

Background on Article 2: Amendments to the Town of Orange Zoning Ordinance as follows:

REMOVE THE FOLLOWING WORDS, IN STRIKETHROUGH, IN ARTICLE IV – GENERAL PROVISIONS.

~~The following provisions shall apply to this district, and all uses within the Town of Orange except where listed:~~

AND:

MOVE THE FOLLOWING TEXT, BEING IN ARTICLE IV – GENERAL PROVISIONS, PARAGRAPH A TO ARTICLE VII – USES ALLOWED BY SPECIAL EXCEPTION, RESULTING IN THE EXISTING ARTICLE VII BEING RENUMBERED AND ENTITLED ARTICLE VIII – ZONING, AND ALSO RESULTING IN THE APPLICABLE RENUMBERING OF SUBSEQUENT ARTICLES.

- A. Certain non-permitted uses may be permitted in the Town of Orange by special exception by the ZBA depending upon the land use impact on the particular location and neighborhood, provided that the use will not create excessive traffic and that there be adequate parking and traffic provisions, that health standards be maintained, that there be no detriment to the neighborhood safety or property values, and that all standards and requirements under Articles IV and V are met.

AND:

REMOVE THE FOLLOWING WORDS, IN STRIKETHROUGH, BEING THE REMAINING TEXT IN ARTICLE IV – GENERAL PROVISIONS, PARAGRAPH A AND THEREBY ELIMINATING SAID PARAGRAPH A AND RESULTING IN THE APPLICABLE RELETTERING OF SUBSEQUENT PARAGRAPHS:

~~The plan shall indicate the location, site layout, and utilities proposed. The plan shall also be accompanied by an economic and environmental impact statement.~~

~~The Planning Board shall review the proposed plans and submit their written recommendations to the Board of Adjustment within thirty (30) days after receipt of the proposal.~~

~~All known abutters of any proposed non-permitted uses shall be notified by the by certified mail at least three (3) weeks prior to any public hearing regarding said site. The names and addresses of the known abutters shall be supplied by the applicant on a plot plan to be submitted to the Board of Adjustment.~~

~~The applicant shall pay the total costs of posting and advertising any hearings, the cost of certified mailings and any necessary site inspection fees.~~

AND REPLACE WITH THE FOLLOWING, TO BE ADDED TO ARTICLE VIII, AND RESULTING IN THE APPLICABLE RELETTERING OF SUBSEQUENT PARAGRAPHS.:

B: Hearings Before the ZBA

Any person seeking a Special Exception, Variance, or Appeal for the provisions herein shall be entitled to a hearing before the ZBA. The ZBA shall fix a reasonable time for a hearing no fewer than 21 days subsequent to the receipt of an application, and following the procedures outlined in NH RSA 676:7, give public notice thereof, as well as notice to the parties in interest, and to abutting land owners by verified mail as outlined therein; and decide the same within a reasonable time. At the time of the hearing, any party may appear in person or by agent or attorney.

An application on the form contained within these regulations as Appendix A, along with a cover letter describing the request and all pertinent supporting documents shall be submitted to the Chair or Secretary of the ZBA. The application shall be accompanied by an economic and environmental impact statement, and a drawing or plan. The names and addresses of abutters as listed in the assessors' records at the time of the application shall be supplied by the applicant. The standards of the plan, and requirement of any professional certifications shall be determined by the nature of the application and site, with the ZBA having the authority to dictate the necessity of such requirements. The applicant shall pay the total costs of posting and advertising any hearings, the cost of certified mailings, and any necessary site inspection fees.

NOTE: Electronic (PDF) application submissions are encouraged but not required.

AND:

REMOVE THE FOLLOWING WORD, IN STRIKETHROUGH, FROM THE TEXT IN SUBPARAGRAPH (d) IN ARTICLE VIII – ZONING, PARAGRAPH D:

~~The~~ use proposed is a permitted use, as described under Article III

AND REPLACE WITH THE FOLLOWING WORDS, UNDERLINED:

For a dimensional variance, the associated use proposed is a permitted use, as described under Article III

AND:

CHANGE THE TITLE OF SUBPARAGRAPH 6 IN ARTICLE V – SPECIAL PROVISIONS, PARAGRAPH C – ACCESSORY DWELLING UNITS FROM “APPLICATION PROCEDURE” TO “APPLICATION PROCEDURE FOR ADU”

AND:

REPLACE THE FIRST INSTANCE OF THE TERM BOARD OF ADJUSTMENT WITH THE TERM ZONING BOARD OF ADJUSTMENT (HEREIN CALLED “ZBA”), AND REPLACE ALL SUBSEQUENT INSTANCES OF THE TERM WITH ZBA

AND:

IN OVERLAY DISTRICT ARTICLES, PRECEEDING DEFINITIONS OF TERMS, REPLACE ALL INSTANCES OF THE FOLLOWING WORDS, IN STRIKETHROUGH:

~~Add definitions of the following terms in Article X. DEFINITIONS~~

WITH THE APPROPRIATELY LETTERED PARAGRAPH TITLE:

Additional Definitions for ARTICLE [letter as applicable]

AND:

CHANGE THE TITLE OF ARTICLE XII – WETLANDS CONSERVATION OVERLAY DISTRICT, PARAGRAPH H FROM “SPECIAL EXCEPTIONS” TO “SPECIAL EXCEPTIONS TO WETLAND OVERLAY DISTRICT”

AND:

CHANGE THE TITLE OF ARTICLE XIII – AQUIFER PROTECTION OVERLAY DISTRICT, PARAGRAPH F FROM “SPECIAL EXCEPTIONS” TO “SPECIAL EXCEPTIONS TO AQUIFER PROTECTION OVERLAY DISTRICT”