

# Planning & Zoning Conference Agenda

May 13, 1995

New Hampshire Technical Institute, Concord NH

**8:00-8:30 AM**     **Registration**  
Theater & Lecture Hall

**8:30-8:45 AM**     **Orientation, Welcoming Remarks:** *Jeffrey H. Taylor, Director,*  
*Office of State Planning*  
Theater & Lecture Hall

<b>9:00-10:15 AM</b> <b>Sessions A</b>	<b>Track I</b>	<b>Track II</b>	<b>Track III</b>	<b>Track IV</b>	<b>Track V</b>	<b>Track VI</b>
	Room 317	Lecture Hall	Room 315	Room 310	Room 311	Room L-111*

**10:15-10:30 AM**     **Break**

<b>10:30-11:45 AM</b> <b>Sessions B</b>	<b>Track I</b>	<b>Track II</b>	<b>Track III</b>	<b>Track IV</b>	<b>Track V</b>	<b>Track VI</b>
	Room 317	Lecture Hall	Room 315	Room 310	Room 311	Room L-111*

**11:45-1:15 PM**     **Lunch and Awards Ceremony**  
Little Hall Cafeteria

<b>1:30-3:30 PM</b> <b>Sessions C</b>	<b>Track I</b>	<b>Track II</b>	<b>Track III</b>	<b>Track IV</b>	<b>Track V</b>	<b>Track VI</b>
	Room 317	Room 315	Room 316	Room 310	Room 311	Room L-111*

\* L-111 is located in Little Hall. All other sessions are located in the lecture hall or on the third floor of the Tech Center.

- ❖ *First Floor, Lounge Area - Poster sessions* will be on display throughout the day.
- ❖ *Room 309 - "Getting Back to Basics"* is the first video developed by the Office of State Planning and the Regional Planning Commissions as part of a new initiative called the Planning Video Library Series. This 18 minute video will be available for viewing all day today in this classroom. Copies of the video are also available for sale at \$8.00 each from 8:30-11:30 AM and 3:00-4:00 PM at the registration desk next to the lecture hall.

**Planning and Zoning Board of Adjustment Conference**

**May 13, 1995 8:00 am - 3:30 pm**

**New Hampshire Technical Institute Concord, N.H.**

**Detailed Agenda with Speakers**

**TRACK I Planning Topics**

**Session A. (Part I) Review of Recent Court Cases**

**Tim Bates, Attorney  
Moderator: Peter Breen, Troy PB**

A summary of recent significant NH Supreme Court cases involving planning and zoning issues.

**Session A. (Part II) Reworking a Zoning Ordinance**

**Zachary Gordon, Exeter Town Planner  
Cliff Sinnott, Exec Dir RPC  
Moderator: Peter Breen, Troy PB**

Discussion of the process followed when major amendments to a zoning ordinance are undertaken. Topics under discussion include: ensuring that the local master plan is up to date and that the proposed zoning changes are consistent with the master plan's goals and objectives; involving the public in the process; and holding public hearings.

**Session B. Impact Fees**

**Bart Mayer, Attorney  
Paul Drahnak, Vice Chair, Bedford PB  
Londonderry PB, TBA  
Moderator: Peter Breen, Troy PB**

Case studies will be presented from two towns that adopted and presently administer an impact fee ordinance. Emphasis will be placed on the advantages and disadvantages of implementing such a regulation. Bart Mayer will discuss the options available to a planning board for assessing fees in the absence of an impact fee ordinance.

**Session C. Planning Board Role Play**

**Ann Caldwell, Hollis PB  
H. Bernard Waugh, NHMA Legal Counsel**

Join Hollis Planning Board members, OSP staff, Bernie Waugh and a cast of thousands for an educational (and fun) exercise on planning board procedures and review of applications. This year, some new cases are being unveiled with the help of the Hollis Planning Board. We promise to keep you interested and involved as well as provide you with an opportunity to interact with other planning board members.

**TRACK II Zoning Topics**

**Session A. Hardship**

**William Drescher, Attorney  
Moderator: Jim McLaughlin, OSP**

This is a topic which could take days to sort out, but if anyone can get the right points across in this session, it's Bill Drescher. If you're a ZBA member, you won't want to miss this session which will cover the overall concept of hardship, including examples of what is and is not unnecessary hardship, and a discussion of the standard of review applied by the NH Supreme Court cases. A question and answer period will follow the presentation.

**Session B. Grandfathering**

**Freda Swan, Lyme PB  
H. Bernard Waugh, NHMA Legal Counsel  
Moderator: Jim McLaughlin, OSP**

The local perspective on the grandfathering issue, as experienced by the Town of Lyme, combined with a presentation by the "godfather of grandfathering" (a.k.a. Bernie Waugh) is certain to enlighten your mind and provoke some thoughtful questions. Topics under discussion include a review of the elements of grandfathering, expansion of grandfathered uses, vesting of grandfathered rights, etc.

**Session C. Zoning Board of Adjustment Role Play**

**Bill Pasko, Hollis ZBA  
Tim Bates, Attorney**

The competition begins. Not to be outdone by the planning board role play, ZBA members also receive equal time with a session on procedures and the appeal process. Join the Town of Hollis and Tim Bates for a give and take session on applications taken from "real" cases. Get to know members of other boards as you hash out your decisions. Be forewarned - there may be a surprise ending to the session!

**TRACK III Basics for New PB/ZBA Members**

**Session A. Organizing Effectively - How to Rate a "10"**

**Dave Scott, OSP  
Peter Loughlin, Attorney**

Join Dave Scott and Peter Loughlin for a housekeeping session on how to keep your boards' affairs in order. Among the topics under discussion will be rules of procedure, bylaws, conflict of interest, and public hearings and meetings, and the right-to-know law. This session is designed for new board members or "seasoned veterans" who want to brush up on the basics.

**Session B. The Planning Process and the Tools of the Trade**

**Dave Scott, OSP  
Peter Loughlin, Attorney**

This session examines the relationship between zoning, subdivision regulations and site plan review and how the appeal process fits into the boards' functions. The roles of a PB/ZBA and how they relate will also be discussed. The objective of this session is to provide participants with an understanding of the principles of land use regulation as well as some of the legal issues involved when boards carry out their respective responsibilities.

**Session C. Planner Is In**

**Craig Wheeler, Portsmouth PI Dir  
Gerald Coogan, Planning Consultant**

What a deal! Here's a chance to talk one-on-one with planners on any issue that comes to mind. Bring questions and answers (like Jeopardy!) or just come along for an informal chat. In order to keep the crowd moving, your time will be limited to 10-15 minutes.

**TRACK IV WATER RESOURCES**

**Session A. Bringing the Pieces Together**

**Francesca Latawicz, OSP**

Participants will be given a brief explanation of the master plan process and how land and water use policies should be coordinated. Specific attention will be directed toward water protection policies and how they can be integrated with local land use ordinances. A conceptual framework for

integrating the common components of the various water protection measures will be presented. For instance, identifying which shoreland protection requirements are similar to floodplain ordinance requirements.

**Session B. Local Approach to Water Resources**

**Fran Cormier, Derry Conservation Comm.  
Richard Mailhot, Raymond Bldg Insp  
Chuck Grassie, Alton Town Planner  
Moderator: Jane Lockwood, OSP**

A panel of local officials will present their approach to consolidating several water resource policies into one local ordinance. They will identify the various components that have been integrated and how they were developed. This will be a great opportunity for communities to share their ideas about integrating water resource protection ordinances in their own community.

**Session C. Strategy for Integrated Water  
Resource Protection (SIWRP)  
(Prerequisite: Sessions A&B)**

**Facilitators: Rick DeMark, North Country RC&D  
Francesca Latawiec, OSP  
Ray Lobdell, Land Consultant**

This is where the rubber hits the road! Participants will separate into three or more groups. Each group will be responsible for developing their own SIWRP. The groups will follow an outline with suggested topics to address. This exercise will function as a strategy for individuals to implement at the local level.

**TRACK V ECONOMIC DEVELOPMENT**

**Session A. PBs, ZBAs and Economic Development**

**George Bald, Econ Development Dir.,  
Pease Development Authority  
Moderator: Kenn Ortmann, OSP**

While it would be a conflict of interest for Planning and Zoning Boards to be responsible for economic development, it is important that we recognize the impact of Board decisions on the economic health and vitality of our Community. Some of the topics covered in this session will include identification of the benefits and the costs of economic development; ways in which the growth from a "home occupation" into a regular business can be supported; challenges and opportunities presented by commercial "non-conforming" uses; and unintended impacts of zoning, site review, and subdivision provisions.

**Session B. A Regional Approach to Economic Development**

**Jack Dugan, Keene IDC  
Jim Tully, Wentworth EDC  
Moderator: Kenn Ortmann, OSP**

Most of the costs and benefits of economic development are not restricted by political boundaries. One exception that is particularly important in New Hampshire is property tax revenue. What is a region, and what are the advantages of approaching Economic Development from a regional basis. What are the difficulties and challenges?

**Session C. Thoughts From the Private Perspective**

**Panel members TBA  
Moderator: George Twigg, Gilmanton PB**

A panel of business owners, bringing perspectives from the northern part of the State, from Town and City environments, and from the Industrial and Retail sectors, will share their personal thoughts and experiences about growing their businesses. What helps and what hinders? What issues are most important when considering an expansion or relocation? What is the relative importance of local, state, national, and international factors?

**TRACK VI NH Planning Bulletin Board Demo:**

**Ken Gallager, OSP  
Kristin Wolfe, OSP**

**Sessions A. - C.**

Join OSP staff for a demonstration of the "new" electronic bulletin board for planning and zoning topics. The first session in this track will be repeated throughout the day. The general set-up for each session includes a 15 minute presentation on the bulletin board concept and a short demonstration on how to access and retrieve information. Two computers will be available at each session for an individual, hands-on demonstration. **You must call OSP ahead of time to sign up for a 15 minute slot if you want to use a computer!** You are free to stay in this session for the entire time period or check out some of the poster sessions and exhibits set up in one of the other classrooms.