

Does Your Project Require a Building Permit?

Most construction projects in Andover do.

By Jim Danforth
Andover Selectman

In Andover, there are three primary reasons behind the requirement to apply for a building permit:

- to ensure that the proposed project complies with the Town of Andover Zoning Ordinance
- to ensure that the assessors are aware of the potential change in property value caused by the construction activity
- to maintain an accurate record of taxable events in the property inventory

If you are considering any type of construction, chances are it will require that a building permit be issued before starting construction. New construction, additions, structural changes, decks, garden sheds, garages, temporary buildings, generators, swimming pools, and all other types of new construction, including alterations or modifications of existing structures, require a building permit. Removal of existing buildings and structures (including temporary buildings) also requires a permit.

Several types of construction are excluded from the building permit requirement, including fences, stonewalls, flagpoles, and playground equipment. Also excluded from the building permit requirement is repair and replacement of roofing, siding, windows, and doors when the repair or replacement is "in-kind." If you replace an asphalt shingle roof with a like asphalt shingle roof, then no permit is required. If you replace an asphalt shingle roof with a metal roof, then a permit is required.

The Town of Andover Board of

Selectmen have revised the application, the application process, the types of permits issued, and the fees for obtaining a building permit (which have been reduced). The Board of Selectmen and the Andover Planning Board have worked together to update the process, the policies, and the procedures for issuing building permits.

State law also requires that a building permit be issued before the start of any construction or demolition. The law also requires that construction conforms to the International Building Code. The State of New Hampshire places the responsibility to conform to International Building Code and other state statutes on the contractor or the property owner if the owner is doing the work themselves.

The property owner is also responsible for compliance with:

- shoreline protection (State of New Hampshire, Department of Environmental Services)
- septic system requirements (NH DES)
- all other State building requirements and/or agency administrative rules and wetland and floodplain requirements

Property owners who have started and/or completed a project without a building permit can obtain an "After the Fact" permit. The permit and process is the same as a standard building permit, with the exception of cost, which is twice the standard fee.

Starting immediately, the Town of Andover is enforcing the building permit requirement. If you have a project started or completed and did not obtain a building permit, please do so right away.

Planning Board and Selectmen Work on Building Permit Revisions

Changes reduce fees, Town's liability.

By Paul Currier, Chair
Andover Planning Board

Change is in the works to bring Andover's Building Permit process up to date and to revise Andover's Zoning Ordinance. The revisions will streamline the Town's building permit process and better align the process with current state law.

Andover has required building permits since Town Meeting adopted the Andover Building Ordinance in 1961. When zoning was passed in 1974, an additional permit or certificate of compliance was included in the Zoning Ordinance.

In 2002, the state legislature added a state requirement for building permits and also passed a State Building Code that all construction must follow.

The Planning Board and Selectmen have been reviewing Andover's ordinances in light of current state laws. It turns out that our Building Ordinance is very out-of-date, and in fact its language creates potential liability to the Town.

After a series of meetings, much discussion, and consultation with the Town Attorney, the Selectmen and Planning Board have charted actions that will update our ordinances to function effectively under current state law. These actions include:

- A new Building Permit Application

form that combines the permits needed under the Building Ordinance and the Zoning Ordinance

- A new fee schedule
- Repeal of the old Andover Building Ordinance, which requires a Special Town Meeting
- Changes to the Zoning Ordinance to update and incorporate all building permit provisions into the Zoning Ordinance, which requires a Special Town Meeting
- Changes so that the Town of Andover is not involved in administering or enforcing the State Building Code. Under current state law, following the code is the responsibility of the contractor and homeowner. The Special Town Meeting would have the option of approving these changes, or not.

Draft changes to the Andover Zoning Ordinance are being worked on by the Planning Board. The Board expects to hold a hearing on the changes when the draft is complete, probably in July or August. The hearing will include input on repeal of the Andover Building Ordinance.

After the hearing, the Selectmen expect to call a Special Town Meeting to adopt the proposed changes.

The Planning Board meets regularly on the second and fourth Tuesdays of the month, at 7 PM. The public is always welcome. Interested people can obtain a working draft of proposed ordinance changes from the Town Office.



Ratzki from page 5

on page 22.)

While in Baku, we were hosted by the president of Azerbaijan, Mr. Aliyev, and the Deputy Prime Minister of Turkey, Mr. Ali Babajan.

In all three Turkish cities, we were often a breath away from the demonstrators. We were tear-gassed a couple of times due to the gas wafting toward us. So it was ironic, and also sad, to hear the ruling party extol the great economic achievements of the economy, while we could see armored vehicles and battle-clad policemen rushing a block away to quell the demonstrations. These demonstrations, originally caused by a dispute over a park, morphed into a confrontation between secularists and Islamists.

The conference was paid for by the Turkish Council, and not a single penny came from the State of New Hampshire. There were about 200 US state repre-

sentatives, congressmen, and senators, and you will be happy to know, and we were all proud of it, that our New Hampshire legislators' salaries were the lowest of them all, by a very long shot. Hawaii: \$67,000 a year; California: over \$100,000.

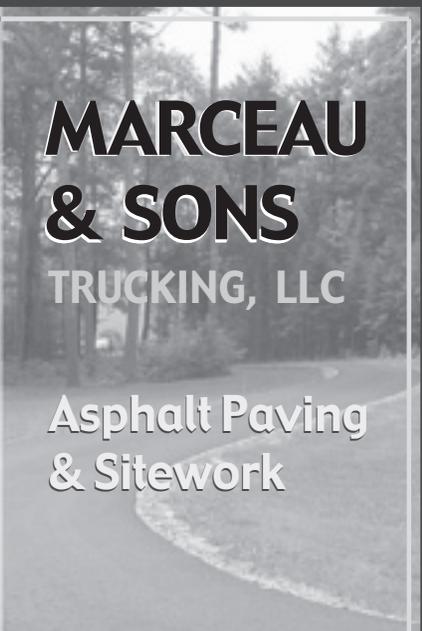
The trip turned out to be a great opportunity to make friends with Marjorie Smith (D-Durham), Peter Leishman (D-Hillsborough), Lenette Peterson, (R-Merrimack), and Al Baldasaro (R-Londonderry).

Finally, Senator Forrester and I were the prime sponsors of a bill allowing Ragged Mountain Resort to place a better sign in Danbury to advertise the mountain. The governor invited us, plus David Karrick and Tom Schamberg of Wilmot, for a signing ceremony.

I will not hold constituent meetings over the summer, but will still be available at 735-5440 or MarioRatzki@gmail.com.



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