



Town of Newton, New Hampshire

APPLICATION FOR A CONDOMINIUM CONVERSION

☐ Commercial ☐ Residential

I herein make application to the Planning Board of the Town of Newton for a Condominium Conversion at the location listed below, as provided for in the Newton Zoning Ordinances.

DATE:	PROPERTY LOCATION & ACREAGE:	MBL#:
APPLICANT'S NAME:	MAILING ADDRESS:	PHONE:
EMAIL ADDRESS:		
OWNER OF PROPERTY:	OWNER'S ADDRESS: (if different from applicant's)	PHONE:
CONDOMINIUM NAME:	BUSINESS MAILING ADDRESS:	BUS. PHONE:
NUMBER OF UNITS:	NUMBER OF RESIDENTS OR EMPLOYEES:	# EMPLOYEES:

Fees for Change of Use

Application Fee - \$ 250.00
NPREA Fee - \$ 650.00

Attachments:

Floor Plan _____ Plot Plan _____
Agent Letter _____ Abutter Labels _____

ONLY FULLY COMPLETED APPLICATIONS WITH ALL REQUIRED ATTACHMENTS WILL BE FORWARDED TO THE PLANNING BOARD.

PLEASE REFER TO PROCEDURES SECTION OF THE NEWTON ORDINANCE MANUAL ONLINE FOR SUBMISSION REQUIREMENTS.

I declare that I am the applicant/owner of the property for which this application is made. I have read the provisions of the Newton Zoning Ordinances and the Newton Policies and Procedures Manual. I agree to comply with them, and to be subject to all their provisions.

I certify the above statements are true and accurate:

Signature of Applicant

Date

Signature of Owner (if different)

Date

CONDOMINIUM CONVERSION CHECKLIST

<input type="checkbox"/>	1. A drawing of the property showing all buildings and structures with their existing and proposed uses has been provided.
<input type="checkbox"/>	2. A complete set of site plans and floor plans (floor plans in compliance with RSA 356-B:20, II) have been provided.
<input type="checkbox"/>	3. The septic system standards of the NH Water Supply and Pollution Control Division existing as of the date of the request for condominium conversion have been met or exceeded by all systems used by the units associated with the condominium conversion, and a certificate to that effect has been provided.
<input type="checkbox"/>	4. Drinking water supplies from groundwater has been protected by restricting land use and prohibiting all activity, including but not limited to the maintenance of any sewer, sewage or waste disposal system.
<input type="checkbox"/>	5. The responsibility for maintenance, operation, replacement and protection of the water supply and sewage disposal systems shall be clearly established as that of the Declarant or Association of unit owners.
<input type="checkbox"/>	6. The Declaration and the Articles of Association shall specify that in no event shall the Town have any obligation for maintenance, operation, replacement or protection of the water supply, sewage disposal systems or internal roadways.
<input type="checkbox"/>	7. The Declaration and the Articles of Association shall agree with Newton's Zoning Ordinances and Regulations. A complete, recordable set of all condominium documents have been provided.
<input type="checkbox"/>	8. The off-street parking requirements of the Town of Newton existing as of the date of this request for condominium conversion have been met.
<input type="checkbox"/>	9. The individual commercial or residential units are , at the time of the application for condominium conversion, legal units.
<input type="checkbox"/>	10. A copy of the property assessment card has been provided.
<input type="checkbox"/>	11. Abutters labels have been provided.

By signing this application to the Planning Board, you give permission for the Newton Planning Board to conduct a site visit should one so be ascertained to be necessary. An appointment for any such site plan will be arranged with the property owner and/or tenant beforehand.

I certify the above statements are true and accurate:

Signature of Applicant

Date

FOR OFFICE USE ONLY

PLANNING BOARD DECISION:	PLANNING BOARD SIGNATURE:	DATE:
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ACTION

<input type="checkbox"/> APPROVED	Attach Notice of Decision	Board Vote
Date Recorded		
<input type="checkbox"/> DENIED	Reason(s) For Rejection	Board Vote

Adopted 9/28/2021

MINOR SITE PLAN APPLICATION FOR CONDOMINIUM CONVERSION INSTRUCTIONS

Newton Zoning Ordinances: Section XXXIII

The following documents must accompany all applications:

1. Names and mailing addresses of all abutters (see directions below).
2. A complete set of site plans and floor plans (showing interior partitions and uses), as well as a complete set of all condominium documents must be filed with the Planning Board (Condominium Documents must agree with Newton Zoning Ordinances and Regulations). The plan shall show the location of all utilities on the site and shall indicate the location of all water connections and the shutoff valve for each unit. The Planning Board shall establish a schedule of fees for its review and may promulgate regulations related to carrying out its authority under this ordinance.
3. The septic system standards of the NH Water Supply and Pollution Control Division existing as of the date of the request for condominium conversion must be met or exceeded by all systems used by the units associated with the condominium conversion, and a certificate to that effect must be filed with the Planning Board based on review of Town records by the Building Inspector and onsite inspection of systems by a professional engineer, and, a soil scientist if the existing system is undersized under current WSPCD standards.
4. Drinking water supplies from groundwater shall be protected by restricting land use and prohibiting all activity, including but not limited to the maintenance of any sewer, sewage or waste disposal system, detrimental to water quality and quantity, within the protective radii based upon the average daily demand on the system as follows:

5. System Demand (gallons per day)	Protective Radius (in ft from source of supply)
400	85
800	125
1200	150
1600	175
2000	200
6. The responsibility for maintenance, operation, replacement and protection of the water supply and sewage disposal systems shall be clearly established as that of the Declarant or Association of unit owners or, in default of such obligation by the Declarant or Association, then by the individual owners subject to reimbursement from the Association or the Declarant as the case may be, and a statement to this effect shall appear in the condominium Declaration. The deed to each condominium unit shall be subject to the declaration containing these restrictions. In the case of an Association of land owners, a copy of the Articles of Association shall be submitted to the Board.
7. The Declaration and the Articles of Association shall specify that in no event shall the Town have any obligation for maintenance, operation, replacement or protection of the water supply and sewage disposal systems. If for any reason the Town is required to undertake any such obligation, it shall be held harmless and fully and completely indemnified for all cost and expense, including reasonable attorney's fees incurred. The obligations to hold harmless and indemnify shall be joint and several on the part of each unit owner not the Association. The Town shall be entitled to a lien for its protection which shall attach and may be enforced in the manner of the lien for condominium assessments described in RSA 356-B or its successors.

8. The off-street parking requirements of the Town of Newton existing as of the date of the request for condominium conversion must be met.
9. The proposed conversion to condominium ownership shall not adversely affect surrounding properties.
10. The proposed conversion to condominium ownership must be found to be in the public interest.
11. The individual commercial or residential units which are the subject of an application for a special permit for condominium must, at the time of the application for condominium conversion, exist as legal units pursuant to the land use and building ordinances of the Town of Newton. The burden shall be on the petitioner to demonstrate that the units sought to be converted conformed to said ordinance now or in the case of a valid nonconforming use at the time of their construction.
12. 356-B:20 Contents of the Site Plans and Floor Plans. –II. There shall also be recorded, simultaneously with the declaration, floor plans of every structure which contains or constitutes all or part of any unit or units, and which is located on any portion of the submitted land other than within the boundaries of any convertible lands. The floor plans shall show the location and dimensions of the vertical boundaries of each unit to the extent that such boundaries lie within or coincide with the boundaries of such structures, and the units or portions thereof thus depicted shall bear their identifying numbers. In addition, each convertible space thus depicted shall be labeled a convertible space. The horizontal boundaries of each unit having horizontal boundaries shall be identified on the floor plans with reference to established datum. Unless the condominium instruments expressly provide otherwise, it shall be presumed that in the case of any unit not wholly contained within or constituting one or more such structures, the horizontal boundaries thus identified extend, in the case of each such unit, at the same elevation with regard to any part of such unit lying outside of such structures, subject to the following exception: in the case of any such unit which does not lie over any other unit other than basement units, it shall be presumed that the lower horizontal boundary, if any, of that unit lies at the level of the ground with regard to any part of that unit lying outside of such structures. The floor plans shall be certified as to their accuracy and compliance with the provisions of this paragraph by a registered architect, registered engineer or licensed land surveyor, and such architect, engineer or land surveyor shall certify that all units or portions of units depicted on the floor plan as completed have been substantially completed.

ABUTTER LABELS

HOW TO PRODUCE THEM

ABUTTER shall mean any person whose property adjoins or is directly across the street or stream from the land under consideration by the Planning Board. Include Owner, Applicant (if different) and any professionals who created/stamped your plans (per RSA 672:3). Please submit 3 self-adhesive labels per.

To find your abutters:

1. Go to: <https://www.newton-nh.gov/>
2. In the right-hand menu box (kind of olive green), click on the GIS Mapping link.
3. On the new screen in the upper left click on search, then either type in your address or name. Your lot should be in the middle of the screen. If not click on your property in the menu that will be on the left side of your screen.
4. Again, in the upper left, beside your name is a small icon that says ABUTTERS, click it.

5. Set the "Select parcels within" to 50 feet (your abutter's lots will turn salmon coloured.)
6. Click on "+add or remove" and click on your own lot, it will change colour.
7. Under "Reports" you will see a choice of "Abutters Reports" and "Mailing Labels". Click on "Mailing Labels" the PDF version. A pop-up will appear in the middle of your screen.
8. Click on "Mailing Labels PDF" in the pop-up and a new window will open with the Mailing labels in format for printing on any self-adhesive label sheet that is 3 rows across and 10 per column.
9. Load 3 sheets of labels into your printer and choose the tiny printer icon in the upper right corner (depending on your program it may be on the left). Have it print 3 sets.

If you have a professional who prepared your plans, ask them to supply you with 3 mailing labels for each abutter and professional who stamped or signed your plans.