



*Helping Communities face the challenges and impacts of growth while maintaining their character and sense of place.*

**iTRaC** is the Nashua Regional Planning Commission's approach to community planning that focuses on integrating transportation, land use and environmental planning. The program was developed to assist communities in dealing with the challenges of growth in a coordinated way that sustains community character and a sense of place

## 2014 LEGISLATIVE SESSION: Selected Statutes

### What is an RSA?

Laws in New Hampshire are called Revised Statutes Annotated, or RSAs. "Annotated" means including notes. RSAs include history, case law, and other relevant explanations at the end of each section. RSAs are organized into 64 Titles from Title 1, "The State and its Government" to Title 64, "Planning and Zoning." Each Title is divided into, and typically cited by, Chapters, Sections, and Paragraphs. Example—RSA 674:4, II refers to Chapter 674, Section 4, Paragraph II.

The following is a partial list of RSAs adopted or amended in the 2014 Legislative Session. The data sources are: NH General Court "Quick Bill Status Search," NH Municipal Association "2014 Final Legislative Bulletin," August 8, 2014; and NH Planners Association, Legislative Tracker. To search bills or access the complete documents, click on the following links:

[http://gencourt.state.nh.us/bill\\_status/quick\\_search.html](http://gencourt.state.nh.us/bill_status/quick_search.html)

<http://www.nhmunicipal.org/Resources/LegislativeBulletin/61>

<http://www.nhplanners.org/legislation/2014/NHPABillTrack2014.pdf>

## Planning and Zoning Changes

### HB 1124 - Changed Deadline for Zoning Hearings in SB 2 Towns ~ [Chapter 7](#)

This bill eliminated the separate deadline in RSA 40:13 for hearings on the adoption of zoning ordinances or amendments in official ballot referendum (SB 2) towns. As a result, the deadline established for all towns in RSA 675:3 (fifth Tuesday before the date voting will occur) will apply/ However, the hearings must still be held in time to allow the text of any proposed zoning ordinance or amendment to be included in the warrant, which, in an SB 2 town, must be posted by the last Monday in January (or February, or March, if the town has its meeting in April, or May). (effective date July 5, 2014)

### SB 347 - Pleas by Mail for Land Use Violations ~ [Chapter 77](#)

This bill allows the plea-by-mail process under RSA 31:39-d to be used for violations of land use ordinances or regulations, but not for violations of the state building code. (effective date January 1, 2015)



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**HB 1371 - Governing Body May Approve Grading of Subdivision Streets ~ [Chapter 125](#)**

This bill allows a municipality that has authorized the planning board to approve subdivisions to authorize the governing body to approve the grading and improving of subdivision streets. (effective date August 15, 2014)

**SB 267 - Delayed Effective Date for Integrated Land Development Permit Program ~ [Chapter 156](#)**

This bill extends to July 1, 2017, the effective date for implementation of the integrated land development permit program within the Department of Environmental Services. (effective date June 30, 2014)

**HB 1210 - Notice of Zoning Hearings ~ [Chapter 161](#)**

Among other things, this bill imposes new requirements for notice of planning board hearings on proposed zoning amendments. In addition to the existing requirement of publishing a notice in a newspaper and posting notice in two public places, notice must be given by first-class mail: (1) to the owner of each affected property if an amendment would change a zoning district boundary and the change would affect 100 or fewer properties; and (2) to the owner of each property in a zoning district if an amendment would change minimum lot sizes or permitted uses in a zoning district that includes 100 or fewer properties. Further, the municipality must provide notice of all zoning amendment hearings by first-class mail or electronically to any property owner who requests it. Notices sent electronically or by mail must “describe, to the greatest extent practicable and in easily understood language, the proposed changes to the zoning ordinance, the areas affected, and any other information calculated to improve public understanding of the proposal.” Petitioned zoning amendments are not subject to the notice-by-mail requirements. (effective date July 10, 2014)

Environmental Zoning Changes

**HB 1258 - Modified Process for Fill and Dredge Permits ~ [Chapter 124](#)**

This bill modifies the process for applying for a fill and dredge permit under RSA 482-A. Among other things, the city or town clerk is no longer responsible for sending the signed application to the Department of Environmental Services. Instead, once the applicant has filed the application with the clerk and the clerk has signed it, the applicant is responsible for submitting it to the department. (effective date June 16, 2014)

**SB 388 - Committee to Study Land Conservation ~ [Chapter 148](#)**

This bill establishes a committee to study the current status of land conservation in New Hampshire and the state’s role in encouraging the voluntary protection of land in the future. The committee is to report its findings and any recommendations for legislation by November 1, 2014. (effective date June 16, 2014)

**HB 1383 - Groundwater Withdrawals, Water Conservation, and backflow Prevention Devices ~ [Chapter 304](#)**

This bill, limits to three years, the amount of time the Department of Environmental Services (DES) may require a municipality to collect data relative to a seasonal river overflow surface water stream in connection with a determination of a large groundwater withdrawal’s impact on public use of groundwater. It allows DES to grant an exemption from the rules for water conservation practices under RSA 485:61 if a municipality has a “water balance” (defined as the difference between system input for installation, repair, and replacement of backflow prevention devices at connections to public water systems. (effective date September 30, 2014)



**Take Note!**  
 NH municipalities do not have “home rule!”  
 Municipalities have only the authority that is specifically granted to them by the legislature; they cannot exercise authority on their own.

