

TOWN OF NEW BOSTON
New Boston Planning Board

Proposed Amendments
to the
Town of New Boston Zoning Ordinance
and
Building Code
for Consideration
at the
Ballot Vote of March 13, 2012

AMENDMENTS TO THE ZONING ORDINANCE

Proposed Amendment #1.

ARTICLE II ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

Section 208.2 Front Yard Regulations and Exceptions

Amend Section 208.2,A, to clarify front yard requirements for corner lots, as follows:

- A. Any lot line contiguous to a street or ~~Class VI~~ road, ***including Class VI roads***, is deemed to be a front lot line; ~~a lot fronting on two streets shall be deemed to have two front lot lines and two side lot lines; a lot fronting on three streets shall be deemed to have three front lot lines and one side lot line.~~ ***except that, where a lot is a corner lot or otherwise has multiple lot lines contiguous to a street, the lot shall be required only to have one front yard for the purposes of these regulations. The front yard shall be adjacent to the lot line fronting the street from which driveway access is provided. In the event of a question or disagreement with regard to which lot line should be considered the front lot line the Building Inspector/Code Enforcement Official shall make the final determination.***

ARTICLE III GENERAL PROVISIONS

Section 307 Yards on Corner Lots

Delete Section 307 in its entirety.

Section 307 Yards on Corner Lots ***Section Deleted***

~~A corner lot shall be required to have one front yard for the purpose of these regulations.~~ (Amended March 9, 2010.)

AMENDMENTS TO THE BUILDING CODE

Proposed Amendment #1.

CHAPTER NB-2.0 Administrative

Section NB-2.5 Right of Appeal (Amended March 9, 2004.)

Delete Section NB-2.5, Right of Appeal in its entirety and replace it with the language shown in bold italics:

~~A building code board of appeals is hereby created which shall consist of five members which shall be appointed by the Selectmen. The Selectmen may also appoint up to five alternates as provided in RSA 673:6. The qualifications for such members shall be consistent with RSA 676:3, and once constituted, the building code board of appeals shall exercise the authority provided for in RSA 674:34, and any other applicable statute. The terms of the members of the building code board of appeals shall be for a period of three (3) years and shall be staggered as required by RSA 673:5,II. The Selectmen, upon making the initial appointments shall appoint members in a manner that insures that no more than 2 appointments occur annually in the case of a 5 member board, except when required to fill vacancies. Appeals may be had to and from the building code board of appeals in the manner provided by applicable statutes. The building code board of appeals shall, within ninety days of its original appointment, pursuant to RSA 676:1, adopt rules of procedure governing the manner of conducting its business and may include in the subject matter of such rules matters that may be necessary to provide for an appeal process, to the extent not inconsistent with applicable statutes.~~

Pursuant to RSA 673:1, the New Boston Zoning Board of Adjustment shall serve as the Building Code Board of Appeals until such time as a separate Building Code Board of Appeals is created by the legislative body.

Proposed Amendment #2

CHAPTER NB-2.0 Administrative

Amend Section NB-2.8, Plans, to include septic systems and wells in the list of required items to be shown on plans submitted to the Building Inspector, as follows:

Section NB-2.8 Plans

When required by the Building Inspector, plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and the extent of the work proposed and shall show in detail

that it will conform to the provisions of the Code, and all relevant laws, ordinances, rules and regulations. Plans shall show a plot plan drawn to scale showing the **proposed and/or existing** location of easements, drainage facilities, adjacent grades, property lines, wetlands, **septic systems, wells**, the proposed building and of every existing building on the property. (Amended March 9, 2010.)

Proposed Amendment #3

CHAPTER NB-3.0 DEFINITIONS

Amend Chapter NB-3.0 to delete the definitions listed and refer to the International Code Council definitions, as follows:

For the purpose of this Code terms, abbreviations, phrases, and certain words shall be defined **in accordance with those codes published by the International Code Council and adopted by the State of NH and/or the Town of New Boston.** ~~as given below and also in accordance with CHAPTER 1.0: Section NB 1.2; NB 1.2.3.~~

~~—— **Area:** For the purpose of determining the floor area of a portion of a building, the area shall be the horizontal projected floor area inside the exterior enclosure walls or between the exterior and fire walls.~~

~~—— **Attic:** The space between the ceiling beams of the top habitable story and the roof rafters.~~

~~—— **Attic, habitable:** This shall mean an attic which has a stairway as a means of egress and in which the ceiling area at a height of seven and one third (7 1/3) feet above the attic floor is not more than one third (1/3) the area of the floor below.~~

~~—— **Basement:** A portion of the building partly underground, but having less than one half (1/2) its clear height below the average grade of the adjoining ground.~~

~~—— **Cellar:** The portion of the building partly having one half (1/2) or more than half its clear height below the average grade of the adjoining ground.~~

~~—— **Existing Building:** An existing building is a building which has been erected and is habitable prior to the adoption of this Code.~~

~~—— **Grade Level, average:** The average grade level of a building shall be the average finished ground level adjoining the building at the exterior walls.~~

~~**Gross Floor Area:** The gross floor area of a building shall be the sum of the habitable areas within the outside of the exterior walls of all levels with no deductions.~~

~~**Height:** As applied to a building, height shall mean the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof, for flat and mansard roofs, and to the average height between eaves and ridge for other types of roofs.~~

~~**NFPA:** National Fire Protection Association~~

~~**Nominal Size:** The nominal size of building materials is the commonly acceptable commercial size designation of width and depth which is somewhat larger than the finished size.~~

~~**Renovation, substantial:** Substantial renovation shall mean any improvements to a building which require a town building permit and results in more than fifty (50) percent increase in the assessed valuation of the building.~~

~~**Solid Fuel Device:** Any chimney connected device that burns wood, coal, or other similar organic materials or any combination of them for purposes of heating, cooking or both.~~

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