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# THE GRANITE STATE PLANNER

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[www.nhplanners.org](http://www.nhplanners.org)

## PRESIDENT'S MESSAGE

There are many "thank you's" due to current and past NHPA members! This year's conference in Nashua (May 15 and 16) was a huge success due to the fantastic work of the conference organizing group's chair – Kerrie Diers and the many COG members. This year marked two significant conference firsts – COG members fundraised over \$5,000 which directly helped keep registration costs down and brought in many additional resources for members and with the new addition of a sustainability coordinator to the executive committee roster this was officially a green conference. Some of the efforts taken to green this year's conference included carbon footprint offsetting, composting, recycling, and minimizing disposable products including session handouts, water bottles, sugar packets, etc.

In the last few months the NHPA Executive Committee has seen a few changes. Sandrine Thibault this past winter took a position as a long range planner for the City of Burlington, VT. Sandrine has been a dedicated link between NHPA and NNECAPA as our very dedicated ex-officio member. She has worked hard to help smooth the transition for AICP members into the new CM system and worked tirelessly to organize many conferences. While we were sad to lose our very dedicated NNECAPA ex-officio, we have been joined by Mikaela Engert, Keene Planner, in her place. Mikaela will continue to provide

NHPA with a great link to NNECAPA and has already begun to pick up where Sandrine left off.

The most recent change was the departure of Angela Vincent who recently moved to the Boston area and became the new Director of the Northeast Office for ICLEI-Local Governments for Sustainability. This is a fantastic opportunity for Angie and we wish her the best. Most recently, with NHPA, Angie served as the organizations first sustainability coordinator. In addition to her conference fundraising and organizing magic, this year she worked overtime to green our conference.

With Angie's departure, Christa Koehler, NHPA's public information officer, will shift her role on the board to succeed Angie as the sustainability coordinator. After a call for volunteers to fill the empty public information officer position, the NHPA executive committee elected, at its June 26<sup>th</sup> meeting, Sarah Marchant, Milford Town Planner, to join the committee. We are very pleased to have Sarah join the board and have heard great things of her work in Milford. Sarah is not entirely a newcomer to the Executive Committee as she has been an integral part of this past year's conference organizing committee.

So with that, we wish Sandrine and Angie all the best in their newest adventures and welcome Mikaela and Sarah!

## EXECUTIVE COMMITTEE

**Jennifer Czysz**  
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**Sarah Marchant**  
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**Kerrie Diers**  
Professional Development

**Pierce Rigrod**  
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**Christa Koehler**  
Sustainability Coordinator

**Mikaela Engert**  
NNECAPA Ex-Officio

NH Planners Association c/o Local Government Center  
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## NHPA AWARDS

*The NHPA executive committee solicited applications this spring for its annual awards – Plan, Project, and Planner of the Year and announced the winners at the annual conference's Thursday evening reception. This year included some fantastic recipients.*

### PLANNER OF THE YEAR:

**Robert S. MacKenzie, AICP**

Bob has been a driver within NH's planning world. Recently retired, he spent 27 years with the City of Manchester, NH

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as a planner, the Interim Economic Development Director and 17 years as Director of Planning and Community Development. During his stay with the City, he focused on planning for the rebirth of the City through planning, consensus building, public infrastructure improvements and urban design. He served on a number of Boards including: the NH Community Reinvestment Corporation, Hands Across the Merrimack, the NH Committee on Sprawl, Co-chairman of the Manchester Task Force on Housing and the New Hampshire Downtown Coalition. He now operates MacKenzie Planning dedicated to planning for communities, neighborhoods and development projects.

**PLAN OF THE YEAR:**

Mill Plaza Study Committee and AIANH with design teams Midnight Oil Architects, JSA Architects, Lavalle Brensinger Architects  
***A New Village Center: Durham’s Vision for a Redeveloped Mill Plaza***

This visionary plan was the result of a year-long collaborative effort between the Mill Plaza Study Committee and the New Hampshire Chapter of the American Institute of Architects and its AIA150 partners. It was the product of numerous public meetings, workshops and focus groups with residents to determine their vision for the future of the 10-acre property between Main Street and Mill Road. This plan was the result of combining the work of three design teams along with the community input into a “hybrid” design. It includes creating a village center with quality design, aimed at giving residents an area where they can enjoy both indoor and outdoor activities, and promoting a balanced mix of multiple uses: grocery store, retail shops, office space and new housing. This year’s plan of the year provides an exemplary demonstration of how New Hampshire communities can utilize an urban design-based approach to re-image their commercial strip malls as an integrated component of their community centers.

**PROJECT OF THE YEAR:**

Upper Valley Transportation Management Association  
***The Mobility Checklist: Guidelines to Create Efficient and Livable Growth***

Initially called the “Transportation Friendly Development Checklist,” the Mobility Checklist was developed as a tool to help planners and developers create more efficient and livable communities in New Hampshire and Vermont. The intent is to use the checklist as a guide to encourage growth patterns that make walking, cycling and public transportation options convenient and viable; and to help reduce our reliance on single-occupancy vehicles.

Please visit the NHPA website to learn more about each of the award winners.

**MEMBERSHIP UPDATE**

***Thrilling news!*** With the addition of a dozen new members in the past two months, NHPA membership has leaped past our goal of **200 members**. It was only a few short years ago when our membership numbered under 140 (see the 2003 directory).

There can be only one explanation for this monumental shift. Everyone knows that the really cool planners belong to NHPA. So if you see a planner hanging out on a street corner, clearly despondent and headed for trouble, why not recommend NHPA membership as the cure? The application form is on the NHPA website.

New members!

- |                     |                                      |
|---------------------|--------------------------------------|
| Adam Hlasny         | Lakes Region Planning Commission     |
| Adam Kuroswski      | Lakes Region Planning Commission     |
| Bernie Folta        | City of Claremont                    |
| David Jeffers       | Lakes Region Planning Commission     |
| Erica Anderson      | Lakes Region Planning Commission     |
| J.B. Mack           | Southwest Region Planning Commission |
| Kimon Koulet        | Lakes Region Planning Commission     |
| Matthew Suchodolski | Southwest Region Planning Commission |
| Michael Izard       | Lakes Region Planning Commission     |
| Rebecca Baldwin     | Southwest Region Planning Commission |
| Tim Murphy          | Southwest Region Planning Commission |
| Timothy Garceau     | Southwest Region Planning Commission |

If you’re new and we missed recognizing you, just send me an email and we’ll catch you the next time around. –Ben Frost

## 2008 LEGISLATIVE ROUNDUP

*Ben Frost*

Like a Robert Ludlum novel, the 2008 New Hampshire legislative session was rich in drama, action, and intrigue. But I'll spare you the details and cut to the chase. This was the first year in which NHPA employed a lobbyist, and this was a good time to do it as there were many significant bills, both good and bad, that called for NHPA attention. As all of the members of the Executive Committee are busy with our day jobs (as are you, no doubt), having "eyes and ears" in the State House was especially helpful. Lobbyist Nancy Johnson (former ranking Democrat on the House Municipal and County Government Committee) also testified on our behalf on a number of occasions.

In total, NHPA tracked 109 different bills, 24 of which the Legislative Committee identified as high priorities. We actively supported eight bills—four were passed and one was held for interim study. NHPA actively opposed three bills, and none of them passed. NHPA letters of testimony and the full legislative spreadsheet can be found at [www.nhplanners.org](http://www.nhplanners.org).

**NEW LAWS:** This is a summary of the most important bills passed in this session.

**HB 310 (not yet signed)—Municipal Regulation of Small Wind Energy Systems.** This bill establishes a simple framework for local regulation of wind turbines used for the generation of power and intended primarily for on-site use. NHPA was actively engaged in crafting salutary revisions to the bill, as the original House-passed version would have been cumbersome and difficult to follow. As passed, the law establishes a maximum property line setback of 150% of turbine height; a maximum noise level of 55 decibels at the property line; requires the building inspector to notify by certified mail the abutters and regionally affected municipalities and RPCs when a building permit application for a turbine is filed. These portions of the law will take effect one year after the Governor signs the bill. The bill also requires OEP to develop a model ordinance by 9/30/2008. In addition, the bill adds a new paragraph to the Developments of Regional Impact statute, RSA 36:57, outlining the role of building inspectors in that process. This last portion of the bill will be effective upon signature by the Governor:

RSA 36, 57: IV. Notwithstanding the foregoing, when the building inspector determines that a use or structure proposed in a building permit application will have the potential for regional impact and no such determination has previously been made by another local land use board, he or she shall notify the local governing body. The building inspector shall also notify by certified mail the regional planning commission and the affected municipalities, who shall be provided 30

days to submit comment to the local governing body and the building inspector prior to the issuance of the building permit.

**HB 331 (Chapter 229)—Time Limits on Design Review.** This specifically enables planning boards to determine when the pre-application design review process has ended, which is vitally important in identifying the scope of the pre-application vesting accorded through RSA 676:12. Just take notice that *this must be done through rules of procedure*, not on an *ad hoc* basis.

**HB 1259 (not yet signed)—Municipal Housing Commissions.** This will enable municipalities to establish housing commissions as local land use boards. A housing commission would be advisory to other local boards and have no regulatory powers. But like a conservation commission, a housing commission would administer an affordable housing fund. No source of revenue is identified, nor is there any obligation of a municipality to appropriate money to the fund. This law also enables municipalities to establish revolving funds for affordable housing.

**HB 1260 (not yet signed)—Municipal Growth Management.** Reforms the local growth management (GMO) enabling statutes, RSA 674:22 and 23 by requiring that the adoption of a GMO be based on a need or capital infrastructure deficiency established through a study that "shall consider the municipality's projected growth rate and the municipality's need for additional services to accommodate such growth." It also requires the planning board to annually assess the municipality's progress toward meeting the identified needs or deficiencies and that the ordinance itself contain a specific termination date. This law will take effect upon the Governor's signature, but those municipalities that already have a GMO in place will have until July 1, 2010 to make revisions to comply with the new law.

**HB 1434 (Chapter 182)—Regional Greenhouse Gas Initiative (RGGI).** This marks New Hampshire's entry into the regional cap-and-trade carbon credit auction system. Effective June 11, 2008.

**HB 1579 (Chapter 294)—Land Development Commission / LCHIP Funding.** Establishes a commission with a cast of thousands to study and make recommendations on the following:

- I. The effects of land development on surface and ground water quality and quantity, and terrestrial

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and aquatic habitat.

- II. The adequacy and consistency of local, state, and federal programs as they relate to the regulation and management of land development, including regulations of wetland buffers and setbacks, stormwater management, and cumulative effects of development.
- III. The opportunities for integration of land use controls, open space protection techniques, and environmental and public health protection laws to promote land development patterns that maintain ecosystem health and integrity while providing desirable communities in which to live and work. This shall include study of any programs of this kind underway in other states or nations.
- IV. The potential legal, fiscal, regulatory, and technical obstacles for creating an integrated approach to land development.
- V. Legislation that may be necessary to implement the recommendations of the commission.

In addition, the law formalizes and perpetuates the designated revenue source for the Land and Community Heritage Investment Program (LCHIP). It adds a \$25 surcharge to the recording of deeds, mortgages, mortgage discharges, or plans at the registry of deeds.

**HB 1646 (Chapter 252)—Ten-Year Transportation Improvement Plan.** This law says that it returns the state to a “realistic 10-year plan.” Effective August 24, 2008

**SB 342 (Chapter 299)—Workforce Housing.** Codifies and clarifies the NH Supreme Court’s decision in *Britton v. Town of Chester*, 134 N.H. 434 (1991). It provides definitions for some of the terms that the court had used (“affordable” and “reasonable and realistic opportunities”) and others that have come into more recent parlance (“workforce housing”). The law also provides for an accelerated appeals mechanism

for workforce housing proposals that have been denied by local land use boards or have had unreasonable conditions imposed that make the development economically unviable. Effective July 1, 2009.

**SB 381 (not yet signed)—Conservation Commission Land Expenditures.** In a important revival of a bill that died four years ago (the original written by yours truly), the law enables the legislative bodies of cities and towns to authorize their conservation commissions to appropriate money for the protection of land outside the boundaries of the municipality without securing a property interest in return. It establishes RSA 36-A:4-a, “optional powers” of conservation commissions, and it also allows commissions to make contributions to IRS qualified non-profit organizations. Effective January 1, 2009.

**INTERIM STUDY.** Two other NHPA priority bills have been held over for interim study by the House. Because we are at the end of the biennial legislative term, these will have to be reintroduced as new bills in the upcoming session in January 2009 if they are to proceed.

**HB 335—Defining “Unnecessary Hardship” for Zoning Variances.** Despite two years of work on this bill, the House Municipal and County Government Committee was still uncertain about what it meant and how it would work. So we’re back to square one on eliminating the difference between use and area variances.

**SB 396—Establishing a Statewide Transportation Policy.** This important bill would have established a basic policy framework for the state’s transportation expenditures, and it specifically would have called for a decision-making process that included realistic consideration of multi-modal transportation alternatives, consistency with the state’s smart growth policy in RSA 9-B, and coordination with the state development plan created under RSA 9-A,

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## THE 2008 DRINKING WATER SOURCE PROTECTION WORKSHOP

Approximately 160 people attended this year’s Source Water Protection Workshop held on May 19<sup>th</sup> at the New Hampshire Technical Institute in Concord. Each year DES offers this workshop to water supply managers, land use development officials, consultants, and non-profit organizations as an opportunity to learn and discuss the current science, policy and practice of source water protection. By all measures, this year’s workshop was a success.

Speakers from across the state and New England presented

session topics that included how to improve public outreach, integrate low impact development (LID) techniques, and organize local land conservation. There were also sessions on the new federal and state Groundwater Rule and the state Alteration of Terrain (AOT) and Shoreland Protection rules.

The workshop drew a number of government agencies, water resources companies, and non-profits as vendors

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and the day's schedule offered time for people to network and discuss local protection issues with water resources professionals and DES staff.

The American Ground Water Trust sponsored this year's workshop and the United States Geological Survey (USGS)

provided financial assistance. Our thanks to both of these organizations! If you missed this event, you can visit [www.des.nh.gov/dwspp/2008workshop.htm](http://www.des.nh.gov/dwspp/2008workshop.htm) to view the agenda and download speaker presentations. If you'd like to participate on planning next year's workshop, please contact Pierce Rigrod at (603) 271-0688 or [Pierce.Rigrod@des.nh.gov](mailto:Pierce.Rigrod@des.nh.gov).

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## AIA NEW HAMPSHIRE ANNOUNCES ANNUAL INTEGRATED DESIGN/INTEGRATED DEVELOPMENT (IDID) CONFERENCE TO BE HELD JULY 17-18 AT PLYMOUTH STATE UNIVERSITY

**Keene, NH** – “Stepping Up to the 2030 Challenge” — dramatically reducing the global-warming-causing greenhouse gas (GHG) emissions by changing the way buildings and developments are planned, designed and constructed — will be the primary focus of the fifth Integrated Design/Integrated Development (IDID) Conference slated for July 17-18 at Plymouth State University (PSU). This event is presented by the New Hampshire Chapter of the American Institute of Architects (AIA NH) Environmental Guild, The Jordan Institute, the Granite State Landscape Architects, and the Center for the Environment at Plymouth State University.

Created to open communications among the building industry disciplines and to promote environmentally responsible, economically compelling design and development, the IDID Conferences bring together design, construction, and real estate professionals and their suppliers and financiers.

“This year we are honored to have with us Ed Mazria, an internationally recognized architect with a long and distinguished career, who will provide our key note address,” said Carolyn Isaak, executive director of the AIA NH. “His message is straightforward: the importance of designing environmentally responsible buildings that will achieve success in reducing gases that contribute to global warming.”

Mr. Mazria published *The Passive Solar Energy Book* in 1979. Thirty years later, he leads the Architecture 2030 Challenge to meet the carbon reduction targets set by climate scientists needed to counteract climate change. In his keynote address, “Life is Good,” Mazria will describe the exciting conclusions from *The 2030 Blueprint*, a comparative analysis of building energy efficiency, ‘clean coal’ and nuclear power, along with actions to jump start the 2030 Challenge in local communities. (<http://www.architecture2030.org>)

Through educational sessions, walking and virtual tours, the conference sessions will illustrate the value of, and techniques for, multidisciplinary design processes that produce efficient, cost-effective, and beautiful buildings, grounds, communities, and landscapes.

In addition to Mr. Mazria, the conference also features Leith Sharp, Founder and Director of the Harvard Green Campus Initiative; Carter Scott, of Transformations, Inc.; and Ken Colburn, Symbiotic Strategies; among others. Tours will be given of the renovated Mary Lyon Hall and of Langdon Woods, the first and largest college residence hall in the country to receive LEED Gold certification. In addition, there will be sessions on housing, community, and site planning; virtual tours of outstanding projects; as well as a banquet featuring locally grown healthy foods. Winners of the IDID Excellence in Sustainable Design and Development awards program will be announced at the banquet.

Plymouth State University is an apt site for the conference, as it is establishing its leadership role nationally with regard to environmental sustainability initiatives. Some key developments are the new LEED Gold Langdon Woods residence hall, the establishment of the President's Commission in Environmental Sustainability, a new interdisciplinary Environmental Studies major, and a commitment to educating students to live in an environmentally sustainable way.

Conference participants are encouraged to reduce their carbon footprint while at the conference by staying the night rather than driving back and forth. Dorm rooms in the LEED Gold Langdon Woods dorm have been reserved for participants.

For complete information on the IDID Conference and to register go to: <http://www.aianh.org/idid.asp>.