



Review of Developments of Regional Impact

- Barrington
- Brookfield
- Dover
- Durham
- Farmington
- Lee
- Madbury
- Middleton
- Milton
- New Durham
- Newmarket
- Northwood
- Nottingham
- Rochester
- Rollinsford
- Somersworth
- Strafford
- Wakefield

LEGISLATIVE STATUTES - PURPOSE

Pursuant to NH Revised Statutes Annotated (RSA) 36:54, the purpose of this legislation is to:

- I. Provide timely notice to potentially affected municipalities concerning proposed developments, which are likely to have impacts beyond the boundaries of a single municipality.
- II. Provide opportunities for the regional planning commission and the potentially affected municipalities to furnish timely input to the municipality having jurisdiction.
- III. Encourage the municipality having jurisdiction to consider the interests of other potentially affected municipalities.

DEFINITION

Pursuant to RSA 36:55, a "development of regional impact" means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact a neighboring municipality, because of factors such as, but not limited to, the following:

- I. Relative size or number of dwelling units as compared with existing stock
- II. Proximity to the borders of a neighboring community
- III. Transportation networks
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles
- V. Proximity to aquifers or surface waters which transcend municipal boundaries
- VI. Shared facilities such as schools and solid waste disposal facilities

PROCESS FOR DETERMINING POTENTIAL REGIONAL IMPACT

Pursuant to RSA 36:56 a local land use board, as defined in RSA 672:7, determines the potential for regional impact. Please note that, per RSA 672:7, a local land use board includes a planning board, historic district commission, inspector of buildings, building code board of appeals, zoning board of adjustment, or other board or commission authorized under RSA 673 established by a local legislative body. Under RSA 673:1 II, a heritage commission, agricultural commission, and a housing commission are defined as local land use boards. That is important to remember; it is not just the planning board.

REVIEW REQUIRED - RSA 36:56 STATES THAT:

- I. Local land use boards, as defined in RSA 672:7, upon receipt of an application for development, shall review it promptly and determine whether or not the development, if approved, reasonably could be construed as having the potential for regional impact. Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact.
- II. Each regional planning commission may, with public participation following the public posting of notice of the intent to develop guidelines, including notice published in a newspaper of general circulation in the planning region, develop guidelines to assist the local land use boards in its planning region in their determinations whether or not a development has a potential regional impact. The regional planning commission may update the guidelines as needed and provide them, as voted by the regional planning commissioners, to all municipalities in the planning region.

PROCEDURE

- I. Upon determination that a proposed development of has a potential regional impact, the local land use board having jurisdiction shall afford the regional planning commission and the affected municipality the status of abutters as defined in RSA 672:3 for the limited purpose of providing notice and giving testimony.
- II. Not more than 5 business days after reaching a decision regarding a development of regional impact, the local land use board having jurisdiction shall, by certified mail, furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. The local land use board shall, at the same time, submit an initial set of plans to the regional planning commission, the cost of which shall be borne by the applicant.
- III. At least 14 days prior to the public hearing, the local land use board shall notify, by certified mail, all affected municipalities and the regional planning commission of the date, time, and place of the hearing and their right to testify concerning the development.
- IV. Notwithstanding the foregoing, when the building inspector determines that a use or structure proposed in a building permit application will have the potential for regional impact and no such determination has previously been made by another local land use board, he or she shall notify the local governing body. The building inspector shall also notify by certified mail the regional planning commission and the affected municipalities, who shall be provided 30 days to submit comment to the local governing body and the building inspector prior to the issuance of the building permit.



Review of Developments of Regional Impact RSA 36:54-58

Review Topics

- Traffic-Access-Parking
- Conflicts with Policies/Programs
- Noise
- Hazardous Materials or Substances
- Ecology & Resources
- Hazards - Public Health & Safety
- Facilities
- Scenic and Visual Character
- Housing & Population Growth
- G.I.S. Mapping – Data Layers

STRAFFORD REGIONAL PLANNING COMMISSION PRACTICES AND BYLAWS

MUNICIPAL PROJECT GENERAL INQUIRIES AND PROCEDURES

1. All communications with project applicants, municipal staff, abutters, developer's agents and consultants are treated in an objective, open and transparent manner.
2. Everyone receives the same information in regard to Commission Bylaws, standards, practices, processes, and meeting dates.
3. Everyone receives the same access to meeting minutes, applications and studies, and meetings to the limit that the Commission has received the documents or created the documents.
4. Most documents because of their size (maps, plans, applications, and studies) will be available only at the Commission office during normal office hours. Those in digital format will be uploaded to the Commission website.
5. The Regional Impact Committee meetings are public, and are therefore open to the applicant and their agents, abutters, town officials and staff, Commissioners, and the general public.

COMMITTEE RECOMMENDATIONS AND FINDINGS

- A. The Regional Impact Committee shall discuss its position relative to its statutory authority and responsibilities

At the conclusion of the meeting, the Committee shall restate its authority and statutory responsibilities under RSA 36:54 - 36:58. The Committee shall summarize its findings and recommendations relative to the application and request SRPC staff to draft such summary and forward it to the appropriate parties.

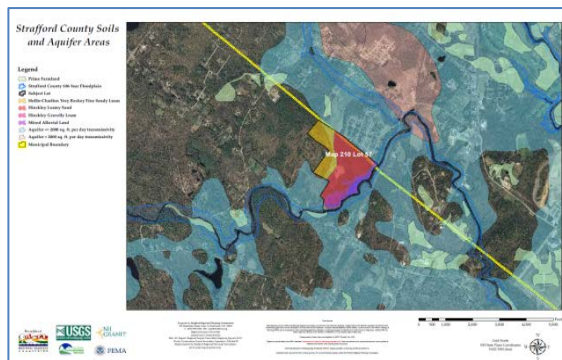
- B. SRPC staff shall prepare a letter detailing the findings of the Committee with respect to the application and forward this correspondence to the municipality originally making the determination of potential regional impact, and to other municipalities with abutter status for the application.

- C. Regional Impact Committee meeting minutes shall be made available for public inspection at the SRPC Office during office hours. Copies of the minutes shall be supplied to those parties noted under Section V - B. The approved Committee meeting minutes shall be posted on the SRPC website.

REGIONAL IMPACT COMMITTEE PROCEDURE ADOPTION

The Regional Impact Committee adopted the original Bylaws on July 17, 2007. These Bylaws include information regarding receipt of materials and notification. These By-Laws may be amended by a majority vote at a regular meeting of the Regional Impact Committee.

SAMPLE GEOGRAPHIC INFORMATION SYSTEMS MAPS



For additional information on the Regional Impact Committee please visit:

<http://www.strafford.org/about/regimpcomm.php>