

# Town of Newington

## Public Hearing Notice

### Proposed 2018 Zoning Amendments

On Monday December 11, 2017 at 6:30 PM at the Newington Town Hall, the Town of Newington Planning Board will conduct a public hearing on proposed 2018 amendments to the Town of Newington Zoning Ordinance. If required, the Newington Planning Board will conduct a second public hearing on Monday December 18, 2017 at 6:30 PM at the Newington Town Hall. Proposed 2018 zoning amendments include:

Amendment # 1 - NZO Article II – Definitions, Section 2 – List of Definitions

**Building Height:** The vertical difference between the lowest ground elevation of the predevelopment (or redevelopment) at the foundation of the building, structure or wall and the highest elevation of the roof, parapet wall, or uppermost part. Chimneys, vents or utility service structures shall not be included in the measurement of vertical dimensions. A special exception regarding the building height may be granted by the Planning Board.

Amendment # 2 - NZO Article III – Zoning Districts Section 6 – Waterfront Industry and Commerce District W

**A - Description and Purpose:** The "W" District is established as a zone in which the principal use is for activities which depend upon the ocean for transport or resources. There is a relatively limited amount of deep water frontage in the State of New Hampshire. This prime land is recognized as an invaluable natural resource of the Town of Newington and should be reserved for optimum use so that the economic benefits may be realized to their fullest extent. Any installation on shore or offshore, temporary or permanent which interferes with the purposes of this district is prohibited. In addition, the docking of commercial cruise ships is not an appropriate use due to safety concerns in this existing heavy marine and industrial use in this zoning district.

**B - Uses Permitted**

- (1) Any Industrial or Commercial activity dependent upon the ocean for transport or resources.
- (2) Marine related activities such as marine transport, marine construction, marine supply and support, vessel repair and the like. Marine ~~Any~~ research laboratory or testing or experimental facility related to the ocean.
- (3) Seafood processing and distribution

- (4) Bulk material storage and distribution
- (5) Energy generation facilities
- (6) Desalination plant
- (7) Business Signs, subject to the provisions of Article IV, Section 6.
- (8) Telecommunication facilities, subject to the provisions of Article XIV.
- (9) Residential uses for a watchman, caretaker or janitor. The industry or business shall annually certify by April 1<sup>st</sup> that the resident is a bona fide employee serving as a watchman, caretaker or janitor employee of the business. Failure to do so shall make the residential use Not Permitted.

**Amendment # 3:** In NZO **Article XVII – Administration, Section 3 – Application for Building Permit**, add the following paragraph after E:

The applicant for a building permit shall complete the building within eighteen (18) months after the issuance of the building permit. An extension for up to one (1) year may be granted for a good cause. This amendment shall apply retrospectively to building permits that have been issued for work that has not been completed.

**Purpose:** The intent of the amendment is that construction work authorized by a building permit shall be completed within a reasonable eighteen (18) month time frame, so that work undertaken, does not stand partially complete such that the partially completed work fails to come into compliance with the applicable codes, which can be a safety hazard, and so that it does not become an eyesore to neighbors.

**Amendment # 4:** In NZO **Article IV – General Provisions** add a *new* Section 11:

*new* **Section 11.** Each unit in a duplex shall have its own separate water and septic service and metered gas and electric power. The owner of the duplex unit is responsible for maintenance and repair of all utilities.

**Amendment #5:** In NZO **Article XVII-Administration, Section 2- Building Permit Required**, add the following sentence:

The Town’s Building Inspector shall have the authority to require a certified foundation plan and a certified plat plan, when in his opinion, such documentation is necessary. The Building Inspector may exercise this authority when there is a concern regarding the building’s proximity to side, rear and front setbacks, wetlands, floodplain, shoreline and other sensitive areas.

Proposed amendment to the Town of Newington **Driveway Regulations-** The Newington Planning Board will hold a public hearing on Monday December 11, 2017 at 6:30 PM to amend the Town’s Driveway Regulations.

9. Driveways shall be designed and constructed so that runoff water does not flow onto a public or private road or traveled way.

You can provide comments and testimony in person or submit a written statement to Mr. Denis Hebert, Chair, Newington Planning Board, Town of Newington, 205 Nimble Hill Road, Portsmouth, NH 03801 by December 14, 2017. A complete copy of the proposed zoning amendments is available on the Town website and at the Town Office.