

Town of New Shoreham Planning Board
Amendments to the Land Development and Subdivision Regulations
Article ____, Section ____
Public Hearing

The New Shoreham Planning Board hereby adopts the following amendments:

Note: Words set as ~~strikeover~~ are to be deleted from the ordinance; words set in underline are to be added to the ordinance.

§ 303. Public Hearing.

Whenever a public hearing is required for an application submitted to the Planning Board under these Regulations, the following procedures shall be the minimum requirements:

A. Notice Requirements.

~~1. Newspaper Notice. Public notice of the public hearing shall be given at least 14 days prior to the date of the hearing in a newspaper of general circulation in the Town. Newspaper advertisements shall be printed in the legal section of the classifieds using a type size at least as large as the normal type size used by the newspaper in its news articles, and shall contain the information specified below.~~

~~2. Certified Mail. Written notice of the public hearing shall also be sent by the applicant, upon forms to be provided to the applicant by the Town, to each owner of property within the notice area specified below. The notice shall be sent by certified mail, return receipt requested, not less than 14 days prior to the date of the hearing. As proof of such mailing, an affidavit of notice together with the white receipts for certified mail (PS Form 3800), with any returned or unclaimed envelopes, shall be provided to the Planning Board by the applicant prior to the time of the public hearing.~~

~~3. Contents. All required mail and newspaper notices shall specify, at a minimum, the following:~~

- ~~a. The date, time and place of the public hearing;~~
- ~~b. The Tax Assessor's plat and lot number of the subject property;~~
- ~~e. The street address of the subject property or, if no street address is available, a description of the location of the property;~~
- ~~d. A description of the nature of the application;~~
- ~~e. Notice as to the place and times where a copy of the plans of the proposed project may be examined; and~~

~~f. A statement indicating that the proposed project may be revised by the Planning Board as a result of further study or because of the views expressed at the public hearing.~~

Public notice of the hearing shall be given at least fourteen (14) days prior to the date of the hearing in a newspaper of local circulation. The same notice shall be posted in the clerk's office and one other municipal building and notice shall be accessible on the Town's home page of its website at least fourteen (14) days prior to the hearing. Notice shall be sent to the applicant and to each owner within the notice area, by first class mail, of the time and place of the hearing not less than ten (10) days prior to the date of the hearing. Notice shall also be sent to any individual or entity holding a recorded conservation or preservation restriction on the property that is the subject of the application at least fourteen (14) days prior to the hearing. The notice shall also include the street address of the subject property, or if no street address is available, the distance from the nearest existing intersection in tenths (1/10's) of a mile. Public notice shall indicate any dimensional variance(s), use variance(s) and/or special-use permit(s) to be considered for the project; A description of the nature of the application;-A statement indicating that the proposed project may be revised by the Planning Board as a result of further study or because of the views expressed at the public hearing. For any notice sent by first-class mail, the sender of the notice shall submit a notarized affidavit to attest to such mailing. Notice of a public hearing shall be sent to the governing body of any state or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water resource and/or surface watershed that is used, or is suitable for use, as a public water source, located within the municipality; provided, that a map survey has been filed with the building inspector.

B. Notice Area. The distance for notice of the public hearing shall be 500 feet from the perimeter of the parcel which is the subject of the application. Notice shall also be sent to the superintendents of the Town's water department and sewer department and to all owners of property with legal rights to the use of any right-of way or easement which is proposed to service the development. The applicant is responsible for determining the correct names and addresses of all property owners required to be notified, and shall, at a minimum, be as accurate as the most current names and addresses listed in the Tax Assessor's records. The cost of all notices shall be borne by the applicant.

C. Additional notice within watersheds shall also be sent as required by statute.