



ORDINANCE

EXPANDING THE BOUNDARY OF THE HISTORIC OVERLAY DISTRICT

CITY OF NASHUA

In the Year Two Thousand and Nine

The City of Nashua ordains that Part II “General Legislation” Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article II “Generally”, Section 190-12 “Zoning map” be further amended by adding the following additional abutting parcels to the Historic Overlay District on the Zoning Map of the City of Nashua: 78-86, 78-90, and 78-91.

LEGISLATIVE YEAR 2009

ORDINANCE: 0-09-81

PURPOSE: Expanding the boundary of the Historic Overlay District

SPONSOR(S): Alderman Michael A. Tamposi

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: None.

ANALYSIS

This ordinance amends the Zoning Map of the City of Nashua by expanding the boundary of the Historic Overlay District by adding three additional parcels to the district.

NRO §190-262, B states that the Historic District Commission shall review the physical, social and cultural assets of the City and recommend the establishment of areas in the City for designation as Historic Districts to the Mayor and Board of Aldermen.

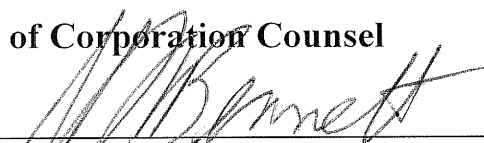
NRO §190-22, B, (5) provides that the Historic District shall not be expanded prior to the Historic District Commission's holding of public informational meetings to explain the benefits and restrictions of such a district to the residents and owners of the new area contemplated for designation. The owners of the property in the potential expansion of the district shall be notified by the City by first class mail of the time and location of any public hearing at which designation of their property in the Historic District is to be discussed. Substantial objection to the creation of a Historic District by the owners of the property in the proposed expansion of the district shall be deemed ample evidence for the board of aldermen to deny the proposed rezoning.

State statute (RSA 675:2) and local ordinance (NRO § 190-132) require a public hearing and referral to the city planning board. 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. This limitation applies for a period of 120 days.

Approved as to form:

Office of Corporation Counsel

By:



Date: October 8, 2009