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THE GRANITE STATE PLANNER

WINTER 2007

www.nhplanners.org

PRESIDENT'S MESSAGE

I want to wish everyone a belated Happy New Year! Winter has finally come upon us and I hope everyone has the chance to enjoy it. We do live in New England after all and it gives us many opportunities to get out and enjoy the wintry weather, not to mention giving us the opportunity to exercise. You remember what exercise is don't you? We are all busy people, but we need to remind ourselves to enjoy all that we have here in New England.

We are busy organizing a conference for NHPA members. The conference will be May 10th and 11th and will be held in beautiful Portsmouth, NH at the Sheraton Harborside Portsmouth Hotel and Conference Center. Please mark your calendar's to save the dates. For those of you who have not been to Portsmouth in some time, this will offer you an opportunity to get reacquainted. I would urge those of you who can to make a weekend out of it and enjoy all that Portsmouth has to offer. The Conference Organizing Group (COG) has begun meeting and will be sure to have an exciting and energizing program for all who attend. Stay tuned for more information in the near future.

As always, the Executive Committee looks forward to serving the membership of the NHPA and we are looking forward to

an exciting year. The Board is here to help you in any way we can and we urge you to contact us if you have questions, suggestions, or just want to chat. Keep coming back to the website to find out what is going on for conferences, workshops, and the work other planners are doing in the State of New Hampshire. We have worked hard on the website over the past few years and feel we have a really good product for our membership to use.

I want to personally thank the Executive Committee for all their hard work and dedication to NHPA. They spend many hours trying to make this the best organization it can for its members. In addition, the Executive Committee needs to thank you, our membership, for giving us the opportunity to serve you and giving us the motivation to continue. Our hope is that we are not only living up to your expectations, but exceeding them.

Sincerely,

James Campbell
NHPA President

NHPA CONFERENCE

After taking a year off to host the NNECAPA Conference in New Hampshire, the NHPA Conference is back. The 2007 event will be held at the Sheraton Harborside Portsmouth Hotel and Conference Center May 10 & 11, 2007. The conference organizing group is busy planning sessions and mobile workshops around the theme of "From Theory to Practice," including continuing housing affordability, innovative land use tools, achieving energy efficiency, and presentations of new and exciting developments in New Hampshire.

Book your hotel room now and plan to join us in May. Hotel and conference information is available on the NHPA website at: www.nhplanners.org - click on Annual Conference on the Events/Programs menu.

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NNECAPA 2006 CONFERENCE A HIT!

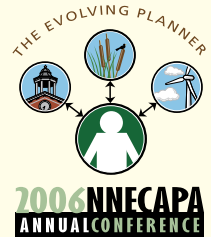
Thanks to all of those who were able to attend the 2006 NNECAPA Conference in Meredith, NH. We had over 160 attendees, wonderful speakers, beautiful weather and overall a great time was had by all. Many thanks go out to the Conference Organizing Group and the NH Local Government Center who spent countless hours coordinating with speakers, creating a design for the t-shirts, organizing the reception, and harvesting every creative thought they could to bring you an incredible conference. We are very grateful to have had such a talented group of people working on the conference. The following people were truly integral to the planning of the conference: John Edgar, Blake Cullimore, June Hammond Rowan, Kerrie Diers, Jim Campbell, Sandrine Thibault, Nancy Larson, Clay Mitchell, Christa Koehler, Shanna Saunders, Becky Herbert, Erin Batstone, Christian Pearsall and other staff at LGC. A special thanks goes to John Edgar

(Town Planner for Meredith) and the Town of Meredith for being the most amazing hosts that any conference organizers could ever wish for.

Proceedings from the conference are on the NH Planner's Association website at: www.nhplanners.org. Please feel free to contact Angela Vincent, with questions or comments about the conference. We are always looking for ways to improve these events. Angela can be reached at: 603-883-0366, x15 or angiev@nashuarpc.org.

After all of that, I am most definitely looking forward to being a participant this year!

Angela Vincent
NNECAPA 2006 COG Chair



A WATERSHED MOMENT FOR SHORELAND PROTECTION UNDER RSA 483-B

New Hampshire is again at a watershed moment in terms of protecting surface waters and adjoining shoreland areas. Last November the Commission to Review the Effectiveness of the Comprehensive Shoreland Protection Act (hereafter, the "CSPA") delivered its final report that includes findings and recommendations to address a growing (and in some cases longstanding) awareness that the CSPA's requirements are difficult to enforce and more public education is necessary. DES's Wetlands Bureau provided the staff time and assistance to the Commission's efforts which has led to House Bill 383.

HB 383 includes some significant changes to the meaning and measurement of shoreland buffers and addresses the issue of impervious surface. The bill defines a new "waterfront buffer" within 50 feet of the reference line. The waterfront buffer is to be left in an "undisturbed state" such that "*No natural ground cover nor vegetation less than 3 feet in height shall be cut.*" HB 383 defines natural ground cover as "naturally occurring leaf or needle litter, stumps, decaying woody debris, stones, boulders, and invasive species." This is a significant new protection as the bill would require, in essence, a 50 foot vegetated buffer, something not in the current statute.

The current CSPA allows 50% of the basal area of healthy trees to be removed within the 150 foot natural woodland buffer. Under HB 383, tree removal within the waterfront buffer is allowed and measured through the creation of 50 ft

by 50 ft grid cells along and extending away from the reference line of the shore. Within each grid cell, each tree is assigned a numeric score ranging between one and ten points based upon its diameter. Ten points (highest tree score) are assigned to trees with a diameter greater than twelve inches, less to smaller diameter trees. HB 383 would require tree stands equaling 50 points be maintained within the waterfront buffer (i.e. five trees with twelve inch diameters). This would replace the basal area method currently in the act, something many feel is a difficult measurement system to understand and use.

Up to 50% of the lot's area could be rendered impervious within the natural woodland buffer area, (50-150 ft from the reference line) and up to 30% of the lot's area within 250 feet of the reference line under HB 383. Currently, there is no maximum impervious area limit within adjacent shoreland areas under the CSPA. The bill's language encourages preservation of existing tree stands in the waterfront buffer by permitting greater impervious area within 250 feet of the reference line if no tree cutting proposed within the waterfront buffer. The bill's text also encourages tree planting and stormwater management plans as protection measures, if incorporated, would allow greater percentages of impervious surface area within 250 feet of the reference line.

Last fall DES's Drinking Water Protection Program surveyed approximately 30 public water suppliers of surface water drinking water supplies covered under the CSPA. The survey

was developed to determine their enforcement and public education needs with respect to the CSPA. Nearly 1 in 4 water systems indicated a need for more assistance with enforcement and 1 in 3 indicated a need for more public education. Perhaps the amendments to the CSPA in HB 383 will begin the process of making the CSPA more enforceable and effective as a means to protect the state's public waters. To read a copy of HB 383 visit <http://www.gencourt.state.nh.us/legislation/2007/HB0383.html>.

Pierce Rigrod, Principal Planner, NH DES

PLANNING FOR CHANGE

The Carbon Coalition—a non-partisan group of New Hampshire citizens, scientists, businesses, students, communities and organizations—believes global warming is local, it's here now, it threatens New Hampshire's economic and community health and the next president needs to have an effective plan.

In March, residents in over 100 New Hampshire towns will consider a climate change resolution at their town meetings. The New Hampshire Climate Change Resolution, which was endorsed by the New Hampshire Planners Association last year, calls for actions at the national level—requiring reductions of greenhouse gas emissions and creating a national research initiative to foster rapid development of sustainable energy technologies. The resolution calls for selectboards to consider appointing local energy committees to focus on and recommend town energy-saving and emissions-reducing solutions.

Already many New Hampshire towns are benefiting from “green” alternatives. Somersworth is saving an estimated \$45,000 a year through lighting efficiency and residential conservation measures, while Claremont is expected to save \$118,000 annually by switching to energy efficient streetlights. The Richmond Middle School in Hanover switched to a wood chip heating system that will save them about \$60,000 a year. While these New Hampshire communities are saving themselves a lot of money, they are also helping to protect our four seasons by softening their ‘footprint’ and reducing carbon emissions.

Look for the New Hampshire Climate Change Resolution at your deliberative session or Town Meeting in March. For more information go to www.carboncoalition.org or contact Toby Ball at (603) 828-5793 or tball@cleanair-coolplanet.org.



HOUSING AND CONSERVATION PLANNING BILL HIGHLIGHTS LEGISLATIVE SESSION

Among numerous bills that are of interest to planners in this legislative session, the most important is Senator Martha Fuller Clark's SB 217, to establish a Housing and Conservation Planning Program (HCPP) for the state. This bill is the product of an 18-month effort of the Growth and Development Roundtable (see sidebar) to develop solutions to the problems faced by municipalities that are struggling with the impacts and exigencies of growth.

SB 217 proposes to create a new matching grant program for municipalities to engage in a full suite of master planning activities, ranging from data collection to regulatory implementation. The HCPP would award technical assistance matching grants to interested municipalities to engage in four specific steps in the development and implementation of a growth and development strategy:

- (1) Mapping of housing and natural resource values and analysis of local housing affordability and its economic impact;
- (2) Development and adoption of a town/city-wide Growth and Development Strategy;
- (3) Amendment of the master plan to be consistent with that Strategy; and
- (4) Auditing and revising zoning, subdivision, and site plan regulations, including adopting innovative new tools, to achieve the goals of the new master plan and the Growth and Development Strategy.

Each stage would require participating municipalities to address housing and conservation together in an interrelated

manner and to identify specific geographic areas for higher density workforce housing. To promote informed decision-making as municipalities address these growth and development issues, public education and conversation would also be required at each stage. The program calls for an appropriation of \$600,000 a year from the General Fund.

Other Bills of Interest. Not all bills have been introduced as of this writing, but here's a few that caught our eye, and some are already well through the process. For a detailed spreadsheet of bills that the NHPA is following, go to www.nhplanners.org and click on the "Legislation/Laws" tab, then select the "Legislative Tracker" link. That provides detailed information on all bills we're following, plus a link to the bill itself. If there's a bill not listed that you think we should follow, let a member of the Executive Committee know, or email Ben Frost at bfrost@nhhfa.org.

- HB 42: Requiring zoning to encourage preservation of stone walls.
- HB 76: Creating an environmental policy for the state.
- HB 237: Study committee for the relationship between land use regulation and the cost of housing.
- HB 255: Study committee on the implementation and use of growth management ordinances.
- HB 293: Allowing municipalities to establish agricultural commissions.
- HB 310: Allowing municipal regulation of wind turbines for home energy production.
- HB 318: Relative to large groundwater withdrawals.
- HB 319: Relative to wetlands mitigation.
- HB 335: Defining "unnecessary hardship" for zoning variances.
- HB 356: Requiring a comprehensive impact report for local decisions on development projects.
- HB 390: Review of developments of regional impact.
- HB 462: Relative to site plan review of agricultural operations.
- HB 467: Requiring the department of environmental services to develop a climate action plan for the state.
- HB 513: Establishing a housing commission.
- HB 868: Relative to a surcharge on recording documents with the register of deeds to fund the land and community heritage investment program (LCHIP).
- SB 208: Relative to court review of certain planning and zoning decisions.

Many other bills will be introduced in February, groundwater protections, the shoreland protection act, and class VI highways among others. For regular updates on these bills, subscribe to the NHPA email service at <http://groups.yahoo.com/group/NHPlanners/> (you must be an NHPA member to join!).

Ben Frost, NHPA Legislative Liaison

THE GROWTH AND DEVELOPMENT ROUNDTABLE

The Roundtable is a broad coalition of New Hampshire's business, conservation, housing, municipal, and planning interests that has been convened and facilitated by the New Hampshire Charitable Foundation. While often perceived as being at odds with each other, these varied interests have been meeting for 18 months to address the negative impacts that each is experiencing because of the lack of an effective strategy to address growth and development in the state. The members of the Roundtable, all of which support the proposed program, include:

- Audubon Society of NH
- Business and Industry Association of NH
- Conservation Law Foundation
- Great Bridges Properties
- Home Builders and Remodelers Assoc. of NH
- Innovative Natural Resource Solutions
- NeighborWorks Greater Manchester
- New Hampshire Housing
- NH Charitable Foundation
- NH Community Loan Fund
- NH Municipal Association
- NH Public Policy Alliance for Housing
- Society for the Protection of NH Forests
- Southern NH Planning Commission
- The Jordan Institute
- Trust for Public Land
- Upper Valley Housing Coalition
- Windy Hill Associates

For more information on the Roundtable and the HCPR, visit www.workforcehousingnh.com/documents.cfm?cid=48.