

Our Membership Speaks: Legislative and Policy Issues

For the coming year, the NHPA is going to address the policy issues highlighted by our membership survey. The following responses from our membership made the list. Included is our initial comment for addressing these issues and how we intend to support the membership's concerns. Over the course of the year we will keep tabs on the development of these policies and legislative concerns and keep you informed.

Concern: Allow impact fees for open space acquisition, specifically for active community oriented uses such as town forest creation and expansion, for protection of watersheds and critical water supplies, and for forest and farmland protection 47.5% (19 responses)

NHPA Strategy: In the past, blanket authorization for “open space acquisition” has received significant resistance. With specific limitations and some potential linkages to a community master plan, we expect to blunt that resistance and build upon the connection between planning and action and reach a consensus result that allows communities, in limited cases, to collect impact fees for certain types of open space.

Concern: Amend state building code to incorporate green standards 57.5% (23 responses)

Strategy: NHPA will likely play a supporting role in this effort since several other state, non-profit, and business groups are calling for the same effort, albeit for different reasons. The state has initiated an Energy Efficiency and Sustainable Energy Board under HB 1561. This Board has wide authority to look at energy efficiency measures. The Governor's Climate Change Task Force has several of its action plan recommendations that focus on energy codes. The job for NHPA is to insure the code is progressive, responsible, and enforceable. Our strategy will be to watch, participate, and educate.

Concern: Rewrite statutory standards for variances 45% (18 responses)

Strategy: We will continue to watch and help with the progress of SB 335 which was held over for interim study. This bill creates the new standards for the variances.

Concern: Ex-officio planning board seat on the ZBA, and vice versa 10% (4 responses)

Strategy: This is a new one for us, but appears to be a good idea. We will review this for potential language and will then work with some of our legislators to see if we can get a sponsor.

Concern: Auto registration local option—double to \$10 for funding of mass transit Add a statewide car registration fee devoted to transit funding 37.5% (15 responses)

Strategy: The goal of this legislation is laudable and consistent with most, if not every, master plan in the state. We must however, tread carefully when anyone suggests the raising of a fee. This is especially critical during the current economic situation (recognizing of course that mass transit is an affordable form of transit). We will have some discussions with legislators about the palatability of this effort at this time. If there is concern, we will hold this issue for a more appropriate time. If there is support, we will consider language for a bill.

Concern: Amend constitution to allow gas tax to be spent on things other than highway construction and maintenance 47.5% (19 responses)

Strategy: “Amend constitution” are frightening words for many people. However, given the latest attention to this issue, we may begin to explore the possibility for starting this effort in earnest. Our strategy would be to involve as many groups as possible before this effort gained steam, so we will begin to explore this idea for the coming year with other groups and report back to the membership on the potential and required steps for this effort.

Single response items:

1. Total review and revamp of the RSAs addressing planning. **Comment:** Quite the task, and may require a committee and a lot more time and resources than the NHPA volunteers have. I think we all share the view that the piecemeal amendment process has made some issues and inflexibility. We will hold this issue this year and discuss it with the membership at the meeting.
2. Local Energy Committees. **Comment:** Several groups are working on legislation to authorize these committees. Since these efforts are well underway we will likely monitor, report back, and support this effort.
3. Enable municipalities to create a Development Review board to handle all quasi-judicial review & free up the Planning Board to do planning. **Comment:** This is a huge issue we all confront and may call for other efforts other than a legislative fix. One concern raised would likely be the response that the Planning Board could create a subcommittee. We would need to explore this after we have considered a “legislative-less” solution.
4. In addition to incorporation of green standards in state bldg code, incorporate measures making the code more friendly to downtown rehab and re-use of historic buildings, particularly those listed on state and national registers. **Comment:** I have to admit that this one may require some education for the author. I do not doubt that this issue is important and look forward to learning about it so that we can help develop a strategy for this topic.
5. Creation of a dedicated funding source for municipal planning **Comment:** This one hits us all in the wallet and may be the source for a future effort, but in the current economic times and budget woes, it is likely not the right time for this effort. We will keep it in the queue.
6. Change tax structure to support development in urbanized areas and deter development from rural areas. **Comment:** Wow. That is an idea. I think this is beyond me and should be a more inclusive effort, like the rewrite of the RSA idea, requiring greater input from a larger section of the membership.