



PUBLIC NOTICE HILL PLANNING BOARD

Public hearing for zoning amendments

The planning board will hold a public hearing at 7:00 p.m. on January 28, 2009 in the school cafeteria to hear public comments on two proposed zoning amendments. The full text of the proposed amendments is available at town offices or will be posted at the townofhillnh website.

floodplain development ordinance

The board has proposed amending the existing floodplain development ordinance to comply with requirements of the National Flood Insurance Program. The more significant proposed changes include the addition of a purpose section and the inclusion of several new definitions. The floodplain ordinance requires that all structures placed in designated flood areas meet federal, state and local standards and be constructed by methods and practices that minimize flood damage and maintain the flood carrying capacity of the waterway. The proposed amendments are required for the town to remain eligible to participate in the National Flood Insurance Program.

hardship criteria for variances

The second amendment seeks to amend Article VIII Section E:4, the hardship criterion for variances. Two categories of variances are recognized. The hardship criterion for dimensional variances (variances related to dimensional characteristics of lots or structures) requires that the applicant demonstrate special conditions of the property exist making a variance necessary and that the benefit sought by the applicant cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden. If the request is for a use not allowed under the zoning ordinance (use variance), the applicant must demonstrate that the zoning restriction interferes with the reasonable use of the property, that no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on the property and that the variance would not injure the public or private rights of others. The proposed changes update the town zoning ordinance to reflect recent supreme court decisions regarding the hardship criterion for variances.

Robert Helmers
Planning Board Chair
13 January 2009