



Town Of Durham

630 Hallowell Road
Durham, Maine 04222

Incorporated 1789

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CONDITIONAL USE APPLICATION

Article 7 - Durham Land Use Ordinance

A. OWNER & APPLICANT INFORMATION

Is applicant the owner of the property? Yes No (If no, attach owner authorization.)

Property Owner: _____ Applicant / Property Developer: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

Email: _____ Email: _____

What interest does the applicant have in the property (owner, option, purchase & sale agreement, lease, etc.)? _____

B. GENERAL PROPERTY INFORMATION

Property Location: _____

Tax Map / Lot Number(s): _____

Current Zoning District: _____

Current Use(s) of Property: _____

Total Acreage of Parcel: _____ Acreage to be Developed or Used: _____

Is all of the property being considered for development? ☐ Yes ☐ No

Will the project involve construction of new buildings or expansion of existing structures? ☐ Yes ☐ No

Will the project involve construction of new parking or expansion of existing parking areas? ☐ Yes ☐ No

C. PROJECT DESIGN TEAM / PROJECT CONTACTS

Surveyor: _____

Address: _____

Telephone: _____

Email: _____

Engineer: _____

Address: _____

Telephone: _____

Email: _____

Applicant / Property Developer: _____

Address: _____

Telephone: _____

Email: _____

Property Owner: _____

Address: _____

Telephone: _____

Email: _____

Person to whom all correspondence on this project should go: _____

D. RELATED APPROVALS & SEQUENCING

Is a variance required for any part of the proposed development? ☐ Yes ☐ No

If yes, Board of Appeals approval date: _____

Does the proposed use also require Site Plan Review? ☐ Yes ☐ No

For uses requiring both conditional use approval and site plan approval, specific design review occurs through the site plan review process after conditional use approval. See § 250-7.2F.

E. PROJECT INFORMATION

Name of Proposed Development / Business: _____

Provide a general description of the proposed use:

Size of proposed building construction or expansion: _____ sq. ft.

Size of proposed parking construction or expansion: _____ sq. ft.

When is construction being considered to begin (year & season)? _____

Projected year of completion: _____ How will the project be financed? _____

F. REQUIRED PUBLIC NOTICE

The applicant must send certified notice or hand deliver notice to all abutters not earlier than 30 days nor less than 10 days before the Planning Board meeting at which the application will be discussed. See § 250-7.2C.

Have all abutting property owners received notice? ☐ Yes ☐ NoIf yes, how was notice provided? ☐ Certified Mail (Return Receipt Requested) ☐ Hand DeliveredDocumentation of notice (certified mailing receipts or signed acknowledgements) is attached. ☐ Yes ☐ No**G. APPLICATION REQUIREMENTS & ACKNOWLEDGEMENTS**

1. I understand this application must be filed with the Town Planner at least twenty-one (21) days before the regular meeting at which completeness will be reviewed. ☐ Yes
2. I understand supplemental or resubmitted materials must be filed no later than fourteen (14) days before the meeting. ☐ Yes
3. I understand five (5) printed copies and one digital PDF of all required materials are required for a complete application. ☐ Yes
4. I understand proof of payment of all real and personal property taxes assessed by the Town of Durham on the subject property and any other Durham property owned by the applicant must be provided. ☐ Yes
5. I understand that all variances required for this project must be obtained from the Board of Appeals before the Planning Board can complete review of this application. ☐ Yes
6. I understand that if site plan review is also required, specific design review will occur during the site plan review process after conditional use approval. ☐ Yes

H. FEES

Application Fee (Conditional Use) - see current Select Board Fee Schedule \$ _____

Administrative Fee (initial) - see current Select Board Fee Schedule \$ _____

Total Fees Paid \$ _____

Payment Method: ☐ Check ☐ Cash ☐ Other

Date Paid: _____ Received by: _____

I. SIGNATURE

Signature of Applicant: _____ Date: _____

Printed Name: _____

Project or Business Name: _____

J. SUBMISSION CHECKLIST - MANDATORY SUBMISSIONS (§ 250-7.3A)

The following items are required by § 250-7.3A of the Durham Land Use Ordinance. Check each item submitted with the application.

If an item clearly does not apply, note N/A beside the item and explain why. The Planning Board determines by majority vote whether a mandatory item is clearly not applicable.

1. Completed Conditional Use Application Form. ☐
2. Site plan or sketch showing existing and proposed buildings, structures, drives, parking, trash/storage areas, signage, septic system, well, lighting, streams, wetlands, ponds, and other relevant site features. A legible and accurate hand-drawn sketch may be accepted for a minor project; larger or more complex projects may require a plan prepared by a qualified professional. ☐
3. Vicinity map showing the property in relation to surrounding parcels, including existing uses and structures on abutting properties. ☐
4. Documentation of right, title, or interest (deed, option, purchase and sale agreement, lease, etc.). ☐
5. Documentation of financial and technical capacity to complete and operate the proposed use. ☐
6. Information demonstrating compliance with the Conditional Use Review Criteria in § 250-7.5 and all applicable performance standards of the Ordinance. ☐
7. Abutter notice documentation (certified mailing receipts or signed acknowledgements). ☐
8. Five (5) printed copies and one digital PDF of all application materials, filed at least twenty-one (21) days before the meeting. ☐

K. SUPPLEMENTAL SUBMISSIONS - AS APPLICABLE (§ 250-7.3B)

The Planning Board may require one or more of the following items based on the nature, scale, or location of the proposed use. If the Planning Board determines by majority vote that an item is needed, the application remains incomplete until the requested information is submitted.

Applicants are encouraged to submit any of the information listed below that is already available or readily accessible, even if the Planning Board has not yet required it.

1. Photographs or site images of existing conditions. ☐
2. Copies of other applicable permits or approvals. ☐
3. Additional documentation demonstrating compliance with other applicable performance standards. ☐
4. Shoreland zoning, wetlands, or other resource delineations. ☐
5. Documentation of historic resource review, if applicable. ☐
6. Septic system design or documentation. ☐
7. Traffic impact information or study, if applicable. ☐
8. Runoff or drainage study or information, if applicable. ☐
9. Noise assessment or information, if applicable. ☐
10. Other information required by the Planning Board: ☐

L. APPLICABLE CHAPTER 250 STANDARDS

Identify the principal Article 5 or other Chapter 250 standards that apply to the proposed use and identify where supporting documentation is located in the application.

Applicable Standard (Article / Section)	Where Addressed in the Application

Project or Business Name: _____

CONDITIONAL USE QUESTIONNAIRE

The Planning Board will review the application for consistency with the Conditional Use Review Criteria in § 250-7.5 of the Durham Land Use Ordinance. Provide clear and complete responses in the spaces provided. Attach additional pages if necessary, and identify supporting documents that address a criterion.

1. PUBLIC HEALTH IMPACTS	Applicant Response / Documentation
1A. Describe the method of sewage disposal (e.g., municipal sewer, on-site septic system). If using an on-site septic system, include the design capacity and status of state approvals.	
1B. Describe any potential emissions to the air (e.g., fumes, dust, odor, exhaust). Detail any mitigation measures (e.g., filtration systems, scheduled operations).	
1C. Describe any potential emissions to the water (e.g., wastewater, industrial discharge, runoff from processes). Detail any treatment or disposal methods.	
1D. If the proposed use involves the storage or handling of any hazardous materials, chemicals, or waste, describe the procedures for storage, containment, and disposal to prevent unsanitary or unhealthful conditions.	

2. TRAFFIC SAFETY IMPACTS	Applicant Response / Documentation
2A. Estimate the average number of daily vehicle trips (customer, employee, delivery) expected to be generated by the proposed use.	
2B. How will the proposed use manage peak traffic hours to minimize congestion on adjacent public roads?	
2C. Describe the design of the site entrance/exit (e.g., sight distance, turning lanes, signage). Attach a preliminary plan showing access points.	
2D. Describe the provisions for pedestrian safety (e.g., sidewalks, crosswalks, lighting) both on-site and in relation to adjacent areas.	

Project or Business Name: _____

3. PUBLIC SAFETY IMPACTS	Applicant Response / Documentation
3A. Describe any potential safety risks inherent to the proposed use (e.g., machinery, open storage, fire risk).	
3B. Detail the provisions for fire safety (e.g., sprinkler systems, fire lanes, water source/hydrant locations).	
3C. Estimate the expected impact on municipal services (e.g., police, fire, emergency medical). Will the use require substantially greater services than existing neighborhood uses? Explain.	
3D. Describe exterior lighting and security measures for the property, addressing how they will prevent unauthorized access or activity.	

4. ENVIRONMENTAL IMPACTS	Applicant Response / Documentation
4A. Describe the proposed methods for stormwater management (e.g., retention ponds, infiltration systems) to control the rate and quality of runoff from the site.	
4B. Describe the measures that will be used to prevent sedimentation and erosion during and after construction. Attach an erosion control plan.	
4C. Describe the source of potable water supply (e.g., public/municipal system, private well). Attach documentation (e.g., well permit/test results) if a private well is used.	
4D. Describe any potential impact the proposed use may have on groundwater or surface water supplies in the area.	

Project or Business Name: _____

5. SCALE & INTENSITY OF USE	Applicant Response / Documentation
5A. How does the physical size (height, footprint) of the proposed structure(s) compare to existing structures in the immediate neighborhood?	
5B. Describe the visual impact of the use from adjacent properties and public roadways (e.g., building materials, landscaping, screening).	
5C. Describe the intensity of use (e.g., number of employees, customer volume, hours of operation, traffic) compared to uses on adjacent or nearby properties.	
5D. Explain how the proposed use maintains appropriate proximity to other structures on neighboring properties (e.g., proposed setbacks exceeding minimums).	

6. NOISE & HOURS OF OPERATION	Applicant Response / Documentation
6A. State the proposed hours of operation for the primary use (including customer and employee access).	
6B. State the proposed hours for deliveries, maintenance, or waste removal activities.	
6C. Identify all potential sources of noise from the operation (e.g., HVAC units, loading docks, outdoor seating, manufacturing processes).	
6D. Describe all measures to mitigate noise impact on neighbors, especially during evening and nighttime hours.	

Project or Business Name: _____

7. RIGHT, TITLE, OR INTEREST	Applicant Response / Documentation
7A. What is the applicant's legal interest in the property (e.g., owner, purchase & sale agreement, option, lease)?	
7B. If the applicant is not the owner, has a letter of authorization from the property owner been attached?	
7C. Have all existing easements or restrictive covenants that could impact the proposed use been listed?	

8. FINANCIAL & TECHNICAL ABILITY	Applicant Response / Documentation
8A. Provide a brief description of how the project will be financed (e.g., bank loan, personal funds, investor capital).	
8B. List the key professionals involved in the design and construction of the project (e.g., Engineer, Surveyor, Architect).	
8C. Describe the applicant's experience or the experience of the key personnel/consultants in managing a project of this nature, including regulatory compliance and construction standards.	