

**Developments of Regional Impact
Review Guidelines for the North Country
Per NH RSA 36:54-58**

Adopted October 28, 2010 by North Country Council Representatives

Guidelines Only: *The following items are guidelines to assist land use boards in the North Country Planning Region (Coos County and the northern portions of Grafton County and Carroll County). The purpose of these guidelines is to provide a list of questions for land use boards to ask to help the boards determine whether a proposed project is a development of regional impact. It is assumed a project may be a development of regional impact if it meets any one of the standards listed below.*

The secondary goal of these guidelines is to establish our regional “good neighbor” policy. When a project in our municipality meets any one of the standards in our guidelines we shall notify our neighboring municipalities so that our potentially impacted neighbors can provide us with their best input. Our neighbors’ input, coupled with the professional input of the Regional Planning Commission, will help us make the best informed decision possible for our municipality.

We may notify our affected neighboring municipalities, first by a courtesy telephone call or by e-mail as soon as we become aware of the possibility that a proposed project in our community may be a development of regional impact.

For the proper notification procedure we shall follow the requirements of NH RSA 36:57. Reminder: We are required to notify the regional planning commission and the affected municipality(ies) within 144 hours of reaching a decision that a proposed project may be a development of regional impact. (See NH RSA 36:57 for the proper forms of notice.)

These are the six areas of interest that we will be reviewing:

- 2.1. Economic Structure:**
- 2.2. Infrastructure Capacity:**
- 2.3. Settlement Patterns or Regionally Significant Features:**
- 2.4. Natural Resources:**
- 2.5. Quality of Life - Emissions:**
- 2.6. Directly Abuts a Municipal Boundary:**

2.1. Economic Structure:

Might the proposed development affect the economic structure of neighboring municipalities by:

- 2.1.1. Increasing the cost of providing energy or other utility services to other towns to the extent it might affect affordability;
- 2.1.2. Adversely affecting the availability of affordable housing in adjacent towns;
- 2.1.3. Increasing the need for housing in an adjacent municipality or region to the extent it might affect affordability;
- 2.1.4. Constructing 50 or more residential units where any portion of the development is within 1,000 feet of a municipal boundary;
- 2.1.5. Constructing a non-residential development that exceeds 50,000 square feet where the proposed development is within 1,000 feet of a municipal boundary; or
- 2.1.6. Constructing a non-residential development (e.g., commercial or industrial development) that will exceed 100,000 square feet?

2.2. Infrastructure Capacity:

Might the proposed development affect the infrastructure capacity of neighboring municipalities by:

- 2.2.1. Creating access to the development through a neighboring town;
- 2.2.2. Substantially affecting the traffic-carrying capacity of regionally significant highways and other transportation facilities within other towns;
- 2.2.3. Creating a new road or a point of access between municipalities;
- 2.2.4. Generating 100 or more vehicle trips per day into an abutting or nearby municipality as determined by the most recent published version of the Trip Generation Manual;
- 2.2.5. Producing excessive solid waste or requiring a significant increase in the capacity for solid waste disposal facilities;
- 2.2.6. Requiring new or significant additional utility services not already available;

- 2.2.7. Generating student populations that will adversely affect school capacities in one or more neighboring municipalities (e.g., residential developments at any location in a given municipality when students are tuitioned in another municipality);
- 2.2.8. Requiring capital outlay beyond town borders for the expansion or development of additional utility transmission lines or other public services; or
- 2.2.9. Generating demand for emergency response personnel?

2.3. Settlement Patterns or Regionally Significant Features:

Might the proposed development affect the settlement patterns or regionally significant features of the Region by:

- 2.3.1. Requiring the alteration, degradation or destruction of designated regionally significant historic, cultural, natural or scenic features;

For example, a main street that ran between two abutting towns was dotted with many historic buildings in a neighborhood that appeared to straddle or overlap the town line of the abutting towns. The development in the host town called for a number of buildings in the middle of a long row of historic homes near the boundary of the abutting municipality to be torn down and replaced by a large commercial retail mall or industrial factory. This may be the kind of development requiring the alteration, degradation or destruction of designated regionally significant historic and cultural features.

- 2.3.2. Being located in geographic areas that have not supported that size and type of proposed development in the past; or

For example, a 8,000 square foot strip mall with a combination “Fun Time” video arcade/miniature golf park/sports bar as the anchor was proposed for a large field located where there was no prior commercial development in the host municipality and far away from the pre-existing downtown area of the host municipality, but very near the outskirts of the village in an abutting town. It was located near a commercial farm-stand open for a few hours per day during the harvest months. This may be an example of a development being located in geographic areas that has not supported that size and type of proposed development in the past.

2.3.3. Being incompatible with the architectural or design features of nearby existing structures?

For example, the development proposed is located on a water body that includes two or more abutting municipalities with frontage on the water body. Most or all of the existing structures around the lake are small modest historic buildings. The developer wants to put a large combination Hilton Hotel/condo/multi-family, multi-story glass and steel structure lighted in the evening by strobe lights, featuring professional jet ski races and water ski acrobatics. This would be an example of something that would be incompatible with the architectural and design features of nearby existing structures.

2.4. Natural Resources:

Might the proposed development affect the natural resources of the Region by:

- 2.4.1. Producing excessive pollutants or substantially degrading air quality or water quality or quantity beyond town borders or within the watershed;
- 2.4.2. Requiring a large water withdrawal or a number of water withdrawals whose cumulative impact is equivalent to a large water withdrawal (defined as 57,600 gallons or greater per day by NHDES) and the proposed development is located within 1,000 feet of any aquifer or surface waters that transcend municipal boundaries;
- 2.4.3. Requiring indoor, outdoor, or underground storage, or the use or transfer of chemicals or other potential pollutants in quantities greater than associated with a typical household and the proposed development is located within 1,000 feet of any aquifer or surface waters that transcend municipal boundaries.
- 2.4.4. Altering, degrading or destroying the habitat and natural municipalities of plants and animals that have been identified as worthy of protection; or
- 2.4.5. Substantially reducing the area or productive capacity of regionally significant forested and agricultural lands; (impact to contiguous conservation areas and greenways would be trigger thresholds)?

- 2.4.6. Altering, degrading, filling, developing or building a structure within the defined flood hazard areas and floodways in such a way that waters using the flood hazard areas and floodways would be further restricted, possibly causing adverse impacts further down the watercourse including a higher mean high water mark in the case of either natural or unnatural flooding. In this case the parties notified as abutters would be the municipalities located further downstream or downriver on the water course.

2.5. Quality of Life - Emissions:

Might the proposed development affect the quality of life in the Region by:

- 2.5.1. Producing or having anticipated emissions such as light, noise, smoke, odors, or particles that may impact a neighboring municipality?
- 2.5.1. Producing or having anticipated visual impacts such as, but not limited to cell towers and wind farms, that may impact a neighboring municipality, including municipalities not directly abutting the host municipality?

2.6. Directly Abuts a Municipal Boundary:

Is the proposed development on land that directly abuts a municipal boundary?

- 2.6.1. If so, is it going to affect neighboring properties in an adjacent municipality? If it might, the neighboring the local land use board should consider making a determination of regional impact.