

CANTERBURY ZONING BOARD OF ADJUSTMENT
CANTERBURY, NEW HAMPSHIRE

APPLICATION FOR A SPECIAL EXCEPTION

For ZBA use:

Received: 5/14/2026

Fees Paid: _____

Accepted: _____

Case No.: _____

Owner Name and Address:

CANTERBURY COMMUNITY MARKET, LLC

c/o JAMES MOIR

Telephone No.: _____

Map & Lot No.: map 106, lot 4

Location of Site: 1-3 Center Road

Total Acreage: .290

P.O. BOX 94

CANTERBURY NH 03224

Applicant's Name and Address if different from owner:

Zoning District (AC, C, CH, I, N, RE or RU): CH

A Special Exception is requested to allow: _____

PLEASE SEE ATTACHED

This Special Exception is requested from Article 5.3 Section C of
the Canterbury Zoning Ordinance. TABLE OF USES

Name & Address of All Abutting property owners: Use Separate Abutters List Sheet

APPLICATION FOR SPECIAL EXCEPTION

BY

CANTERBURY COMMUNITY MARKET, LLC

A Special Exception is requested to allow:

The property that houses the Canterbury Country Store a Special Exception to also allow the use as a restaurant.

The Canterbury Community Market, LLC owns the property that houses the Canterbury Country Store, the Post Office and an apartment, all in the Canterbury Historic District. Traditionally, the store had been operated on the model of being a convenience store. Premade sandwiches, pastries and coffee were usually available. For the past several years, the model has moved to offering more foods beyond the pastries and sandwiches. Seating inside the store has been provided and a commercial kitchen was installed to allow the preparation of food items. The new shopkeepers wish to expand further by offering a limited menu of made-to-order items such as sandwiches and breakfast items. They also wish to expand the seating in the store. This new model would have both food to take-away and a limited made-to-order menu. This is all in addition to maintaining the store, though in a reduce capacity.

The Canterbury Community Market, LLC wishes to have the use of the store conform with the zoning ordinance. The Table of Uses allows the operation of a restaurant on the site by Special Exception. While it is not exactly clear what the contours of a restaurant are, we believe in being cautious and using a very broad definition.

To comport with the zoning ordinance, we are seeking a special exception to allow this use as a restaurant.

Page 2 Application for Special Exception

It is the responsibility of the applicant to supply the following information, as applicable, to allow the Zoning Board of Adjustment to make findings on each of the points below relative to a request for a Special Exception. (See Section 8.2) Attach additional pages as necessary.

1. That granting the permit would be in the public interest: _____

SEE ATTACHED

2. Describe how the proposed use would not adversely affect the property values in the district: _____

SEE ATTACHED

3. That the specific site is an appropriate location for the proposed use: _____

SEE ATTACHED

4. That the proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties: _____

SEE ATTACHED

5. That the proposed use would not constitute a nuisance because of offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightliness:

SEE ATTACHED

6. That granting of the permit would be in the spirit of the ordinance. _____

SEE ATTACHED

7. That the proposed use would not constitute a hazard because of traffic, hazardous materials, or other conditions. _____

SEE ATTACHED

NATURAL RESOURCE SUPPLEMENTAL CONDITIONS -*Natural Resource Zone Only*

1. Landscaping and development are compatible with existing development. _____

N/A

2. Proposed uses be planned and oriented to respect natural features, solar access, scenic vistas, and natural drainage areas. _____

N/A

3. Access ways and provisions for motor vehicles be planned to minimize their impact. _____

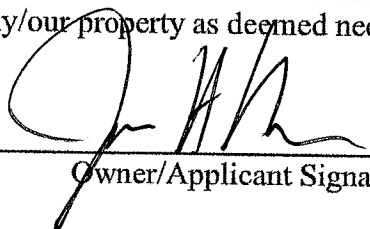
N/A

Plot Plan to Accompany Application. This application must be accompanied by a plot plan which is drawn to scale and is of sufficient detail to support the statements made in this application, and to illustrate compliance with the special conditions required in the ordinance. At a minimum, the plot plan must show the location and dimension of existing and proposed building footprints, setback distances to the property lines and road right of way; the location of well and septic systems; significant physical or topographic limitations to development of the lot; and parking and loading areas as applicable. Setback distances from roads must be based on the distance from the edge of the right of way, not the pavement edge. If you are uncertain of the road right-of-way location, contact the Town Road Agent for more information.

By signing this application, I/we understand that the information provided herein is accurate and is in accordance with the Canterbury Zoning Ordinance and other land use regulations of the Town and other applicable state and federal regulations which may apply.

If the applicant is not the same as the owner, a letter of authorization must be submitted along with the application.

I/we consent to allow the Canterbury Zoning Board of Adjustment or its designee to make onsite inspection(s) of my/our property as deemed necessary for the evaluation of my/our application.



Owner/Applicant Signature

5/14/2026

Date

Owner/Applicant Signature

Date

APPLICATION FOR SPECIAL EXCEPTION
FOR CANTERBURY COMMUNITY MARKET, LLC

1. That granting the permit would be in the public interest:

The mission of the Canterbury Community Market, LLC is to try to keep the store in the center open and vibrant. The property has been operated as a store since before there were zoning ordinances. A store without gas pumps does not appear to be an approved use under the ordinance but it has been grandfathered in. Among the allowed uses in the Historic District is as a restaurant by special exception.

In recent years it has become apparent that operation solely as a convenience store is not sustainable. The Hallas as storekeepers repeatedly reported that. In the past several years, the Balshaws as storekeepers created a new model where they added to the store prepared food offerings along with seating at which to eat and/or socialize. The Balshaws too emphasized that the "store" function was not sustainable and that the only way for the market to continue would be to expand the prepared food aspect. There is no plan to end the "store" function but we believe that we should formalize the food preparation and service function through requesting a special exception to operate as a restaurant. We submit that granting the permit would be in the public interest as the alternative is closing the market entirely and the town needs the market.

2. Describe how the proposed use would not affect the property values in the district:

The proposed use would not affect property values in the district as the proposed use is nearly identical to the current use. There will still be a market but that market would sell prepared food items and a limited menu of made-to-order items such as sandwiches and breakfast items. This is not a restaurant in the traditional sense where there is food served at tables by wait staff. Again, this will be very similar to the Balshaw's model.

3. That the site specific location is an appropriate location for the proposed use:

It is an appropriate location as it is currently the market in the town center.

4. That the proposed use would not adversely affect the health and safety of the residents and others in the area and would not be detrimental to the use or development of adjacent or neighboring properties:

The proposed use will not affect the health and safety of the residents and others in the neighborhood as the change in use is actually minimal. The footprint of the building remains the same and the only addition is the sale of prepared foods. Neither will this be detrimental to the use or development of adjacent or neighboring properties for the same reasons.

5. That the proposed use would not constitute a nuisance because of offensive noises, vibration, smoke, odors, heat, glare, or unsightliness:

In this regard, there will be no changes from the current use.

6. That the granting of the permit would be in the spirit of the ordinance:

The market is essential to the Center Historic District. Preservation of a working and sustainable enterprise is clearly in the interest of the ordinance and the town.

7. That the proposed use would not constitute a hazard because of traffic, hazardous materials, or other conditions:

As the proposed use is extremely similar to the current use, there should be no such hazards created.

TOWN OF CANTERBURY, NH

ABUTTERS FORM

Instructions: Please indicate the name and mailing address of all abutters to the property which shall be reviewed by the Zoning Board. "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. Please also include the names of all Attorneys, Engineers, Surveyors, Planners, or Architects whose stamp appears on the plat to be submitted to the Board for review and the owner of the property on the plat. **PLEASE MAKE ADDITIONAL COPIES OF THIS FORM AS NECESSARY.**

Name: _____
Map / Lot: _____
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State/Zip: _____

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CANTERBURY COMMUNITY MKT LLC
PO BOX 94
CANTERBURY, NH 03224-0094

000106 002000 000000

CANTERBURY UNITED COMM.
PO BOX 216
CANTERBURY, NH 03224-0216

000106 002000 001000

CANTERBURY UNITED COMM.
PO BOX 216
CANTERBURY, NH 03224-0216

000106 003000 000000

CANTERBURY, TOWN OF
GAZEBO / BANDSTAND
PO BOX 500
CANTERBURY, NH 03224-0500

000106 018000 000000

COMEY, CHARLES
MCININCH, ERICA
PO BOX 103
CANTERBURY, NH 03224

000106 019000 000000

CROFTON, VANESSA A.
PO BOX 242
CANTERBURY, NH 03224