

**UVLSRPC GUIDELINES TO DETERMINE DEVELOPMENTS OF REGIONAL IMPACT
DRAFT LANGUAGE**

Revision Date: March 16, 2010

Note: The Planning Committee approved this draft on March 25, 2010 for review by the full Commission at the April 21, 2010 Commission Meeting.

Criteria for Determining Regional Impact

The local Land Use Board (Board), in accordance with RSA 36:54-58 shall review all applications for potential regional impact. The following criteria shall provide the Board points of reference by which review for regional impact may start. The Board shall, upon receipt of an application for development, review it promptly and determine whether or not the development could reasonably be construed as having the potential for regional impact, be it positive or negative, because of factors such as, but not limited to:

1. Location: Proximity to the borders of neighboring communities.
2. Transportation: Impact to local and regional transportation networks in neighboring communities.
3. Water Resources: Proximity or potential impact to aquifers or surface waters that transcend municipal borders.
4. Shared Community Facilities: Community facilities may include such as schools or other community institutions or infrastructure such as water and sewer services or solid waste facilities.
5. Facility Production or Waste Products: Potential to generate and/or use hazardous materials or emissions of light, noise, smoke, odors, or particulates that may cause undue impacts to neighboring communities.
6. Residential Development: The relative size or number of lots or dwelling units compared with existing stock and how the residential development may affect the housing market in neighboring communities.
7. Commercial/Industrial Development: The character or relative impact of the development upon neighboring communities with regard to employment opportunities, economic benefits or costs, use or transport of hazardous materials, and compatibility with existing land uses.
8. Undeveloped Land and Natural Resources: Development impacts resources in neighboring communities including public recreation areas (e.g. trails, water bodies, open spaces) or tracts that may contribute to wildlife habitat including, but not limited to, critical habitat, travel corridors, conservation areas, and contiguous tracts that span municipal borders.

Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact.

Notification Requirements for Developments of Regional Impact

Upon determination that a proposed development has a potential regional impact the Board shall afford the Regional Planning Commission (RPC) and the affected municipalities the status of abutters for the purpose of providing notice and giving testimony. Additional costs associated with this notification shall be borne by the applicant.

1. Not more than 5 business days after reaching a decision the Board shall, by certified mail, furnish the RPC and the affected municipalities with copies of the minutes of the meeting at

which the decision was made. The Board shall, at the same time, submit an initial set of plans to the regional planning commission.

2. At least 14 days prior to public hearing, the local land use board shall notify, by certified mail, all affected municipalities and the RPC of the date, time, and place of the hearing and their right to testify concerning the development.

Note: RSA 36:57 IV specifies that the local building inspector may determine a proposed use or structure in a building permit application to be a potential regional impact if no other land use board has made that determination. The building inspector shall notify the local governing body and, by certified mail, the regional planning commission and affected municipalities. The building inspector and local governing body shall provide 30 days for written responses prior to issuing a building permit.

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