



ORDINANCE

REGARDING THE HISTORIC DISTRICT COMMISSION'S REVIEW AND NOTIFICATION PROCESS

CITY OF NASHUA

In the Year Two Thousand and Ten

The City of Nashua ordains that Part II “General Legislation”, Chapter 190 “Land Use”, of the Nashua Revised Ordinances, as amended, hereby be further amended as follows:

1. In Part 2 “Zoning Districts and Supplemental Use Regulations”, Article IV “Overlay Districts”, Section 190-22 “Historic Districts”, add the following new subsection B(2)(b):

“§ 190-22. Historic Districts.

...

B. Procedure for Commission review.

...

(2) ...

(a) ...

(b) The commission shall hold a public hearing on all applications. Notice of the application and the date and time of the public hearing shall be given to the applicant and every abutting property owner whose property adjoins or is directly across the street or stream from the land under consideration as determined from the records of the city

assessor. Such notice shall be given by certified mail not less than fourteen (14) days before the date of the public hearing. A notice of the public hearing shall also be placed in a newspaper of general circulation in the area not less than five (5) days before the date fixed for the hearing. The abutter notification fee shall be any necessary postal fees plus three dollars (\$3.00) per abutter. Any application shall require on-site notice in accordance with section 190-126 of this chapter, with the title of the action to read: "HISTORIC DISTRICT APPLICATION".

2. In Part 3 "Procedures", Article XIII "Application Review", Section 190-126 "Notice provisions", in Table 126-1 "Notice", insert the following new entry underneath "Equitable waiver (RSA 674:33-a)" and above "Subdivision plan":

**"Table 126-1
Notice**

(A)	(B)	(C)	(D)	(E)
Action	Publication	Posting	Mail	Signage
...				
<u>Historic District Commission</u>	<u>5 days</u>	<u>10 days</u>	<u>14 days</u>	<u>10 days"</u>

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall take effect upon its passage.

LEGISLATIVE YEAR 2010

ORDINANCE: O-10-25

PURPOSE: Regarding the Historic District Commission's review and notification process

SPONSOR(S): Alderman Diane Sheehan

COMMITTEE ASSIGNMENT:

FISCAL NOTE: None.

ANALYSIS

This ordinance amends the Historic District Commission's review procedure regarding a public hearing on all applications, notice to be given to all abutting property owners, and public and on-site notice.

These provisions were added to the planning ordinances in 2003, but were omitted in the 2006 recodification of the land use code.

Planning and zoning ordinances and amendments require a public hearing and referral to the city planning board. RSA 675:2; NRO § 190-132. The public hearing is conducted by the aldermanic planning and economic development committee with notice published in a newspaper of general circulation and posted in two public places at least ten (10) days prior to the date of the hearing. RSA 675:7. That notice shall not include the day notice is posted or the day of the public hearing. Under RSA 676:12 and NRO § 105-3, no building permit may be issued after the legal notice has been posted if the proposed changes would, if adopted, justify refusal of the permit. The restriction lapses 120 days after the first legal notice.

Approved as to form: Office of Corporation Counsel

By: Dowling Clarke

Date: July 1, 2010

