing Address: _____

 Daytime Phone #: (____) _____
 Email Address: _____

SITE IDENTIFICATION

Street Address: _____
 Zoning District: _____
 Lot Size: _____ (Acres) Parcel Identification Number (PID) _____

REQUIRED INFORMATION

- A detailed narrative identifying the full scope of the proposal identifying all current and proposed uses;
- A plan indicating the approximate location of any significant site features and changes;
- All applicable checklist items;
- Application cost of \$50.

CERTIFICATION

I hereby certify that all information presented as a part of this application is, to the best of my knowledge, correct.

Signature of Property Owner: _____ Date: _____

OFFICIAL USE ONLY
Reviewed by: _____
Fee Paid <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____

Outdoor Dining Application Checklist

The proposed establishment of an outdoor dining location may be reviewed administratively unless a plan exceeds any below requirement. Please review the Conway Zoning Ordinance to ensure the application meets current regulations. Outdoor Dining may be permitted only as an accessory to an existing Restaurant use.

A proposed Outdoor Dining application must include or address the following:

- A plot plan, drawn to scale and dimensioned to include seating arrangements and immediately adjacent physical features such as fire hydrants, trees, structures, sidewalks, and pedestrian or vehicular travel ways. Outdoor Dining areas shall be designed to maintain compliance with requirements of the American Disabilities Act (ADA).
- Establishments serving alcohol shall hold a valid liquor license from the State Liquor Commission prior to occupancy of the space. The license shall explicitly identify the Outdoor Dining area. Any permission granted by the Town of Conway will be subject to requirements of the State Liquor Commission.
- A minimum of one trash receptacle shall be provided and identified on the plot plan. Plantings, barriers, and outdoor furniture shall be maintained and suitable for the intended purpose.
- Outdoor dining areas shall be separated from vehicular and pedestrian traffic. The separation must be adequate to ensure public safety; the minimum height of the barrier shall be 36 inches and the maximum height shall be 48 inches. Where no curbing or adequate vehicular separation exists, concrete or similar barriers shall be installed to prevent vehicular passage.
- Applications must indicate that adequate parking can be provided as per Site Plan Regulations §110-21, for any proposed or existing site uses.
- Dining areas and associated equipment are subject to all applicable setbacks.
- Restroom facilities shall be readily accessible and shown on the plan.
- Outdoor Dining applications may be reviewed as a Small Undertaking as per Site Plan Regulations § 110-4. Site Plan review is required for any proposal which reduces total site greenspace to less than 30%, proposes a reduction of greenspace of greater than 2,000 square feet, or increases structural floor area by greater than 25% or 1,000 square feet, whichever is more restrictive.

Conditions of all outdoor dining establishments:

- Outdoor entertainment associated with the dining area must not be considered a nuisance as defined in Site Plan Regulations 110-39 and shall adhere to 97-6.A, Noise Restrictions.
- Prior to operation, Fire Chief approval is required. Occupancy limits will be set at this time.
- Tent or temporary structures require an additional application and approval by the Fire Chief
- The Town of Conway reserves the right to inspect any establishment and revoke approval if the conditions are not being met or maintained.

Food Truck Application Checklist

The establishment of a food truck location may be reviewed administratively unless a proposal exceeds any below requirement. Please review the Conway Zoning Ordinance to ensure the application meets current regulations.

Food trucks may be permitted as a Temporary or Special Event if the purpose is to operate for 14 calendar days or less on any location. A Zoning Permit is not required for temporary food truck locations but a Temporary or Special Event permit must be submitted, as applicable.

If approval is being sought for a food truck location on a parcel for greater than 14 days, a Zoning Permit is required to create a designated food truck area. These locations may be approved within Commercial and Industrial Districts on parcels as an accessory to an existing commercial use. This approval would create a permanent location which may include certain parameters of operation.

Any proposed Food Truck application must include or address the following:

Criteria which must be met for all food trucks (temporary or permanent locations):

- Temporary food truck locations (14 days or less) on public property may only be permitted by a Special Event Permit. A Temporary Event Permit would be required for temporary locations on private property.
- All applications must include a plot plan, drawn to scale indicating the Food Truck location and dimensioned to show any immediately adjacent physical features such as fire hydrants, trees, structures, sidewalks, and pedestrian or vehicular travel ways.
- Food Trucks shall meet all setbacks and are not permitted on greenspace. A minimum 3' setback is required from all fire hydrants, bicycle parking, public benches, or any public amenity.
- Pedestrian Safety. Standing, waiting, or any pedestrian interaction shall not be located in a travel way. All locations require fire chief approval to ensure pedestrian safety.
- Food trucks shall remain immediately mobile and be in one location for no greater than 12 hours.
- One trash receptacle is required to be provided during operation.
- The placement of tables or chairs is prohibited.
- Approvals may consist of additional restrictions as necessary to facilitate safe operation.
- Any Food Truck operating in the Town of Conway is required to submit a current state health permit, based on where the vehicle is registered, with any application. A current state permit is required to be on display during operation.

Additional criteria which must be met to create a designated food truck location:

- Restroom facilities shall be available. A portable restroom may be required if facilities are not readily and publicly accessible within the property the Food Truck operates.
- Hours of operation are limited to the operating hours of the primary commercial use which the Food Truck is located.
- One Food Truck is permitted per lot. Additional Designated Food Truck Locations may be permitted for every two acres of lot area. This restriction does not apply to Temporary Events.
- Six parking spaces must be designated for the proposed Food Truck or any associated pedestrian area. The plan must show that adequate parking exists on site for all approved uses.