

**Town of Newington**  
**Planning Board**  
**Public Hearing Notice**

The Newington Planning Board will hold a Public Hearing on **Monday, January 10, 2022 at 6:00 PM at the Newington Town Hall, 205 Nimble Hill Road**, to consider the following amendments to the Zoning Ordinance as follows:

1. **AMENDMENT #1**

*Article VIII Wetlands Overlay District*

**SECTION 4 - Permitted and Prohibited Land Uses in Wetlands**

C. Conditional Use Permit (insert the BOLD UNDERLINE TEXT:

(1) Prior to the Planning Board’s granting of a Conditional Use Permit, the applicant shall agree to submit a performance security to the Board of Selectmen, **unless the CUP is part of a Subdivision or Site Plan Application being reviewed by the Planning Board, in which case the surety will be included in the Performance Guarantee for the project in its entirety.** The security shall be submitted in a form and amount, with surety and conditions satisfactory to the Selectmen and approved by Town Counsel, to ensure that the construction has been carried out in accordance with the approved design. The security shall be submitted and approved prior to the issuance of any permit authorizing construction.

2. **AMENDMENT #2**

**Article XVI, Section 5, Page Z-53:** Amend to read:

**“In cases where a zoning ordinance or parts thereof may be in conflict with another ordinance or regulation, the more stringent shall apply”**

3. **AMENDMENT #3**

**Article II, Section 2. List of Definitions - Frontage, Page Z-5:**

**Replace:**

**Frontage:** Shall mean the width of the lot bordering on the public right-of-way. In those instances in which a property abuts multiple public ways, the Planning Board shall determine which side of the parcel is frontage.

With the **BOLD UNDERLINE TEXT** below:

**Frontage: Shall mean the distance a lot borders on a Class V highway or better, or road approved by the Planning Board. In cases where a property abuts multiple roads as defined herein, the Planning Board shall determine which portion of the frontage is subject to front setback requirements.**

4. **AMENDMENT #4**

Article III, Section 7. B. Designated areas in the Historic District, Page Z-16:

Replace:

B - The Designated Areas are:

- (1) Beginning with both sides of Nimble Hill Road as from the U.S. Air Base Line to its junction with Little Bay Road, the area to follow existing property lines of parcels fronting on said road.
- (2) All land and buildings at Bloody Point.

With the **BOLD UNDERLINE TEXT** below:

B - The Designated Areas are:

- (1) **Nimble Hill District. On the Easterly side Nimble Hill Road, the District shall run 400' parallel from the right-of-way of Nimble Hill Road from the northerly property line of Tax MAP 24 – LOT 2 to the Pease Development Authority. On the Westerly side of Nimble Hill Road, the district shall run from the northwest corner of the Newington Town Cemetery where the line of granite posts with chains meets the Little Bay Road Right-of-Way, extending in a straight line along the line of granite posts to the Pease Development Authority.**
- (2) **Bloody Point District. The portion of Tax MAP 7 / LOT 25 bounded by the Spaulding Turnpike, Shattuck Way and the Northwesterly boundary of Tax MAP 7 / LOT 14 (+2.29 acres).**

5. AMENDMENT #5

Article III, Section 7. C. Permitted Uses in the Historic District, Page Z-16:

Replace:

**C - Uses Permitted**

- (1) Any use permitted in a Single Family Residential "R" District, subject to the provisions of the Newington Historic District Ordinance.

With the **BOLD UNDERLINE TEXT** below:

**C - Uses Permitted**

- (1) **In the Nimble Hill District, any use permitted in the Single Family Residential "R" District, subject to the provisions of the Newington Historic District Ordinance.**
- (2) **In the Bloody Point District, any use permitted in the adjacent Office District, subject to the provisions of the Newington Historic District Ordinance.**

6. AMENDMENT #6

Article XV. Section 2. Page Z-49:

Replace:

**Section 2 – Procedure for Review:**

**B – Building Permit:** A ground-mount or pole mount solar energy system is an accessory use and a homeowner shall apply for a building permit for such a system. A building or carport roof mounted solar system shall only require a building permit issued by the building inspector.

**C – Application:** Applications submitted to the Building Inspector shall contain a site plan with the following information:

- i) The size of the proposed solar system is directly related to the amount of electricity required by the individual residence.
- ii) Ground-mount and pole-mount systems shall be located in inconspicuous locations, such as the side and rear yards, low to the ground and screened to limit visibility.

- iii) Ground-mount and pole-mount solar systems shall have a reasonable visual buffer providing screening along public ways and from abutting views.
- iv) Ground-mount and pole-mount solar systems shall comply with building setback requirements from lot lines for the entire system – including the panels.

With the **BOLD UNDERLINE TEXT** below:

**Section 2 – Procedure for Review:**

**A – Location:** This provision applies only to the Residential District “R”; If a landowner proposes a solar energy system in a district other than the Residential District, a site plan review application would be required.

**B – Building Permit: A ground-mount or pole mount solar energy system is an accessory use, but because of the potential impacts to abutting property owners and the general public, Site Plan approval from the Planning Board is required as well as a building permit for such a system. A building or carport roof mounted solar system shall only require a building permit issued by the building inspector.**

**C – Application: Applications submitted to both the Planning Board and the Building Inspector shall contain a Site Plan with the following information:**

- i) **Documentation that the size of the proposed solar system is directly related to the amount of electricity required by the individual residence.**
- ii) **The location of the proposed ground-mount or pole-mount system. Any ground or pole mounted system shall be located in an inconspicuous location, such as the side and rear yards, low to the ground.**
- iii) **Ground-mount and pole-mount solar systems shall be densely screened such that no more than 25% of the array is visible from property lines or public roads all four seasons of the year. Landscaping, including, but not limited to shrubbery, trees, fencing and earthen berms or a combination thereof) may be used for screening.**
- iv) **If it can’t be proven that the proposed array will not cause glare that could be seen from neighboring properties and/or public spaces, non-reflective panels will be required.**
- v) **The Planning Board may, at its discretion, require balloons to be flown at the actual height of the corners of the array for the Board, neighboring property owners and the general public to see for a**

**several-day period if there is any question or concern about the effectiveness of screening.**

- vi) Ground-mount and pole-mount solar systems shall comply with building setback requirements from lot lines for the entire system – including the panels.

7. **AMENDMENT #7**

**Article III, Section 3. Permitted Uses in the Commercial District, Page Z-13 by deleting the language stricken through:**

**SECTION 3 - Commercial District "C"**

**B - Uses Permitted:** Retail, offices, research & development facilities, light manufacturing, restaurants, motels, hotels, theaters, storage facilities, barber & beauty shops, laundries, repair shops, places for public worship, indoor recreational facilities such as bowling alleys, roller skating rinks, ~~and vehicle dealers (sale, rental, or leasing),~~ hospitals, nursing homes, schools, conference centers, and facilities to treat the developmentally disabled.