



PLANNING AND ZONING CONFERENCE

May 12, 2001 8:00 AM - 3:00 PM

New Hampshire Technical Institute, Concord, NH

8:00 AM - REGISTRATION BEGINS
8:30 AM - ORIENTATION

TRACK I - PLANNING BOARD BASICS

Session A. Review of Recent Court Cases - Simplex & Simonsen

Tim Bates, Esq., Mitchell & Bates
Peter J. Loughlin, Esq.
**H. Bernard Waugh, Jr., Esq., Gardner
& Fulton**

Another busy year in the courts and legislature! Don't miss this opportunity to hear from Tim Bates, Peter Loughlin, and Bernie Waugh on what's been happening in our Supreme Court on planning and zoning issues this past year, and the impact of these rulings on local land use regulations. Our legal scholars will give special attention to the *Simplex v. Town of Newington* and *Simonsen v. Town of Derry* cases that have attracted so much attention this year.

Session B. Getting Organized

Michael Donovan, Attorney & Planning Consultant

Join Michael Donovan for this housekeeping session designed for new planning board members or those who want a refresher course on the basics. The topics under discussion at this session include rules of procedure, conflict of interest, the right-to-know law and conducting public hearings and meetings.

Session C. Roles and Responsibilities

Clay Mitchell, Esq., MG Planning
Mike Garrepy, MG Planning

Planning, subdivisions, and site plans - how do I keep it all straight? If you have asked yourself this question in the past few months, then this session is for you. Join the dynamic duo, Clay Mitchell and Mike Garrepy, for a review of the relationship between zoning, subdivision and site plan review and last, but certainly not least, the master plan. Learn the fundamentals of these basic tools of the planning process and how you can become a more effective board member.

TRACK II - BASICS FOR ZONING BOARD OF ADJUSTMENT

Session A. Review of Recent Court Cases - Simplex & Simonsen

See Session IA.

Session B. Getting Organized

Ben Frost, Executive Director, UVLSRPC

Here's your opportunity to get some excellent assistance in your "role" on the ZBA. Ben Frost will once again share his considerable expertise on how to keep your board's affairs in order, including rules of procedure, the do's and don'ts for conducting meetings and hearings, and the issuing of decisions and rehearing procedures.

Session C. Roles and Responsibilities

H. Bernard Waugh, Jr., Esq., Gardner & Fulton

Learning the nuts and bolts of your duties on the ZBA is no easy assignment! Your struggle may be over if you participate in this session with Bernie Waugh. The session will cover in detail the three major responsibilities of a ZBA - administrative appeals, special exceptions and variances. Some highlights include understanding the distinctions between the different types of appeals and guidelines to follow in decision-making.

TRACK III - BEYOND THE BASICS FOR PLANNING BOARD

Session A. Review of Recent Court Cases - Simplex & Simonsen

See Session IA.

Session B. Impact Fee Ordinance Development

Bruce Mayberry, Planning Consultant

Does *Simonsen v. Town of Derry* have you considering an Impact Fee Ordinance? Understand the challenges of developing and administering an impact fee ordinance and explore its pros and cons. Bruce Mayberry shares his experiences from working extensively on this topic with a number of NH municipalities and as the author of the Capital Improvements Handbook and the Impact Fee Handbook for Southern NH Planning Commission.

Session C. Regulation Checklist

Phil Herr, Planning Consultant

Do your zoning regulations fulfill the vision created by your Master Plan? Many communities are not successfully implementing their Master Plan due to the language in their ordinances. Phil will show you a useful way of comparing and evaluating the various planning documents being used in your community.

TRACK IV - ADVANCED PLANNING AND ZONING TOPICS

Session A. What's New in Master Planning

**Jeff Taylor, OSP
Michael Tardiff, CNHRPC**

Don't forget your master plan! Learn from the experts how to resuscitate the master planning process and get that plan off the shelf. This session will focus on how to organize the process, what types of information are important to incorporate and ways to integrate the master plan with regulations and the land use planning process.

Session B. Riparian Buffers/Forested Floodplains

**Adair Mulligan, Communications Director,
Connecticut River Joint Commissions
Francesca Latawiec, CPSS, CWS, PWS,
Principal Planner, OSP
Rich Cook, Vice President for Conservation,
Audubon Society of New Hampshire
Judy Tumosa, Executive Director, Connecticut
River Conservation District**

This session will cover some very useful information that has been developed by the Connecticut River Joint Commissions in a series of fact sheets on riparian buffers. Additional information on forested floodplains will also be presented in anticipation of a new OSP technical bulletin on the topic.

Session C. State/Federal Brownfields Redevelopment Initiatives

**Joyce Bledsoe, Brownfields Program
Associate, DES
Gary Lynn P.E., Petroleum Remediation
Supervisor, DES
Steve Lamb, Principal/Senior Vice President,
GZA Geoenvironmental
Donald Johnsen, Chairman, Max Recognition
Corporation**

This session will cover state and federal programs that facilitate cleanup and redevelopment of abandoned or underutilized commercial and industrial sites. Attendees will learn how to access grant funding and loans to perform site assessments and cleanup activities at sites in their communities. The panel of speakers will provide perspectives from state and local levels of government, and environmental consulting. Case studies of completed and current Brownfields revitalization projects will be presented.

TRACK V -NATURAL RESOURCES

Session A. Identifying and Protecting Significant Wildlife Habitat

**Darrel Covell, Wildlife Specialist,
UNH Cooperative Extension
Ellen Snyder, Coordinator, NH
Ecological Reserve System Project**

This session will provide an overview of the new Fish and Game Department publication, *Identifying and Protecting New Hampshire's Significant Wildlife Habitat: A Guide for Towns and Conservation Groups*. The presenters will help you to better understand how to identify rare wildlife species and habitats, how best to protect them and how to garner support from your community. They will also demonstrate how Geographic Information Systems (GIS) mapping can be an invaluable tool in this community effort.

Session B. Dealing with Growth: Natural Resource-Based Planning for Municipal Officials

**Verna Delauer, NH Coastal Program
Ted Diers, NH Coastal Program**

For the past two years, a group called the Natural Resource Outreach Coalition (NROC) has been developing a program for seacoast communities to address issues of sprawl, habitat fragmentation and non-point source pollution. The "Dealing with Growth" presentation provides a forum for better understanding of these issues as

they pertain to a specific community. Verna and Ted will demonstrate how this presentation is delivered, and the ongoing assistance and education by NROC members that help communities deal with the issues important to them.

Session C. Guide to the Flood Mitigation Assistance (FMA) Program and the National Flood Insurance Program (NFIP)

**Claire Dodge, NFIP Coordinator, OSP
Jane Hubbard, Planning Consultant**

Join Claire and Jane for this session designed to inform Planning Board members, Planners and other local officials of the components of the Flood Mitigation Assistance (FMA) program as well as their role in the related subject of the National Flood Insurance Program (NFIP).

TRACK VI - RURAL CHARACTER & HISTORIC PRESERVATION

Session A. Wooden Bridges for Today

**Geoffrey Jones, Director, Land Management,
Society for Protection of NH Forests
Elizabeth Cooper, Coordinator,
Southern New Hampshire Resource
Conservation and Development Area**

Modern timber bridges can help to preserve the rural landscape and character by using traditional materials along with modern engineering and preservation technology. Using forest resources for covered and modern timber bridges and other transportation structures can also save money. Learn from the experiences of some NH towns that have successfully replaced unsafe bridges with wooden structures in harmony with the landscape.

Session B. Protecting Rural Landscapes with Easements

**Sylvia Bates, Land Conservation
Consultant and Broker
Jennifer Goodman, Executive Director,
NH Preservation Alliance
Gary Matteson, Cut Flower Grower
Carl Schmidt, Chair, NH State
Historical Resources Council**

Easements protect rural properties from inappropriate development. They allow farms and forests to remain productive, and help historic places keep their character. They cost less than acquisition, can be tailored to the needs of particular owners and parcels, are non-regulatory, and entirely voluntary. Learn about the latest types and techniques from experts involved with agricultural, conservation, and historic preservation easements. This session is presented by the NH Preservation Alliance, the NH Coalition for Sustaining Agriculture, and the NH Division of Historical Resources.

**Session C. Peaceful Coexistence for ZBAs, Historic Districts,
and Heritage Commissions**

**Scott Hogan, Esq., Baldwin, Callen,
Hogan & Kidd, P.L.L.C**

Planning Board decisions are appealed to the Superior Court, but appeals of Historic District Commission decisions go to the Zoning Board of Adjustment rather than to the courts. What can a Historic District Commission do to minimize the possibility of an appeal? How can a ZBA fulfill its role without usurping the responsibilities of the Historic District Commission? What are the legal and policy issues, and how can they be resolved? Scott Hogan will lead the discussion in this session which is co-sponsored by the National Trust for Historic Preservation, the NH Preservation Alliance and the NH Division of Historical Resources.