



22nd ANNUAL SPRING PLANNING & ZONING CONFERENCE

Grappone Conference Center

70 Constitution Avenue

Concord, NH 03301

June 4, 2016

CONFERENCE AGENDA

WiFi Password: grappone

8:00 – 8:45 REGISTRATION AND BREAKFAST

8:45 – 9:00 WELCOME AND ORIENTATION

9:00 – 10:15 PLENARY SESSIONGRANITE BALLROOM

PLANNING FOR A RESILIENT NEW HAMPSHIRE:

THE ROLES OF AGRICULTURE AND HEALTHY LIVING IN ACHIEVING DYNAMIC COMMUNITIES

Keynote Speakers: *Lorraine Merrill, Commissioner, NH Department of Agriculture, Markets and Food, Concord, NH*
Terry Johnson, Director, Healthy Eating Active Living (HEAL), Concord, NH

Our opening session looks at the connections between two overarching concepts to guide municipal planning: keeping New Hampshire’s traditional working landscape and the benefits of fostering healthy people and places. Agriculture Commissioner Lorraine Merrill will highlight the ways farming and the agricultural landscape foster a sense of place in our communities. HEAL NH Director Terry Johnson will continue the discussion with a look at how fostering healthy communities can support the goals of livability, resilience and improved population health.

10:15 – 10:30 SESSION BREAKREGISTRATION AREA

CONCURRENT SESSIONS

10:30 – 11:45

ZBA DECISION MAKING PROCESSGRANITE BALLROOM

Daniel Crean, Esq., Crean Law Office, Pembroke, NH

You’ve notified abutters, held the public hearing, heard hours of testimony, and now it’s time to make a decision. What do you do? Do you need to decide right then and there? What if you only have four members present? Can there be conditions of approval? Do you vote on each of the criteria separately? Do you need to vote on anything at all? If these and other questions have plagued your ZBA, this session is for you.

BASICS FOR THE PLANNING BOARDPIERCE

Matthew Serge, Esq., Drummond Woodsum, Manchester, NH

This session is for new planning board members and alternates, as well as veterans who want a refresher course on the basics. Topics for discussion include the planning board’s rules of procedure, conflict of interest and disqualification, conducting meetings and public hearings, the use of third-party consultants, communication with legal counsel, the zoning amendment process, and more.

AGRITOURISM AND THE ROLE OF MUNICIPAL REGULATION MERRIMACK

Gail McWilliam Jellie, Director, Div. of Agricultural Development, NH Dept. of Agriculture, Markets and Food, Concord, NH
Barton Mayer, Esq., Municipal Attorney, Upton & Hatfield LLP, Concord, NH
Jane Presby, Dimond Hill Farm, Concord, NH
Erick Sawtelle, Pinewoods Yankee Farm and Lee Agricultural Commission, Lee, NH

What is Agritourism? It’s a hot topic of discussion for farmers and for municipal land use planners. Agritourism was the prime issue in a recent NH Supreme Court case and is the subject of several proposed bills in this session of the NH Legislature. Learn about the importance of agritourism to the viability of New Hampshire farms and hear how some farmers and municipalities have handled the land use regulatory issues that agritourism presents.

FOCUSING THE CLIMATE CHANGE LENS ON MUNICIPAL PLANNING..... CONCORD

Sherry Godlewski, Environmental Program Manager, NH Department of Environmental Services, Concord, NH
Rhett Lamb, City Planner, Keene, NH
Julie LaBranche, Senior Planner, Rockingham Planning Commission, Exeter, NH
Mike McCrory, Senior Planner, Upper Valley Lake Sunapee Regional Planning Commission, Lebanon, NH

How can municipal planners begin today to plan for the long-term impacts of climate change? Integrating climate change planning into existing plans, policies and regulations is an effective strategy to help municipalities become more resilient. This session will highlight innovative planning currently underway in New Hampshire. A panel of experienced planners will share regional case studies of climate-related efforts, including vulnerability assessments, municipal implementation, and ways to address health impacts.

THE BENEFITS OF PRESERVATION TAX CREDITS IN REDEVELOPMENT PROJECTS..... CAPITAL

Peter Michaud, Historian, NH Division of Historical Resources, Concord, NH

Preserving and reusing historic buildings can energize downtown redevelopment and help create vibrant, active communities that honor our cultural heritage. Our speaker will discuss how preservation tax credits can be used to bolster redevelopment, offering plenty of examples of successful projects.

PLANNING FOR HEALTHY COMMUNITIES..... WEBSTER

Terry Johnson, Director, Healthy Eating Active Living NH, Foundation for Healthy Communities, Concord, NH
Nathalie Ahyi, PhD, Director, NH Health & Equity Partnership, Foundation for Healthy Communities, Concord, NH
Erin Allgood, Project Coordinator, NH Food Alliance, UNH Sustainability Institute, Durham, NH

New Hampshire towns and cities are taking steps to create healthier communities and neighborhoods by increasing availability and access to safe sidewalks, bike paths, trails and recreational facilities, and by providing access to healthy, fresh and affordable foods at farmers markets, schools, hospitals, restaurants, grocers and corner stores. Our panel will discuss the actions they've taken in their communities to make the healthy choice the easy choice for our residents.

11:45 - 12:45 LUNCH..... GRANITE BALLROOM

CONCURRENT SESSIONS

12:45 – 2:00

ROLES AND RESPONSIBILITIES OF THE ZONING BOARD OF ADJUSTMENT (double session) GRANITE BALLROOM

Christopher L. Boldt, Esq., Donahue, Tucker & Ciandella PLLC, Meredith, NH

This session will provide a detailed look at the statutory responsibilities of the ZBA including appeals of administrative decisions, special exceptions, and variances. This session will also provide an in-depth discussion of how the case law interprets the five variance criteria. Time will be devoted to participant questions.

LEGAL UPDATE (double session)..... WEBSTER

Benjamin D. Frost, Esq., AICP, NH Housing Finance Authority, Bedford, NH

This session will review recent New Hampshire Supreme Court decisions involving land use issues and the impact they have on municipal planning and zoning. Recently enacted legislation that affects the responsibilities and authority of municipal planning and zoning boards will also be discussed.

ROLES AND RESPONSIBILITIES OF THE PLANNING BOARD (double session) PIERCE

Christopher Parker, Assistant City Manager and Director of Community Development, City of Dover, NH
Sarah Marchant, Director of Community Development, City of Nashua, NH

Planning, subdivisions, and site plans – do you have trouble keeping it all straight? This double session is designed with you in mind. Join Chris and Sarah for a review of the relationship between zoning, subdivision, and site plan review – and don't forget the master plan. Learn the fundamentals of these basic tools of the planning process and how you can become a more effective board member.

USING WILDLIFE HABITAT DATA IN MUNICIPAL PLANNING..... CAPITAL

Emily Preston, Wildlife Biologist, NH Fish and Game Department, Concord, NH

Wildlife habitats not only provide the beauty and recreational opportunities that enhance your town’s character, but they can also assist municipalities in addressing hazard and climate change mitigation such as flood storage and protecting drinking water supplies. The NH Wildlife Action Plan has been updated for the first time in 10 years and there is a wealth of new data and information, including new wildlife habitat maps. Join us to learn what’s new and how you can use this information to take town planning efforts to the next level. This workshop will provide an overview of the 2015 Wildlife Action Plan, a review of the revised wildlife maps, data and information in the updated plan, and most importantly, provide actions you can take to help New Hampshire’s wildlife and habitats, as well as your community.

COMMUNITY LIVABILITY FOR MILLENNIALS AND BOOMERS..... CONCORD

Matthew Sullivan, Senior Regional Planner, Strafford Regional Planning Commission, Rochester, NH
Jennifer Czyns, Assistant Director, Nashua Regional Planning Commission, Merrimack, NH
Todd C. Fahey, J.D., State Director, AARP New Hampshire, Concord, NH

What makes a community attractive to older adults as well as to young people? The similarities might surprise you! Our knowledgeable panelists will talk about compact, walkable communities with a mix of housing options located close to restaurants, schools, transportation choices and social amenities – all the ingredients needed for a vibrant livable community.

SOLAR 101 FOR MUNICIPAL OFFICIALS..... MERRIMACK

Steve Whitman, AICP, Resilience Planning & Design LLC, Plymouth, NH

Is your municipality ready for the boom in solar electric systems? Whether you have seen a number of solar projects or are still waiting for one in your town, learn about recent trends in New Hampshire’s growing solar market and how your municipality can guide the deployment of solar photovoltaic (PV) systems. This session will provide an overview of policy considerations for municipal officials including master planning, land use regulations, permitting, and codes.

2:00 – 2:15 SESSION BREAK..... REGISTRATION AREA

CONCURRENT SESSIONS

2:15 – 3:30

ROLES AND RESPONSIBILITIES OF THE ZONING BOARD OF ADJUSTMENT (continued from 2:00pm) GRANITE BALLROOM

LEGAL UPDATE (continued from 2:00pm)..... WEBSTER

ROLES AND RESPONSIBILITIES OF THE PLANNING BOARD (continued from 2:00pm) PIERCE

RIGHT TO KNOW LAW ISSUES FOR LAND USE BOARDS..... CAPITAL

Cordell Johnston, Esq., Government Affairs Counsel, NH Municipal Association, Concord, NH

This session will take land use board members beyond the basics of public meeting notice and minutes to cover specific problem areas such as site visits, consultation with legal counsel, use of e-mail, and other topics that are governed by RSA 91-A.

THE POWER OF POLICY AUDITS..... CONCORD

Steve Whitman, AICP, Resilience Planning & Design LLC, Plymouth, NH
Benjamin S. Gaetjens-Oleson, Planning/Zoning Coordinator, Town of Lancaster, NH

Join Steve and Ben to learn about the value of conducting a policy audit of your planning documents and land use regulations. The audit process allows you to identify inconsistencies and disconnects between existing planning policy documents and the regulations that guide land use change in your community. This session will feature examples of the audit process used in several New Hampshire communities. A case study example from Lancaster, NH will be featured to show how the community moved from the audit process to the creation of a Form Based Code for the village.

ENERGY TOOL KIT MERRIMACK

Bruce Simpson, Planning Board Chair, Town of Dublin, NH

Scott Maslansky, C-PACE Program Manager, Jordan Institute, Concord, NH

Charlie Forcey, Durham Energy Committee Chair, Seacoast Regional Energy Hub, Durham, NH

This session will cover several topics involving energy efficiency and alternative energy, including how to develop energy chapters for your municipal Master Plan. Discussion will also center on issues to consider in regulating building- and ground-mounted solar infrastructure through zoning ordinances, and a new market-based financing program called C-PACE that can play a part in economic development by connecting privately owned commercial buildings to investors for comprehensive cash-positive energy projects.