



# Business and Development Handbook

## Note:

This handbook is designed to be a general introduction to the development process in Hillsborough. In every case, the Planning Department should be consulted prior to any development actions that may be taken. This document should not be used for any purpose except as a reference manual. As such, persons using this document should not consider it to be a legal or binding covenant upon the Town of Hillsborough.

Your feedback is welcome. Please do not hesitate to provide questions, comments or suggestions. Your comments help us improve this book as well as the development process. Contact Information:  
[robyn@hillsboroughnh.net](mailto:robyn@hillsboroughnh.net)

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# **The Hillsborough Economic Development Commission**

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## **The Mission of the EDC**

1. To ensure that Hillsborough focuses on the future and is a community with responsible business growth as its priority.
2. To proactively pursue a robust business climate by stimulating creative and viable avenues of growth for new and existing businesses.
3. To facilitate diversification of our tax base and creation of employment opportunities, thereby building an enriched quality of life.

## **The Goals of the EDC**

4. To seek a balance between growth and quality of life by encouraging economic development that strengthens and broadens the non-residential property tax base, establishes high-paying new and diverse skilled jobs, and increases the quality of life for the Town's residents by adding diverse products, services, and amenities.
5. To reverse the trend of a high percentage of Hillsborough residents commuting out-of-town for good paying jobs.
6. Reach out and establish clear relationships with all local, regional, and statewide development partners. Identify the specific resources each can bring to growing businesses and establish a process to engage partners quickly as needed.
7. Retain and strengthen existing businesses in Hillsborough.
8. Establish a proactive business recruitment program that creates diverse and stable jobs while attracting a variety of products, services and business types.

## **Introduction**

### **The Economic Development Commission and the Office of Community Planning:**

The Economic Development Commission and the Office of Community Planning focus their efforts on the promotion of new businesses, the relocation of businesses to Hillsborough, and the retention and expansion of existing businesses within the Town of Hillsborough. Our expert staff is ready to assist you in these areas.

If you want to start a new business, we can meet with you to discuss your plans. Starting a business off on the right foot is an important step to achieving your goals. Planning and organizing your strategy is the first of many steps to making your idea a reality.

If you want to relocate your existing business to Hillsborough, we can assist you with the permit process with the town, and other valuable information to ensure a smooth transition.

Once you have selected a location, you will need to begin the permitting process by scheduling a meeting with the Planning Director. This enables the Planning Director to analyze your needs for permits and approvals. Our office can assist you from the process beginning through whatever reviews and approvals you may need.

If you are an existing business in the Town of Hillsborough, we are here to help ensure your success and growth. As your business grows, you may want to expand within the Town, which requires going through the planning process.

We are happy to meet with you to discuss your needs and provide resources to help ensure your success.

Planning Director, Robyn Payson, is the point of contact for the Planning Board, Zoning Board of Adjustment and Economic Development Commission. She will assist you in navigating your way through any process that you need. She can be reached at her direct line (603) 464-7971, cell phone (603) 831-6135 or via e-mail at [robyn@hillsboroughnh.net](mailto:robyn@hillsboroughnh.net).

## **Overview**

The purpose of this handbook is to explain the process to obtain approval to develop property in the Town of Hillsborough and to provide an overview and handy resource reference guide to development and business activity within the town. This process is administered through the Town's Office of Community Planning located in Hillsborough Town Offices.

The Office of Community Planning and Economic Development's mission is to coordinate the physical development of Hillsborough pursuant to the goals of promoting orderly growth, fostering efficient use of infrastructure, maintaining property values, enhancing the business climate, preserving natural and cultural resources, encouraging beauty in the built environment, and creating a special "sense of place" for the present and future residents, landowners, businesses, and industries.

Through the review process, the Office of Community Planning seeks to help those wishing to develop their property. The various types of review are as follows:

- Projects that require Planning Board Approval
- Projects that require Minor /Major Site Review
- Special uses such as Home Businesses
- Projects that are seeking Special Exceptions or Variances from the Zoning Board of Adjustment

In all cases, it is strongly recommended that your first step is to call the Planning Director to determine what if any approvals are necessary.

## **Site Plan Applications-Activity Subject to Review**

Review and approval by the Town of Hillsborough Planning Board or the Hillsborough Office of Community Planning is required for the following activities:

- Development of land
- Changes in the use of a site, structure, or building
- Home Business

## **Site Plan Review**

It is always important to review the Site Plan Regulations when starting a business in Town. The Site Plan Regulations can be found on the Town Website-[www.town.hillsborough.nh.us](http://www.town.hillsborough.nh.us) under "Town Code". The chapter is number 185-Site Plan Review.

## Lighting

Among the regulations is a section 185-6:H that addresses lighting. This section applies any time a business changes hands. Below is the current section on lighting:

H. Adequate provisions are made for sign and outdoor lighting. [Amended 3-7-2001]

- (1) All lighting fixtures will be of a fully shielded design, which means that the light fixture is constructed in such a manner that all light emitted by the fixture is projected below the horizontal plane from the fixture's lowest light emitting part.
- (2) All lighting of any property where the outside lighting exceeds 20,000 lumens must be approved by a licensed professional engineer and shall be designed to achieve no greater than the median illuminance level for the activity as recommended by Illuminating Engineering Society of North America.
- (3) No lighting shall create a safety or nuisance hazard for drivers of vehicles on any street or driveway on or off the site, and no outdoor lighting shall shine directly on adjacent properties and roadways with the exception of street lighting. Lighting design must minimize glare and reflected glow to the sky above.
- (4) Externally lighted signs and buildings will be illuminated from the top only, and the lighting fixtures shall be fully shielded.
- (5) Seasonal temporary lighting is exempt from these regulations, provided the use does not exceed four months.
- (6) Temporary lighting for construction is exempt, provided the use does not exceed six months.
- (7) Exception may be allowed if nonconformity to the above requirements is necessary for reasons of safety of persons or property.

Another chapter of the Site Plan Regulations govern Changes of Use.

## Change of Use

The Hillsborough Zoning Ordinance defines a Change of Use as follows:

**CHANGE OF USE**—A change of use occurs when the use of any land, building or structure is changed from one permitted land use classification to another, or when any of the following occurs:

- Addition or expansion of outside storage.
- Significant change in traffic volume or pattern.
- Change of permitted use category as illustrated in Table 4, or;

- Any significant Site Development activity.

If your project involves a Change of Use, there are two avenues you can take.

1. Submit a Site Plan Review application
2. Submit a Change of Use/Waiver of Site Plan application

**§ 185-5.1. Exempt changes of use. [Added 9-17-1997] [Amended 1-18-2012] [Amended 1-6-2016,] [Amended 06-15-22]**

A. A change of use which does not expand the floor area of a building by more than 200 square feet or involve construction on the site of a building with a floor area greater than 200 square feet is exempt from Site Plan Review, provided that:

(1) No adverse impacts beyond site boundaries will occur, due to:

- (a) Increased traffic.
- (b) Groundwater and drainage.
- (c) Sanitary and solid waste disposal.
- (d) Lighting/glare.
- (e) Noise.
- (f) Fumes, odors or air pollutants.

(2) Municipal services, facilities and utilities will not be overburdened or adversely impacted.

B. In order to achieve exempt status, the owner of a property (or his/her agent) must apply to the Planning Board for an exemption from Site Plan Review on forms to be provided by the Board. The application shall fully describe the proposed change of use and shall address the requirements set forth in Subsection A above.

C. No request for exempt status shall be approved or disapproved by the Planning Board without affording a Public Hearing with the Planning Board to review and determine whether to waive or require Site Plan Review. Changes of Use are defined in Article II General Provisions section 229-6 Definitions CHANGE OF USE. This applies to changes or expansion of any Commercial use or Dwelling. At this meeting, the Planning Board will decide whether to waive or require Site Plan Review.

D. The Planning Board may exempt a change of use from Site Plan Review if it determines that the criteria of Subsection A above are met. If any of the criteria are not met or if the Board is unable to determine whether any of the criteria are met, a Site Plan Review application shall be required.

(1) After the review of the application, the Planning Board shall determine whether or not a Site Plan Review is required.

(2) If the Planning Board decides that a Site Plan Review is required, the applicant shall submit a Site Plan Review application in accordance with § 185-5.

(3) In appropriate circumstances, the Planning Board may require an abbreviated site plan submitted by requiring only some of the information required by § 185-5.

E. A property owner (or his/her agent) may bypass the review procedure outlined in Subsection B above and submit a site plan application to the Board for review and approval.

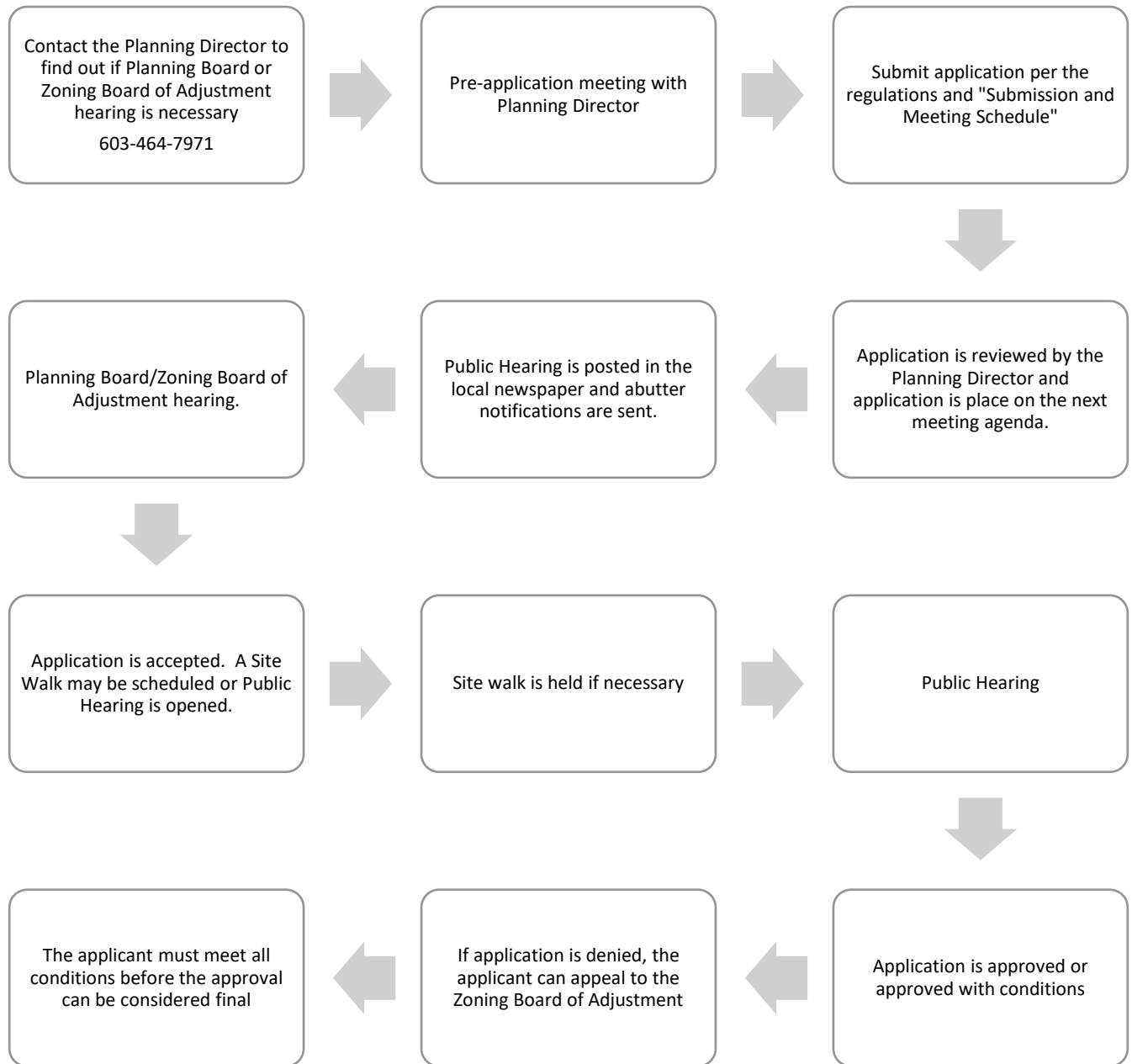
## **What type and level of review is necessary for my project?**

The Planning Director will be able to tell you what if any Planning Board or Zoning Board approvals are necessary and if there are any regulations you need to be aware of specific to your business. You can speak with the Planning Director on the phone or set up a meeting so you can discuss your business and determine the type and level of review necessary.

### **Outline of the process:**

1. A pre-application meeting with the Planning Director is not required but is strongly encouraged, particularly on large, complicated, or time sensitive projects.
2. Submission of a complete application by the deadline date 30 days before the Planning Board Meeting).
3. The applicant is notified if proposal does not meet requirements.
4. Copies of the application are distributed to the Fire Chief, Police Chief, Water and Sewer Department, Highway Foreman, Building Inspector/Code Enforcement Officer, and Conservation Commission for comment.
5. A public hearing before the Planning Board is held.
6. Planning Board may accept application as complete and consider requests for waivers.
7. Planning Board will accept the application if it is complete and decide if the scheduling of a site walk is necessary. In some cases, the Planning Board may initiate the process to approve, deny, or continue application to a subsequent meeting.
8. Parties seeking to appeal any final Planning Board action must petition the Zoning Board of Adjustment within 30 days after the date upon which the Board voted to approve or disapprove the application.

# Planning Board Application Process





## **Post-Approval**

1. The Planning Board will issue its Notice of Decision within five days.
2. The applicant meets conditions that may include:
  - a) Modifying plans.
  - b) Obtaining state (frequently including DES and DOT) and federal approvals.
  - c) Providing adequate surety.
  - d) Specific conditions that apply to the application.
3. The Building Department issues Building Permits, Utility Permits, Demolition Permits, and Certificates of Occupancy.
4. The applicant completes the project and submits as-built drawings.

The Planning Board meets the first and third Wednesdays of the month at the Town Offices located at 27 School Street at 7:00 pm

## Water/Sewer

The first step in applying to the water/sewer Commission is determining if the proposed development property is within the current water/sewer service area. If the structure is currently connected to either the water or sewer systems, it must be compared to the developer's proposed usage.

Different kinds of "developments" will have different needs for water and sewer based on what they intend to do and what their intended usage will be. That is why discussions with the Commissioners are very important, as it will give both the Commissioners and Developer an opportunity to ask and answer any questions to determine what will be required for their specific proposed development.

Any new development being connected to the existing water and sewer systems must be reviewed by the Commissioners to ensure it will not compromise the systems.

Both the water and sewer systems operate under Federal and State issued permits which must be adhered to. Any proposed discharge to the sewer system that requires 5,000 gallons per day or more must have their plans and application submitted to the New Hampshire Department of Environmental Services for review and approval after the Commissioners have reviewed and approved them. This is a NHDES and permit requirement.

The Commissioners must sign the NHDES application statement that states:

*"The municipal sewage collection system and wastewater treatment facilities have been demonstrated, pursuant to Env-Wq 703.07(d), to have adequate processing capability for the proposed added hydraulic flow and organic flow at the time of connection. The proposed sewer connection and/or sewerage design meet with the approval of the local jurisdictional authority."*

The Commissioners will only sign that statement if a complete Town Water and/ or Sewer application has been submitted, reviewed, and approved. These are things that would be discussed with the developer once they've had the discussion with the Commissioners and it is determined that it would be needed.

For more information contact the Water/Sewer Department by calling 603-464-7982.

The Water and the Sewer Commission meets on the second Tuesday and the fourth Tuesday of the month. Meetings are held at 63 West Main Street at 6:00pm.

## **Permits issued by Building Department:**

**Building Permit** – for all aspects of Commercial and Residential Uses., as well as for miscellaneous item such as Decks, Porches, Pools, Hot Tubs, Fences, Siding, Garages, Interior Renovations of Residential Properties, Residential Additions, Fire Protection Systems, Fire Alarm Systems

**Demolition** – for Removal of Buildings and Structures

**Electrical** – for Electrical Work

**Mechanical** – for Mechanical Work such as Heaters, Ventilation, and Air Conditioning

**Plumbing** – for Plumbing Work

**Renewal** - if more time is needed to complete the project

**Signs** – for Signs: pole, wall, projecting and portable types

You can print these permits from the Building Department page of the Town of Hillsborough web site or visit the Building Department at the Town Offices.

# What requires a Building Permit?

## Section 105 of the International Residential Code

**R105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*.

# What does not require a Building Permit

**R105.2 Work exempt from permit.** Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

### Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).
2. Fences not over 7 feet high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
7. Swings and other playground equipment.
8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
9. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

\*\*1. Notice of a detached building is required

**Electrical:**

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plugs receptacles but not the outlets therefore.
3. Replacement of branch circuit over current devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

## **Plumbing**

1. The stopping of leaks in drains, water, soil, waste, or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**R105.2.1 Emergency repairs** Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

### **In General:**

For a work element to be considered a repair or replacement, the item, which is being repaired, must already exist. The above items are intended to represent individual replacement or repair work. When one or more of the above items are included in general renovations to structures, then all such items will be included in the construction cost.

Ordinary repairs do not include the cutting, removing, or altering of any structural beam, joist, rafter or bearing support, or the removal or change of any required means of egress, or requirements. Ordinary repairs also do not include additions to, alterations of, replacement or relocation of any fire protection system, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical equipment or other work affecting public health or general safety.

## What are the costs involved with Building Permits

Note: Fees are subject to change.

### **BUILDING PERMIT FEE SCHEDULE**

<b><u>Permit</u></b>	<b><u>Intended For</u></b>
Business Occupancy:	\$50.00 Any new business established or re-located.
Decks, Ramps	\$50.00 plus \$0.25 per sq ft
Commercial Buildings or Construction of a New Business	\$100.00 plus \$0.25 per sq ft
Commercial Electrical, Plumbing or Gas/mechanical Permits	\$100.00
Foundations only	\$50.00
Swimming Pools, Chimney/Fireplace/Pellet/Gas Stoves	\$50.00
Demolition	\$25.00

**R105.5 Expiration of Building Permit:** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**\*\*Permit renewal: 50% of original cost - \$50.00 minimum**

**Penalty equal to double the permit fee will be charged for work done without obtaining a building permit.**

## **Where do I get a building permit application form?**

You can obtain Building Permits from the Building Department at the Town Offices, or you can download a copy of the Building Permit Application at the Town of Hillsborough Website.

Please fill out the application and then return it in person to the Building Department with your remittance.

## **Sign Permit**

### **Per Zoning Ordinance Article VI 229-35 C (3) Permit Application Process**

- A. No permanent sign shall be placed, erected, constructed, or altered within the Town without a permit for such sign unless otherwise exempted.
- B. Application for a Sign Permit shall be made on blanks provided by the Office of the Selectmen and shall contain the following information:
  - 1. Name address and telephone number of the applicant as well as the name, address, and telephone number of the land and/or building owner, if applicable
  - 2. Location of the property where the sign is to be erected
  - 3. Scaled drawing showing the position of the sign in relation to the streets, rights-of-way, buildings, etc.
  - 4. Scaled drawing of the sign, including all alpha numeric text and images stating the colors to be used
  - 5. Name address and telephone number of the firm or person erecting the sign
  - 6. Written consent of the owner of the property if different than the applicant
- C. It shall be the duty of the Selectmen or their designee to examine the Sign Permit application and corresponding plans and specifications for a proposed sign, and, if necessary, inspect the location for the sign within 15 days. If it shall appear that the proposed sign is in full compliance with all pertinent regulations, a permit shall be issued by the Selectmen. Upon reaching a decision, the applicant will be notified by the Selectmen. The permit shall expire within one year if the sign is not erected.

You can download a Sign Permit from the Town of Hillsborough NH website.



# New Hampshire Building Codes\*

\*See the Building Department for a complete list of all applicable codes.

<u>Code Type</u>	<u>Code Model</u>	<u>Amendment Contact</u>
Building/Dwelling Code	IBC 2018 & IRC 2018 with amendments	Fire Marshal's Office, (603) 271-3294 and Department of Safety
<b>Applies as a mandatory minimum to all buildings except one- and two-family dwellings</b>		
Structural Code	IBC 2018 & IRC 2018 with amendments	Fire Marshal's Office, (603) 271-3294 and Department of Safety
<b>Local jurisdictions must get state approval to make code more stringent</b>		
Mechanical Code	IMC 2018 with amendments	Fire Marshal's Office, (603) 271-3294 and Department of Safety
Electrical Code	NEC 2020 with amendments	Fire Marshal's Office, (603) 271-3294 and Department of Safety
Fire/Life Safety Code	NFPA 1, & 101 2018 with SAF C-6000 2011 with amendments	Fire Marshal's Office, (603) 271-3294 and Department of Safety
Accessibility Cod	IBC 2018 IBC, ICC/ANSI A117.1-2009	Online
<b>Applies to publicly funded buildings, government-owned buildings, and public accommodations</b>		
Energy Code	IECC 2018 with amendments	Public Utilities Commission, (603) 271-2431 and Department of Safety
<b>Applies to commercial and industrial buildings over 4,000 square feet</b>		
Elevator Code	ASME A17.1	Online
Gas Code	NFPA 54 2018, NFPA 58, 2017	Fire Marshal's Office, (603) 271-3294
Boiler Code	ASME Boiler & Pressure Vessel Code	Online
<b>Applies as a mandatory minimum to all buildings except one and two family dwellings</b>		
Plumbing Code	IPC 2018 with amendments	State Plumber's Board, (603) 271-3267 and Department of Safety

## **New Hampshire Authorities Having Jurisdiction (AHJ)**

Authorities Having Jurisdiction are those government officials who are the final authority on questions in a particular area (or jurisdiction).

### **Jurisdictional Area    Contact**

Structural	<u>State Fire Marshal's Office</u> Phone: (603) 271-3294
Plumbing	<u>State Board for the Licensing and Regulation of Pl</u> Phone: (603) 271-3267 Fax: (603) 271-6656
Electrical	<u>Electrician</u> <u>Board</u> Phone: (603) 271-748
Energy	Utility Analyst, Public Utilities Commission Phone: (603) 271-6550 Fax: (603) 271-3878
Fire Marshal	State Fire Marshal's Office, Division of Fire Safe Phone: (603) 271-3294 Fax: (603) 271-1091
Boiler Inspector	Boilers & Elevators, Dept. of Labor Phone: (603) 271-2584
Elevator Inspector	Boilers & Elevators, Dept. of Labor Phone: (603) 271-2585

## **State of New Hampshire Department of Environmental Services**

### **Do You Need Help with State Environmental Permits?**

If so, contact the Department of Environmental Services and review their online guidebook at: <http://des.nh.gov/business/index.htm>

Meeting request form for businesses planning new projects for which multiple environmental permits are required:

<http://www4.egov.nh.gov/DES/PreApp>

### **State Environmental Permits:**

To help you navigate the complexities of the environmental permitting process, DES can arrange a “pre-application meeting” for you to meet with representative(s) of the specific permit program(s) necessary for your project. Don’t know what permits you need? Just fill out the pre-application meeting request form (see above contact information) and we’ll bring the right people to the table. This service is free of charge, too. Whether you are homeowner looking for a wetlands permit, or a corporate owner constructing a new business complex that requires multiple permits, we can arrange to bring together the appropriate permit staff from DES, as well as from other state agencies, as needed.

Please complete the on-line form, or contact the Public Information and Permitting Unit directly at [timothy.drew@des.nh.gov](mailto:timothy.drew@des.nh.gov) or call (603) 271-3306 to discuss your upcoming project.

The members of the Economic Development Commission hope this guide will be a helpful first step toward your locating or expanding a business in Hillsborough. Any questions can be directed to Robyn Payson, Planning Director at the Hillsborough Town Offices 603-464-7971, or at [robyn@hillsbooughnh.net](mailto:robyn@hillsbooughnh.net).